

OFFICIAL PROCEEDINGS

PUBLIC HEARING

**Tuesday, May 27, 2003
6:30 P.M.**

CALL TO ORDER

At the appointed hour, Mayor Hark called the public hearing to order.

GARY SHIMUN – CITY MANAGER

**Re: Proposed 2003-2004 Budget
City of Hannibal & Board of Public Works**

Mr. Shimun gave the audience a brief overview of the budget and explained the timetable for approving and adopting the new budget.

PUBLIC COMMENTS

Ms. Annie Dixon, President of the Hannibal NAACP, requested that Council put a line item in their budget for the installation of a monument in the Wedge area to recognize the black businesses that were torn down in the 1980's. She stated that the NAACP did endorse this project and then introduced a long time resident of the City of Hannibal, Ms. Minnie Smith, to explain to the Council more about what they actually wanted.

Ms. Smith pointed out to Council many of the businesses and professionals that would be included in this commemoration project. She would like to see an erection of a monument that would be large enough to see, in remembrance of our Negro heritage. The ideal location would be at the stoplight at the wedge near the Save a Lot Store and she also passed out plans for what the monument would look like. The cost of this monument would be approximately \$4,535.00 and they are asking that the City set aside \$5,000.00 in next year's budget to make this project possible.

ADJOURNMENT

There being no further citizens wishing to speak, Mayor Hark adjourned the public hearing.

**OFFICIAL PROCEEDINGS
PUBLIC HEARING**

**Tuesday, May 27, 2003
6:50 P.M.**

CALL TO ORDER

At the appointed hour, Mayor Hark called the public hearing to order.

JIM BURNS – CITY ENGINEER

**Re: Amend Chapter 32; Zoning. Sec. 32-1 Definitions in regards
to Bed & Breakfast**

Bed and Breakfast Inn: a building or group of buildings containing one or more guestrooms for an overnight stay, which are rented at a daily rate and where breakfast, lunch, and dinner may be served for compensation to overnight guests only.

Amend the “Code of the City of Hannibal, Missouri”, chapter 32; Zoning; Article VI. District B, Multiple Residence District; Section 32.402 Use Regulations, to add the following use:

(9) Bed & Breakfast.

Mr. Burns explained the intention of this change in the code book and also suggested that a more appropriate wording (using the word “meals” instead of breakfast, lunch and dinner).

PUBLIC COMMENTS

Mayor Hark asked if anyone in the audience wished to speak for or against this subject.

Barbara Looney questioned Mr. Burns reason for the wording change.

ADJOURNMENT

There being no one else present who wished to speak, Mayor Hark adjourned this public hearing.

OFFICIAL COUNCIL PROCEEDINGS

**Tuesday, May 27, 2003
7:00 P.M.**

ROLL CALL

Present: Council Members Knickerbocker, Janes Wilson, Mayor Hark, Dexheimer, Hatton and Hull – 7

Absent: -0-

Also Present: City Manager, City Attorney and City Clerk

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 Wilson led the Pledge of Allegiance to the Flag.

**APPROVAL OF MINUTES
Regular Meeting of May 13, 2003
Special Call Meeting of May 21, 2003**

Motion was made by Council Member Janes to the approve the minutes. Council Member Wilson seconded motion.

Motion carried.

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

Council Member Dexheimer made a motion to approve the payroll and claims. Council Member Wilson seconded motion.

Motion carried.

MAYOR HARK

Re: Approval of Nominations to Boards & Commissions Presented at Last Meeting

Fire Board

Jim Dexheimer, Jason Janes and Kevin Knickerbocker
Terms to expire on May 2005

Council Member Wilson made motion to approve the appointments to the Fire Board.
Council Member Janes seconded motion.

Motion carried.

Industrial Development Board

Frances Caldwell and Don Ross
Terms to expire January 2009

Planning and Zoning

Reappoint Bob Cowder
Term to expire June 2007

Council Member Wilson made motion to approve the remainder of the Mayor's
appointments. Council Member Janes seconded motion.

Motion carried.

TERRY MORELAND – TNT RANCH & RODEO CO.

Re: 4th Annual River Front Rodeo & Bull Ride

The City Clerk had received a phone call earlier from Mr. Moreland stating that this
event was being cancelled. Council Member Dexheimer made motion to table this
agenda item. Council Member Wilson seconded motion.

Motion carried.

BIRNEY NEWLON – VFW POST 11241

**Re: Permission to Use 3 Parking Spaces in Front of City Hall for the July 4th
Celebration**

On behalf of Mr. Newlon, who was not present, the City Clerk stated that she had a
handwritten message from Mr. Newlon that the VFW would be providing their own
electricity for this event so there would be no power problems to city hall. Council
member Wilson made motion to approve the request for parking spaces. Council
Member Dexheimer seconded motion.

