

OFFICIAL COUNCIL PROCEEDINGS

**February 3, 2004
7:00P.M.**

ROLL CALL

- Present:** Council Members Hatton, Hull, Knickerbocker, Janes, and Mayor Hark – 7
- Absent:** Council Members Dexheimer and Wilson - 2
- Others Present:** Deputy City Clerk, City Manager and City Attorney

CALL TO ORDER

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

INVOCATION

City Attorney Robert Curtis gave the invocation.

PLEDGE OF ALLEGIANCE

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

Council Member Janes made motion to excuse Council Members Dexheimer and Wilson. Motion seconded by Council Member Hull.

Motion carried.

**APPROVAL OF MINUTES
Regular Meeting of January 6, 2004, as Amended
Regular Meeting of January 20, 2004**

Council Member Hatton made motion to approve the minutes of the regular Council Meetings held on January 6, as amended, and January 20. Council Member Hull seconded the motion.

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS
Last Half of January, 2004

Council Member Knickerbocker made motion to approve the payroll and claims for the last half of January, 2004. Mayor Hark seconded the motion.

Motion carried.

ANDREW MORRIS – CITY MANAGER
Re: City Manager’s Report

City Manager Morris spoke to Council regarding the Employee Guide to Success and the possibility of revising and/or upgrading this manual a bit. Mr. Morris would like to form an employee committee to review this and make tentative changes. He welcomed the possibility of including Council Members on this committee. The revised draft would be presented to Council for their consideration, suggestions or approval. Council Member Knickerbocker agreed this was a good idea and gave his endorsement.

MIKE GINSBERG – CITIZEN
Re: Special Tax Assessment for 1116 Hill Street

Mr. Ginsberg referenced a letter that was in the Council’s packet. This letter explained the details of a special tax assessment for 1116 Hill Street, Mr. Ginsberg’s address. Apparently, repairs were completed on a private sewer main used by six houses, one of which was the Ginsberg home. The resulting invoice for these repairs was divided and assessed to each of the homes. Later it was determined that Mr. Ginsberg’s home was not connected to this private main. Mr. Ginsberg now requests reimbursement of the assessment, which totals \$311.00. Council Member Janes made motion for this request to be approved and for Mr. Ginsberg to be reimbursed for the assessment. Motion was seconded by Mayor Hark.

Motion carried.

MICHELLE DENT – HANNIBAL COURIER POST
Re: Permission to Have Fat Tuesday Parade in Downtown on February 24, 2004

Ms. Michelle Dent, Hannibal Courier Post Advertising Director, spoke concerning the possibility of having an event in the downtown area. Ms. Dent handed out information and asked Council’s permission to have a Fat Tuesday Parade on Main Street. The event would be held on February 24, 2004 from approximately 5:30 pm – 6:00 pm. Her hope is that this, along with an advertising campaign for this event will bring added revenues to the downtown area. Her request to Council was to get permission to block off Main Street for this event. After Council Member informed Ms. Dent that she would need a

parade permit from the Police Department, motion was made by Council Member Knickerbocker to approve her request. Motion was seconded by Council Member Hull.

Motion carried.

MICHAEL GANES – HANNIBAL ARTS COUNCIL

Re: 17th Annual River Arts Festival to be Held Downtown on May 29th & 30th, 2004

In Mr. Gaines absence, Mayor Hark presented Gaines' request. According to his letter, the Hannibal Arts Council is planning to hold the 17th Annual River Arts Festival on May 29 and 30, 2004 and the annual Autumn Historic Folk Life Festival on October 16 and 17, 2004. Mr. Gaines requested permission and approval to use:

North Main Street from Broadway north to North Street
Side streets of Center, Bird and Hill to alleys east and west of Main Street
Ole Planters parking lot
Main and Bird parking lot

He also requested that these streets be blocked off at 6:00 am on Saturday and remain blocked until 6:00 pm on Sunday. Council Member Knickerbocker suggested that these streets be blocked off on Friday evening, also. Council Member Janes made motion to approve Michael Gaines' request, including Friday evening street blockage. Motion was seconded by Mayor Hark.

Motion carried.

MARTIN T. WASSON – GREAT RIVER ENGINEERING

Re: Temporary Waive of Ordinance 17-617 for Riding All-Terrain Vehicles While Doing Survey Work in Riverview Park

Mr. Wasson appeared before Council asking their approval to waive Ordinance 17-617, which concerns riding all-terrain vehicles on city property. The purpose would be to allow crewmembers under his direction to utilize these vehicles in Riverview Park and some neighboring streets to complete survey work of Riverview Park in a timely and efficient manner. Mr. Wasson stated he had previously discussed this request with Bill Lankford, Park Superintendent and Chief Runyon, Hannibal Police Department, neither of which had a problem with this request.

After a lengthy discussion, motion was made by Council Member Janes to allow the all-terrain vehicles to be used in this instance. Motion was seconded by Council Member Knickerbocker. (It was noted that City Attorney Curtis opposed the approval of this request).

Motion carried.

MARY BETH BAUDENDISTEL – P & F RETIREMENT BOARD
Re: Revision of Vesting and Death Benefits for P&F Retirement Plan
(Bill Nos. 03-898 and 03-899 to follow)

In the absence of the City Clerk, Lyndell Davis was to present this agenda item; however, he asked that this item be tabled when they were brought up for approval later in the meeting. He stated that there was additional information showing a cost comparison and supporting argument for these changes, but these were accidentally omitted from the packets and this information needed to be presented before a decision should be made.

