

OFFICIAL COUNCIL PROCEEDINGS

February 4, 2003
7:00 P.M.

ROLL CALL

Present: Council Members Dexheimer, Behymer, Hull, Morgan, Janes, Wilson and Mayor Hark – 7

Also Present: City Attorney, City Manager and City Clerk.

CALL TO ORDER

There being a quorum present, Mayor Hark called the meeting to order.

INVOCATION

Before giving the invocation, Council Member Dexheimer paid tribute to the Challenger Astronauts who lost their lives this past weekend and also to our beloved Community Leader, Friend and Member of the Parks & Recreation Board, Jim O'Donnell who passed away on Sunday, February 2, 2003. A moment of silence was observed by all present.

PLEDGE OF ALLEGIANCE

Council Member Hull led the Pledge of Allegiance to the Flag.

APPROVAL OF MINUTES

Regular Meeting 01-21-03

Council Member Dexheimer made motion to approve the minutes from the regular meeting of 01-21-03. Council Member Behymer seconded motion.

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS

Second Half of January 2003

Council Member Wilson made motion to approve payroll and claims. Mayor Hark seconded motion.

Motion carried.

MAYOR HARK

Re: Proclamation – National Patriotism Week

Mayor Hark asked the City Clerk to read this proclamation declaring February 17th through the 22nd. National Patriotism Week. After the reading, Mayor Hark presented the Proclamation to Members of the Elks who were present at the meeting.

Re: Board Appointments:

Terry Hull - Planning and Zoning Commission
Jason Janes - Fire Board

Mayor Hark presented to Council these nominations for the Planning and Zoning Commission and the Fire Board and will be asking for approval at the next regular Council meeting.

JIM DEXHEIMER – FIRE BOARD CHAIRMAN

Re: Informational Presentation - Fire Prevention Training Officer

Council Member Dexheimer presented to Council figures showing the cost of hiring an additional Fire Prevention Training Officer. With the additional responsibilities of taking over MIRMA duties, stepped up hazardous materials and chemicals knowledge, an additional officer is needed to do all jobs required. He will be asking for Council's approval of hiring this officer at the next regular Council meeting.

BILL TATE

Re: Unlicensed Vehicle on Property

Since Mr. Tate was not present at the meeting, Council Member Dexheimer made motion to table this agenda item and place correspondence on file. Mayor Hark seconded motion.

Motion carried.

MARY BETH BAUDENDISTEL – CITY CLERK

Re: Destruction of Documents

The City Clerk presented to Council a list of documents that were scheduled to be destroyed and asked approval for doing this. Council Member Dexheimer made motion to approve destruction of these documents. Council Member Behymer seconded motion.

Motion carried.

JIM BURNS – CITY ENGINEER
Re: Approval of Snow Plow Bid

The City Engineer presented bids to Council for a snowplow. He recommended the bid be awarded to Knapheide Equipment in the amount of \$6,490.00. Council Member Dexheimer made motion to approve awarding bid to Knapheide Equipment. Council Member Wilson seconded motion.

Motion carried.

RESOLUTION 1015

A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING THE EXECUTION OF PERMANENT CONSTRUCTION EASEMENT ON THAT PORTION OF SIDEWALK ON NORTH STREET DIRECTLY IN FRONT OF THE FUTURE SITE OF THE HUCK FINN HOME SITE TO THE MARK TWAIN HOME BOARD

Council Member Wilson made motion to have the Clerk read this resolution and call the roll for adoption. Council Member Janes seconded motion.

Motion carried.

Roll Call

Yes: Council Members Dexheimer, Behymer, Hull, Morgan, Janes, Wilson and Mayor Hark - 7

No: -0-

Mayor Hark declared Resolution 1015 duly approved and adopted on this date.

RESOLUTION 1016

A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT BETWEEN THE CITY OF HANNIBAL AND MECO ENGINEERING CO., INC. OF HANNIBAL, MO FOR ENGINEERING SERVICES

Council Member Janes made motion to have the Clerk read this resolution and call the roll for adoption. Council Member Morgan seconded motion.

Motion carried.

Roll Call

Yes: Council Members Dexheimer, Behymer, Hull, Morgan, Janes, Wilson and Mayor Hark - 7

No: -0-

Mayor Hark declared Resolution 1016 duly approved and adopted on this date.