Motion carried.

HERBERT S. PARHAM, PRESIDENT – MARK TWAIN HOME FOUNDATION
Re: Renewal of Lease for City Owned Property in the Historical District

Mr. Parham explained to Council many of the future plans that the Mark Twain Home Foundation had in mind for the historical district. Since a lot of the property involved is property that is leased by the Foundation from the City of Hannibal, his concern was that the lease agreement had a possible termination period coming up that would not be long enough for them to seek funding for some of the projects. He asked that the City of Hannibal re-write the leases for the Mark Twain Home Properties and the Parking Lot located on the old Light Plant site extending the next possible termination period for an additional 20 years over and above what remains on the lease. Council Member Dexheimer made a motion to have the City Attorney examine these leases and return to Council with revisions to this ordinance that would satisfy the needs of the Foundation. Council Member Wilson seconded motion.

Motion carried.

JASON HARVEY or ERIC WHITE – Y MEN’S CLUB
Re: Annual Burger Blast, June 14, 2003, Request to Block Alley & Part of Street by Y-Men’s Pavilion

Motion was made by Council Member Dexheimer to approve the Y-Men’s Club request. Mayor Hark seconded motion.

Motion carried.

ROBERT CHRISCINSKE – GENERAL MANAGER, BOARD OF PUBLIC WORKS
Re: Contract with Incode for Accounting and Billing Software
(Resolution 1050 to follow)

Mr. Chriscinske explained to Council the reason for their selection of this company for their accounting and financial computer services. He asked Council to approve the bid and contract with Incode for accounting and billing software by approving Resolution 1050 to follow.

JAMES W. BURNS – CITY ENGINEER
Re: Approval of Bids for Street Department Fuel, Oil, Salt and Calcium Chloride

Council Member Wilson made a motion to approve the City Engineer’s bid recommendations for the City’s fuel, oil, salt and calcium chloride needs. Council Member Wilson seconded motion.

Motion carried.

Re: Bid Results for Sale of House at 1704 Wardlaw

Mr. Burns explained that this house was property that the City had purchased in the past to obtain right of way for a project. The first time this property was put up for bids, there were no bids received. This time, there was only one bidder, who was also a City employee. It was Mr. Burns's recommendation that the bid be rejected since it was obviously under the appraisal value of the property and put the property in the hands of a realtor who could probably obtain a price closer the estimated value. Council Member Dexheimer expressed concern that this was not done in the first place. Mr. Burns stated that normally bids were received that were usually closer to the assessed value, which has not happened in this case.

Council Member Hull made a motion to reject the present bid and place the property in the hands of a realtor for sale. Council Member Knickerbocker seconded motion.

Roll Call

Yes: Council Member Knickerbocker, Mayor Hark, Council Members Hatton and Hull – 4

No: Council Members Janes, Wilson and Dexheimer – 3

Motion carried.

Re: Amendment to Lease Agreement With General Mills

Mr. Burns called upon Mr. Shimun to further explain what the amendments to this lease would involve. Mr. Shimun explained that there was immediate need for some updating to be done on this building before General Mills could utilize it. At the present time, the City does not have the funds available to make these revisions. Therefore, General Mills is willing to pay for these updates and be allowed to occupy the building rent-free until the month of January, 2004 in exchange for payment they will be making for these needed revisions. Council Member Wilson made motion to approve. Council Member Hull seconded motion.

Motion carried.

Re: Approval of Bids and Agreement for Analytical Testing at Landfill
(Resolution 1053 to follow)

Mr. Burns asked Council's approval of the bid and contract with Environmetrics Laboratory by approving Resolution 1053 to follow.

Re: Approval of Proposal for Water Sampling at Landfill
(Resolution 1052 to follow)

Mr. Burns asked Council's approval of the bid and contract with Hannibal Testing Labs by approving Resolution 1052 to follow.

Re: Approval of Bid and Agreement for Irrigation and Mowing at Landfill
(Resolution 1051 to follow)

Mr. Burns asked Council's approval of the bid and contract with George Lee Jr. Construction by approving Resolution 1051 to follow.

Re: Approval of Bid and Agreement for Tree Removal
(Resolution 1054 to follow)

Mr. Burns asked Council's approval of the bid and contract with Wilson's Tree Service by approving Resolution 1054 to follow. Council Member Wilson informed the Mayor that he would be abstaining from the vote when the agenda item came up later.

