

**OFFICIAL COUNCIL PROCEEDINGS**

**February 18, 2003  
7:00 P.M.**

**ROLL CALL**

**Present:** Council Members Hull, Morgan, Janes, Wilson, Dexheimer  
and Mayor Hark – 6

**Absent:** Council Member Behymer – 1

**CALL TO ORDER**

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

**INVOCATION**

Council Member Dexheimer gave the invocation.

**PLEDGE OF ALLEGIANCE**

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

At this time, Council Member Dexheimer made the motion to excuse Council Member Behymer from the proceedings. Mayor Hark seconded the motion.

Motion carried.

**APPROVAL OF MINUTES  
Regular Meeting 02/04/03**

Motion was made by Council Member Wilson to approve the minutes from the regular council meeting of February 4, 2003. Council Member Morgan seconded the motion.

Motion carried.

**APPROVAL OF PAYROLL AND CLAIMS**  
**First Half of February 2003**

Council Member Wilson made motion to approve the payroll and claims for the first half of February 2003. Motion was seconded by Mayor Hark.

Motion carried.

**KEVIN KNICKERBOCKER – HANNIBAL JAYCEES**  
**Re: Request for Use of City Property and Streets for National Tom Sawyer Days**

Mr. Knickerbocker spoke to Council, requesting the use of:

- (1) The Old Jack's Harbor Marine Site for vendor parking, etc. in case this is needed
- (2) Church Street, two blocks from Third Street (east of the flood wall) to be used for the carnival
- (3) Our National Tom Sawyer Days Lot
- (4) South Main Street, two blocks from Broadway, south to Lyon St will be used for some of the activities (Street in front of the Star Theatre will be blocked)
- (5) Riverfront Amphitheater Site for the fireworks display setup (several days prior to July 4<sup>th</sup>)
- (6) This year, in addition, the use of Kiwanis Park for the Conservation Department (a large aquarium display) and other youth attractions.
- (7) Nipper Park for a local youth sports team selling refreshments as a fund raiser and other events

He also requested waiver of license fees for the carnival and the baseball card show.

Council Member Wilson asked for a copy of the insurance certificate for the carnival for verification purposed, and Mr. Knickerbocker agreed that all insurance certificates would be provided to the Clerk.

Tanyard Gardens will be set up the same as last year, on the Van Wells lot that is being rented from WPM Properties.

Motion was made by Council Member Hull to approve Mr. Knickerbocker's requests. Council Member Wilson seconded the motion.

Motion carried.

**MAYOR HARK**  
**Re: Board of Nominations**

The following name was presented by Mayor Hark for Council's consideration and approval at the next Council Meeting:

**Hannibal Housing Authority Board**

Patti J. Talbert (replacing Jason Cruse) - Term to expire April 2006

**Re: Approval of Nominations From Last Council Meeting**

The following names were presented by Mayor Hark for Council's approval:

**Planning & Zoning Commission**

Terry Hull

**Fire Board**

Jason Janes

Council Member Morgan questioned the need to fill the positions before new Council Members were elected in April. Mayor Hark indicated that Mr. Craig, chairman of the Planning & Zoning Commission requested that this position be filled as soon as possible, and Mr. Craig stated that this was correct. He requested an immediate replacement of Council Member Jason Janes as Council Member to the Planning and Zoning Commission.

After some discussion, motion was made by Council Member Dexheimer that these nominations be accepted. Motion was seconded by Council Member Wilson.

Motion carried.

**GARY SHIMUN – CITY MANAGER**  
**Re: Board Nominations**

The following name was presented by City Manager Shimun for Council's consideration and approval at the next meeting:

**Library Board**

Vanu Bagchi

**Re: Mark Twain Regional Council of Governments Administrative Services for CDBG Project**

Mr. Shimun presented the qualifications of Mark Twain Regional Council of Governments for administrative services pertaining to the pending CDBG project. This project is for the upgrade of the Manchester Tank Building. Mr. Shimun requested Council's approval of an agreement between the City and MRTCOG for this purpose.

Motion was made by Council Member Wilson to enter into this agreement. Motion was seconded by Council Member Janes.

Motion carried.

**JIM DEXHEIMER – FIRE BOARD CHAIRMAN**  
**Re: Hiring of Training Officer**

Fire Board Chairman Jim Dexheimer requested Council’s approval of adding another Training Officer to the Fire Department. After a lengthy discussion, motion was made by Mayor Hark to approve adding a Training Officer. Motion was seconded by Council Member Dexheimer.