**BILL NO. 03-853
As Amended**

**AN ORDINANCE PROVIDING FOR THE VOLUNTARY ANNEXATION OF CERTAIN PROPERTY PURSUANT TO SECTION 71.012 OF THE REVISED STATUTES OF MISSOURI
(ABEL REALTY CO., INC. PROPERTY)**

SECOND AND FINAL READING

Council Member Morgan made motion to have the Clerk give this Bill a second and final reading and call the roll for adoption. Council Member Wilson seconded motion. During discussion it was noted that the Bill did not state the type of zoning for this property. According to Jerry Kelley, the Planning and Zoning Board decided it was to be zoned "C" Local Business. Council Member Hull made sub-motion to have the Clerk give this Bill a Second and Final Reading, as amended, inserting the paragraph stating that it was to be zoned "C" Local Business. Mayor Hark seconded motion.

Motion carried.

Roll Call

Yes: Council Members Dexheimer, Behymer, Hull, Morgan, Janes, Wilson and Mayor Hark - 7

No: -0-

Mayor Hark declared Bill No. 03-853, as amended, duly approved and adopted on this date.

BILL NO. 03-855

AN ORDINANCE APPROVING THE SUBDIVISION PLAT FOR THE SMITH & CAMPBELL SUBDIVISION, A SUBDIVISION OF A TRACT OF LAND BEING PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER

**OF SECTION 26, TOWNSHIP 57 NORTH, RANGE 5 WEST IN THE CITY OF
HANNIBAL, MARION COUNTY, MISSOURI.**

SECOND AND FINAL READING

Council Member Dexheimer made motion to have the Clerk give this bill a second and final reading. Council Member Hull seconded motion. During discussion, Council Member Janes informed the Mayor that he would be abstaining from the vote.

Motion carried.

Roll Call

Yes: Council Members Dexheimer, Behymer, Hull, Morgan,
Wilson & Mayor Hark – 6

No: -0-

Abstain: Council Member Janes – 1

Mayor Hark declared Bill No. 03-855 duly approved and adopted on this date.

BILL NO. 03-856

*(AN ORDINANCE VACATING TWO ON-STREET PARKING SPACES ON NORTH
STREET*

FIRST READING)

Mayor Hark explained to Council that this Bill would not be needed, as it was taken care of previously with Resolution 1015. Bill No. 03-856 died for lack of discussion.

BILL NO. 03-857

As Amended

**AN ORDINANCE PROVIDING FOR THE VOLUNTARY ANNEXATION OF
CERTAIN PROPERTY PURSUANT TO SECTION 71.012 OF THE REVISED
STATUTES OF MISSOURI**

FIRST READING

Council Member Hull made motion to table this bill to such a time as a current survey and legal description is presented with the application for annexation. Council Member Wilson questioned Mr. Hull as to why he felt that the description was not current. Mr. Hull stated that the description presented with the application for annexation did not include a portion of land that was purchased by MODot for right-of-way purposes.

Council Member Morgan stated that she felt that this property purchase was included in the present description that she had. The City Clerk stated that as soon as the purchase of this property was brought to her attention, the legal description and plat were revised to reflect this purchase of property. Mr. Hull stated that he felt that we should have an updated description and survey which should have been presented with the application. Council Member Wilson asked the City Manager if he felt there was a problem with this. Mr. Shimun stated that he had no problems and deferred to the City Attorney for his opinion. Mr. Curtis stated that the original plat and description used during the application and public hearing contained land that was condemned by the Missouri State Highway Department. The description and plat that was before Council for this ordinance has been changed to reflect that portion of the property condemned by the Missouri State Highway Department for highway right-of-way usage. The City has the power to annex any portion they desire of the original request as long as it is not more than what was requested. He stated that he felt confident that we could go forward with this ordinance tonight.

At this point, Mayor Hark called the question. There was no second to the motion made by Council Member Hull.

Motion failed.

Council Member Wilson made motion to have the Clerk give Bill No. 03-857 a first reading. Council Member Morgan seconded motion.

Roll Call

Yes: Council Members Dexheimer, Behymer, Morgan, Janes, Wilson & Mayor Hark – 6

No: Council Member Hull - 1

Motion carried.

ADJOURNMENT

Motion was made by Council Member Dexheimer to adjourn. Motion seconded by Council Member Behymer.

Motion carried.

Mary Beth Baudendistel, City Clerk

Roy G. Hark, Mayor