Re: Manchester Tank Building Renovation Change Order No. 7

Council Member Dexheimer made motion to approve Change Order No. 7, Manchester Tank Renovation. Council Member Janes seconded motion.

Motion carried.

Re: Report of Repairs Needed for City Hall Windows

Mr. Burns provided Council with pictures showing windows in City Hall, which were in such bad repair that there was nothing holding the glass in the frame. He explained that his budget line had been exhausted since installation of the City Hall internet had been taken out of this budget earlier this fiscal year. He asked Council to approve moving \$6,900.00 from contingency fund to the repairs & maintenance line item in the City Hall Budget. Council Member Wilson made motion to approve request. Mayor Hark seconded motion.

Motion carried.

**Re: Approval of Bid and Contract for Construction of the Bear Creek
Pedestrian/Bicycle Trail System**
(Resolution 1047 to follow)

Mr. Burns requested Council's approval of the bid and contract with George Lee Jr. Construction for this project by approving Resolution 1047 to follow.

GARY SHIMUN – CITY MANAGER

Re: Approval of Nominations for Board & Commissions From Last Meeting

Library Board

- April Baldwin - a three year term to expire June, 2006
- Pam Ginsberg - a three year term to expire June, 2006
- Todd Ahrens - a three year term to expire June, 2006

Board of Public Works

George Danforth - a four year term to expire July, 2003

Mr. Shimun presented to Council for approval the names that had been nominated at the last Council meeting. It was pointed out that the expiration term for George Danforth should be July of 2007 instead of 2003. Council Member Janes made motion to approve the nominations as amended. Mayor Hark seconded motion.

Motion carried.

Re: Submission of Nominees for Boards and Commissions

Historic Landmarks and Monument Board

Fred Cruse – a three year term to expire January 31, 2006

Board of Adjustment

Bill Hatton – a five year term to expire May, 2008

Hannibal Convention and Visitor’s Bureau

Steve Ayers – remainder of a three year term to expire September, 2003

Hannibal Employee Benefit Trust Board

Richard Zerbonia – a three year term to expire May, 2006

Historic Development district Commission

Jeanna Robertson – a five year term to expire May, 2008

Ken Hess – remainder of a five year term to expire May, 2004

Hannibal Parks and Recreation Board

James O’Donnell – remainder of a three year term to expire July, 2005

David Bleigh – a three year term to expire July, 2006

Lent Johnson – a three year term to expire July, 2006

Affirmative Action Committee

Russell Abbey – a three year term to expire March, 2006

Council Member Dexheimer asked Mr. Shimun if he had received other requests for consideration from other people for the Hannibal Visitor’s Convention Bureau Board. Mr. Shimun stated that he had received and considered requests. Council Member Dexheimer expressed his concern that adding Mr. Ayers to this Board would create a disparity of the number of downtown business owners on it. He suggested that we need to consider candidates from a broader spectrum of businesses to best serve the needs of this Board. Mr. Shimun stated that if Council desired, he would seek other candidates to submit for the HVCB Board. A discussion was held regarding the need for a diverse group of people on this Board.

**Re: Completion of Public Hearing
2003-2004 Proposed Budget**

Mr. Shimun requested Council's input as to whether they wanted to complete the discussion of the budget at the next Council Meeting on June 3rd, or set a special meeting for this purpose. Council Member Dexheimer made motion to continue budget discussion at the next regular Council Meeting. Mayor Hark seconded motion.

Motion carried.

RESOLUTION 1046

**A RESOLUTION OF INTENT TO PARTICIPATE IN ALL-HAZARD
MITIGATION AND WORKING TOWARD BECOMING A DISASTER
RESISTANT COMMUNITY**

Council Member Wilson made motion to have the Clerk read Resolution 1046 and call the roll for adoption. Council Member Dexheimer seconded motion.

Motion carried.

Roll Call

Yes: Council Members Knickerbocker, Janes, Wilson, Mayor Hark, Council Members Dexheimer, Hatton and Hull – 7

No: -0-

Mayor Hark declared Resolution 1046 duly approved and adopted on this date.

RESOLUTION 1047

**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CONTRACT
AGREEMENT WITH GEORGE LEE JR. CONSTRUCTION FOR THE
CONSTRUCTION OF BEAR CREEK PEDESTRIAN/BICYCLE TRAIL SYSTEM
HANNIBAL MARK TWAIN AREA RESTORATION PROJECT – PHASE 5,
PART 2**

Council Member Wilson made motion to have the Clerk read Resolution 1047 and call the roll for adoption. Council Member Janes seconded motion.

Motion carried.

Roll Call

Yes: Council Members Knickerbocker, Janes, Wilson, Mayor Hark, Council Members Dexheimer, Hatton and Hull – 7

No: -0-

Mayor Hark declared Resolution 1047 duly approved and adopted on this date.