**Roll Call**

**Yes:** Council Members Janes, Wilson, Dexheimer and Mayor Hark – 4

**No:** Council Members Morgan and Hull – 2

**Absent:** Council Member Behymer - 1

Motion carried.

**MARY BETH BAUDENDISTEL & MAJOR DAVIS – P&F RETIREMENT BOARD**

**Re: City Contribution to P& F Retirement Fund**  
(Bill No. 03-854 to follow)

Ms. Baudendistel introduced Bill No. 03-854 concerning the City’s future contributions to the P&F Retirement Fund. She explained how this figure had been obtained and requested approval of a first reading for this bill later in the meeting.

**JIM BURNS – CITY ENGINEER**  
**Re: Bid Recommendations for Outdoor Warning Signals**

Mr. Burns requested Council approval of a bid for outdoor warning signals that Project Impact has been working on for quite some time. This bid includes eight sirens and a new activation station at the 911 center. He recommended approval for the low bidder, Global Technical Systems in the amount of \$82,878.00. Council Member Janes made motion to award the bid to the low bidder, Global Technical Systems for the aforementioned amount. Motion was seconded by Council Member Wilson.

Motion carried.

**FAYE BLEIGH – HCVB**  
**Re: Bid Recommendation for Brochure Distribution**

Ms. Bleigh stated that the bids accepted was for area brochure distribution for the period, March 15, 2003 through November 15, 2003. She informed Council that there was a tie between Chuck Herrin of Virtual Images and Kenny Bray; however, after some discussion of the board members, the board decided to award the bid to Mr. Herrin of Virtual Images because of availability issues. Ms. Bleigh requested Council's approval of the Virtual Images bid. Council Member Dexheimer made motion to award the bid the brochure distribution to Chuck Herrin of Virtual Images. Motion was seconded by Council Member Janes.

Motion carried.

**RESOLUTION 1018**

**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT WITH BLEIGH CONSTRUCTION COMPANY FOR \$191,400.00 FOR MATERIALS, LABOR AND ADDITIONAL EQUIPMENT TO INSTALL A NEW SLUDGE PRESS AT THE WASTEWATER TREATMENT PLANT**

Motion was made by Council Member Wilson to have the clerk read Resolution 1018 and call the roll for adoption. Council Member Janes seconded the motion.

Motion carried.

**Roll Call**

**Yes:** Council Members Hull, Morgan, Janes, Wilson, Dexheimer and Mayor Hark – 6

**No:** -0-

**Absent:** Council Member Behymer – 1

Mayor Hark declared Resolution 1018 duly approved and adopted on this date.

**RESOLUTION 1019**

**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN ON BEHALF OF THE CITY OF HANNIBAL A TERRITORIAL AGREEMENT BY AND BETWEEN THE HANNIBAL BOARD OF PUBLIC WORKS AND THE RALLS COUNTY PUBLIC WATER SUPPLY DISTRICT FOR THE AREA PRESENTLY OCCUPIED BY PERRY STATE BANK**

Motion was made by Council Member Morgan to have the Clerk read Resolution 1019 and call the roll for adoption. Council Member Janes seconded the motion.

Motion carried.

**Roll Call**

**Yes:** Council Members Hull, Morgan, Janes, Wilson, Dexheimer and Mayor Hark – 6

**No:** -0-

**Absent:** Council Member Behymer – 1

Mayor Hark declared Resolution 1019 duly approved and adopted on this date.

**RESOLUTION 1020**

**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN ON BEHALF OF THE CITY OF HANNIBAL A TERRITORIAL AGREEMENT BY AND BETWEEN THE HANNIBAL BOARD OF PUBLIC WORKS AND THE RALLS COUNTY PUBLIC WATER SUPPLY DISTRICT FOR THE AREA PRESENTLY OCCUPIED BY UNITED INDUSTRIES CREDIT UNION**

Motion was made by Council Member Janes to have the clerk read Resolution 1020 and call the roll for adoption. Council Member Morgan seconded the motion.

Motion carried.

**Roll Call**

**Yes:** Council Members Hull, Morgan, Janes, Wilson, Dexheimer and Mayor Hark – 6

**No:** -0-

**Absent:** Council Member Behymer – 1

Mayor Hark declared Resolution 1020 duly approved and adopted on this date.

**BILL NO. 03-854**

**AN ORDINANCE AMENDING CHAPTER 21, PERSONNEL, ARTICLE II, POLICE AND FIRE PENSIONS, SECTION 21-53, FUNDING, PARAGRAPH “C” OF THE CITY OF HANNIBAL CODE PERTAINING TO EMPLOYER FUNDING**

**FIRST READING**

Council Member Dexheimer made a motion to have the Clerk give Bill No. 03-854 first reading. Council Member Wilson seconded the motion.