RESOLUTION 1048

A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, APPROVING AN INDUSTRIAL DEVELOPMENT PROJECT IN THE CITY OF HANNIBAL, MISSOURI, FOR GENERAL MILLS OPERATIONS, INC.

Council Member Janes made motion to have the Clerk read Resolution 1048 and call the roll for adoption. Council Member Wilson seconded motion.

Motion carried.

Roll Call

Yes: Council Members Knickerbocker, Janes, Wilson, Mayor Hark, Council Member Dexheimer, Hatton and Hull – 7

No: -0-

Mayor Hark declared Resolution 1048 duly approved and adopted on this date.

RESOLUTION 1049

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A WARRANTY DEED ON BEHALF OF THE CITY OF HANNIBAL TRANSFERRING FOR A SUM OF \$10.00, PROPERTY TO EDWIN L. WENNEKER, AND CYNTHIA L. WENNEKER, HIS WIFE AS PER THE ATTACHED DESCRIPTION

Council Member Janes made motion to have the Clerk read Resolution 1049 and call the roll for adoption. Mayor Hark seconded motion.

Roll Call

Yes: Council Members Knickerbocker, Janes, Mayor Hark, Council Members Dexheimer, Hatton and Hull - 6

No: Council Member Wilson - 1

Motion carried.

After reading Resolution 1049, roll call was taken to adopt.

Roll Call

Yes: Council Members Knickerbocker, Janes, Mayor Hark,
Council Member Dexheimer, Hatton and Hull – 6

No: Council Member Wilson - 1

Mayor Hark declared Resolution 1049 duly approved and adopted on this date.

RESOLUTION 1050

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CONTRACT ON BEHALF OF THE CITY OF HANNIBAL BOARD OF PUBLIC WORKS WITH INCODE, CO. FOR PURCHASE AND IMPLEMENTATION OF A COMPUTER SOFTWARE SYSTEM FOR ACCOUNTING AND BILLING FUNCTIONS

Mayor Hark made motion to have the Clerk read Resolution 1050 and call the roll for adoption. Council Member Janes seconded motion.

Motion carried.

Roll Call

Yes: Council Members Knickerbocker, Janes, Wilson, Mayor Hark, Council Members Dexheimer, Hatton and Hull – 7

No: -0-

Mayor Hark declared Resolution 1050 duly approved and adopted on this date.

RESOLUTION 1051

A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT WITH GEORGE LEE JR. CONSTRUCTION, INC. FOR OPERATION OF THE LANDFILL IRRIGATION SYSTEM AND MOWING IN THE AMOUNT OF \$12,900

Council Member Wilson made motion to have the Clerk read Resolution 1051 and call the roll for adoption. Council Member Hull seconded motion.

Motion carried.

Roll Call

Yes: Council Members Knickerbocker, Janes, Wilson, Mayor Hark, Council Members Dexheimer, Hatton and Hull – 7

No: -0-

Mayor Hark declared Resolution 1051 duly approved and adopted on this date.

RESOLUTION 1052

A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT WITH HANNIBAL TESTING LABS FOR WATER SAMPLING SERVICES IN THE AMOUNT OF \$775.00

Council Member Wilson made motion to have the Clerk read Resolution 1052 and call the roll for adoption. Mayor Hark seconded motion.

Motion carried.

Roll Call

Yes: Council Members Knickerbocker, Janes, Wilson, Mayor Hark, Council Members Dexheimer, Hatton and Hull – 7

No: -0-

Mayor Hark declared Resolution 1052 duly approved and adopted on this date.

RESOLUTION 1053

A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT WITH ENVIRONMETRICS LABORATORY SERVICES FOR ANALYTICAL WATER TESTING SERVICES IN THE AMOUNT OF \$898.00

Council Member Janes made motion to have the Clerk read Resolution 1053 and call the roll for adoption. Council Member Wilson seconded motion.

Motion carried.

Roll Call

Yes: Council Members Knickerbocker, Janes, Wilson, Mayor Hark, Council Members Dexheimer, Hatton and Hull – 7

No: -0-

Mayor Hark declared Resolution 1053 duly approved and adopted on this date.

RESOLUTION 1054

**A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING
THE MAYOR TO SIGN AN AGREEMENT WITH WILSON TREE SERVICE
FOR TREE REMOVAL IN THE AMOUNT OF \$5,700**

Council Member Janes made motion to have the Clerk read Resolution 1054 and call the roll for adoption. Council Member Knickerbocker seconded motion.

Motion carried.

Roll Call

Yes: Council Members Knickerbocker, Janes, Wilson, Mayor Hark, Council Members Dexheimer, Hatton and Hull – 7

No: -0-

Abstain: Council Member Wilson - 1

Mayor Hark declared Resolution 1054 duly approved and adopted on this date.

BILL NO. 03-870

As Revised on 05/21/03

**AN ORDINANCE AMENDING CHAPTER 32; ZONING; SECTION 32-1;
DEFINITIONS, TO INCLUDE BED & BREAKFAST INN**

FIRST READING

Motion was made by Council Member Wilson to have the Clerk give Bill 03-870, as revised, a first reading. Council Member Hull seconded motion.

Motion carried.

BILL NO. 03-871

As revised 05/21/03

**AN ORDINANCE AMENDING CHAPTER 32; ZONING, ARTICLE VI
DISTRICT B MULTIPLE RESIDENCE DISTRICT; SECTION 32.402, USE
REGULATIONS, TO INCLUDE BED & BREAKFAST INN.**

FIRST READING

Motion was made by Council Member Wilson to have the Clerk give Bill 03-871, as revised a first reading. Council Member Knickerbocker seconded motion.

Motion carried.

BILL NO. 03-872

AN ORDINANCE AUTHORIZING THE ISSUANCE OF TAXABLE INDUSTRIAL REVENUE BONDS (GENERAL MILLS OPERATIONS, INC. PROJECT), SERIES 2003, IN AN AMOUNT NOT TO EXCEED \$55,000,000.00.

FIRST READING

Motion was made by Council Member Hull to have the Clerk give Bill 03-872 a first reading. Council Member Janes seconded motion.

Motion carried.

BILL NO. 03-864

AN ORDINANCE PROVIDING FOR THE VOLUNTARY ANNEXATION OF CERTAIN PROPERTY PURSUANT TO SECTION 71.012 OF THE REVISED STATUTES OF MISSOURI. (Best Property)

SECOND AND FINAL READING

Motion was made by Council Member Wilson to have the Clerk give Bill03-864 a second and final reading and call the roll for adoption. Council Member Janes seconded motion.

Motion carried.

Roll Call

Yes: Council Member Knickerbocker, Janes, Wilson, Mayor Hark, Council Member Dexheimer, Hatton and Hull – 7

No: -0-

Mayor Hark declared Bill No. 03-864 duly approved and adopted on this date.

BILL NO. 03-865

AN ORDINANCE AMENDING CHAPTER 32; ZONING, SECTION 32-1, DEFINITIONS, TO INCLUDE FINANCIAL INSTITUTIONS.

SECOND AND FINAL READING

Motion was made by Council Member Wilson to have the Clerk give Bill 03-865 a second and final reading and call the roll for adoption. Council Member Hull seconded motion.

Motion carried.

Roll Call

Yes: Council Member Knickerbocker, Janes, Wilson, Mayor Hark, Council Member Dexheimer, Hatton and Hull – 7

No: -0-

Mayor Hark declared Bill No. 03-865 duly approved and adopted on this date.

BILL NO. 03-866

**AN ORDINANCE AMENDING CHAPTER 32; ZONING, ARTICLE VI
DISTRICT C LOCAL BUSINESS; SECTION 32.502, USE REGULATIONS, TO
INCLUDE FINANCIAL INSTITUTIONS.**

SECOND AND FINAL READING

Motion was made by Council Member Wilson to have the Clerk give Bill 03-866 a second and final reading and call the roll for adoption. Council Member Hatton seconded motion.

Motion carried.

Roll Call

Yes: Council Member Knickerbocker, Janes, Wilson, Mayor Hark, Council Member Dexheimer, Hatton and Hull - 7

Mayor Hark declared Bill No. 03-866 duly approved and adopted on this date.

BILL NO. 03-867

**AN ORDINANCE AMENDING CHAPTER 21, PERSONNEL, ARTICLE II,
POLICE AND FIRE PENSIONS, DIVISION 1. GENERALLY SECTION 21-54.
CONTRIBUTIONS BY EMPLOYEES.**

SECOND AND FINAL READING

Motion was made by Council Member Dexheimer to have the Clerk give Bill03-867 a second and final reading and call the roll for adoption. Council Member Wilson seconded motion.

Motion carried.

Roll Call

Yes: Council Members Knickerbocker, Janes, Wilson,
Dexheimer, Hatton and Hull – 7

No: -0-

Abstain: Mayor Hark - 1

Mayor Hark declared Bill No. 03-867 duly approved and adopted on this date.

ADJOURNMENT

Council Member Knickerbocker made motion to adjourn. Mayor Hark seconded motion.

Motion carried.