At this time, Council Member Morgan questioned the overpayment to P&F Retirement Fund by the City and how this would affect that overpayment. A brief discussion followed.

**Roll Call**

**Yes:** Council Members Hull, Morgan, Janes, Wilson and Dexheimer – 5

**Abstain:** Mayor Hark – 1

**Absent:** Council Member Behymer – 1

Motion carried.

**BILL NO. 03-857**

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

**SECOND AND FINAL READING**

Council Member Morgan made motion to give Bill No. 03-857 a second and final reading. Motion was seconded by Council Member Janes.

Council Member Hull stated that he wished to clarify a point concerning this annexation. The opposition concerned only the zoning of the property and not the annexation into the City.

**Roll Call**

**Yes:** Council Member Morgan, Janes, Wilson, Dexheimer and Mayor Hark – 5

**No:** Council Member Hull – 1

**Absent:** Council Member Behymer – 1

Motion carried.

**Roll Call**

(To approve and adopt Bill No. 03-857)

**Yes:** Council Member Morgan, Janes, Wilson, Dexheimer and Mayor Hark – 5

**No:** Council Member Hull – 1

**Absent:** Council Member Behymer – 1

Mayor Hark declared Bill No. 03-857 approved and adopted on this date.

**BILL NO. 03-858**

**AN ORDINANCE APPROVING THE DELIVERY OF \$1,380,000\* PRINCIPAL AMOUNT OF CERTIFICATES OF PARTICIPATION (CITY OF HANNIBAL, MISSOURI, LESSEE), SERIES 2003, FOR THE PURPOSE OF PROVIDING FUNDS TO PAY THE COSTS OF REFUNDING CERTAIN OUTSTANDING OBLIGATIONS OF THE CITY; AUTHORIZING AND APPROVING CERTAIN DOCUMENTS IN CONNECTION WITH THE DELIVERY OF THE CERTIFICATES; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE DELIVERY OF THE CERTIFICATES**

**EMERGENCY READING**

Motion was made by Council Member Wilson to give Bill No. 03-858 an emergency reading. Motion was seconded by Mayor Hark. Council Member Dexheimer questioned the emergency reading and City Clerk Baudendistel responded that the urgency was because of interest rate and the constant fluctuation of this rate.

**Roll Call**

**Yes:** Council Members Hull, Morgan, Janes, Wilson, Dexheimer and Mayor Hark - 6

**No:** -0-

**Absent:** Council Member Behymer – 1

Mayor Hark declared Bill No. 03-858 duly approved and adopted on this date.

**Closed session  
In Accordance with RSMo 610-021 (1) & (2)**

Council Member Dexheimer made motion to go into Closed Session in accordance with RSMo 610-021, subsections 1 & 2, admitting the Mayor, Council, City Attorney, City

Manager, City Clerk, City Collector and Deputy Collector. Motion was seconded by Council Member Wilson.

**Roll Call**

**Yes:** Council Member Hull, Morgan Janes, Wilson, Dexheimer and Mayor Hark – 6

**No:** -0-

**Absent:** Council Member Behymer - 1

Motion carried.

**ACTION TAKEN DURING CLOSED SESSION**

Motion was made by Council Member Wilson to have the City Collector proceed with filing a complaint in municipal court against Wells Reporting Service, owned by Randall Wells, for operating a business in the city limits without a proper business license. Council Member Dexheimer seconded motion.

**Roll Call**

**Yes:** Council Members Hull, Morgan, Janes, Wilson, Mayor Hark and Dexheimer – 6

**No:** -0-

**Absent:** Council Member Behymer – 1

Motion carried.

Motion was made by Council Member Wilson to direct City Clerk and City Manager to make an inspection and audit records of Mr. Well’s books if a correct affidavit of gross receipts is not received. Council Member Dexheimer seconded motion.

**Roll Call**

**Yes:** Council Members Hull, Morgan, Janes, Wilson, Mayor Hark and Dexheimer – 6

**No:** -0-

**Absent:** Council Member Behymer – 1

Motion carried.

## **BACK IN OPEN SESSION**

Council Member Wilson made a motion to go back into open session. Council Member Janes seconded motion.

Motion carried.

## **ADJOURNMENT**

Council Member Janes made motion to adjourn. Mayor Hark seconded the motion.

Motion carried.