CATHY RAHE – DIRECTOR OF TOURISM
Re: Brochure Distribution Bid Recommendation

Cathy Rahe came before Council recommending approval of a bid for brochure distribution to Virtual Images, with a bid amount of \$8,100.00. This bid period would run from March 1, 2004 through November 30, 2004. Ms. Rahe indicated this was the same company that performed the service for the previous year. Motion was made by Council Member Knickerbocker to approve this bid. Motion was seconded by Council Member Janes.

Motion carried.

JOHN WEALER – CITY BUILDING INSPECTOR
Re: Revision to Municipal Code in Regards to Flood Damage Prevention
(Bill No. 03-897 to follow)

City Building Inspector, John Wealer presented information about Bill No. 03-897 that he was requesting to be approved later during the Council Meeting. This Bill is to revise the existing floodplain management ordinance that has been in place for approximately ten years. This is the result of a SEMA (State Emergency Management Agency) audit that is done periodically. SEMA felt the ordinance should be updated because it lacked some of the details that have come to light in the last ten years. He offered to answer any questions that Council may have regarding this update. This will put us in compliance with SEMA regulations.

JIM BURNS – CITY ENGINEER
Re: Tree Removal at Hannibal Municipal Airport & Contract
(Resolution 1098 to follow)

Mr. Burns came before Council concerning a resolution for tree removal at the Hannibal Municipal Airport. This bid was awarded at the last Council meeting and now a contract

needs to be signed with the company who was awarded this bid. This work will be paid for with money from the Airport Entitlement Grant Fund (there is a 10% match due from the City). He offered to answer any questions concerning the resolution and asked Council approval when presented later in the meeting. There brush cleared will be burned on the site instead of being hauled away. A burn permit is being obtained from the state.

Re: Cost Share with MoDot for Improvements to Warren Barrett Drive, Red Devil Road and US61 Intersection
(Resolution 1100 to follow)

Next Mr. Burns presented information on Resolution 1100 which concerned the cost share agreement with MoDot for improvements to Warren Barrett Drive, Red Devil Road and US61 intersection. This resolution commits the City to paying 50% of the costs up to \$175,000.00 for improvements at this interchange and will be funded by additional block grant funds for the Manchester Tank warehouse renovation. Burns requested approval of the resolution later in the meeting that would authorize the Mayor to sign this agreement.

Re: Diamond Boulevard – Change Order No. 4

The final item Burns presented was Change Order No. 4 for Diamond Boulevard. There was an increase in cost of \$3,652.30 for adjusting sanitary sewer manhole (labor, material equipment and supervision), adding an area drain/drainpipe and relocating an underground telephone line. He asked for Council approval of this change order. Motion was made by Council Member Janes to approve Change Order No. 4. Motion was seconded by Council Member Knickerbocker.

Motion carried.

RESOLUTION 1098

A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING THE MAYOR TO SIGN A CONTRACT WITH A&G CONSTRUCTION AND EXCAVATING LLC FOR TREE REMOVAL AT THE HANNIBAL MUNICIPAL AIRPORT

Council Member Janes made motion to have the Clerk read Resolution 1098 and call the roll for adoption. Council Member Knickerbocker seconded the motion.

Motion carried.

Roll Call

Yes: Council Members Hatton, Hull, Knickerbocker, Janes, and Mayor Hark – 5

No: -0-

Absent: Council Member Dexheimer and Wilson - 2

Mayor Hark declared Resolution 1098 duly approved and adopted on this date.

RESOLUTION NO. 1099

A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING THE MAYOR TO SIGN A MEMORANDUM OF AGREEMENT FOR LAND TRANSFER AND ACQUISITION BETWEEN THE STATE OF MISSOURI DEPARTMENT OF CORRECTIONS AND THE CITY OF HANNIBAL

Council Member Hull made motion to have the Clerk read Resolution 1099 and call the roll for adoption. Mayor Hark seconded the motion. City Manager Morris explained that this was only a memorandum of understanding providing an avenue for negotiations between the City and the Missouri Department of Corrections and establishes an interest on both parties to talk about this transfer. If there is no interest on the Council level, this trade will not be pursued. Should this pass and the Facility be completed, it would create 23 additional jobs and \$650,000.00 of additional revenue coming into the City.

After a lengthy discussion, motion carried.

Roll Call

Yes: Council Members Hatton, Hull, Knickerbocker, Janes, and Mayor Hark – 5

No: -0-

Absent: Council Members Dexheimer and Wilson - 2

Mayor Hark declared Resolution 1099 duly approved and adopted on this date.

**RESOLUTION NO. 1100
(as amended)**

A RESOLUTION OF THE CITY OF HANNIBAL, AUTHORIZING THE MAYOR TO SIGN A COST SHARE AGREEMENT BETWEEN THE CITY OF HANNIBAL AND MODOT FOR IMPROVEMENTS AT WARREN BARRETT DRIVE AND HIGHWAY 61

Motion was made by Council Member Janes to have the Clerk read Resolution 1100, as amended, and call the roll for adoption. Motion was seconded by Council Member Hatton.

Motion carried.

Roll Call

Yes: Council Members Hatton, Hull, Knickerbocker, Janes, and Mayor Hark – 5

No: -0-

Absent: Council Members Dexheimer and Wilson - 2

Mayor Hark declared Resolution 1100, as amended, duly approved and adopted on this date.

RESOLUTION NO. 1101

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CONTRACT ON BEHALF OF THE CITY OF HANNIBAL, WITH BLEIGH CONSTRUCTION COMPANY FOR THE RIVERFRONT TRAILHEAD HANNIBAL MARK TWAIN AREA RESTORATION PROJECT – PHASE 3, PART 1

Motion was made by Council Member Janes to have the Clerk read Resolution 1101 and call the roll for adoption. Motion was seconded by Council Member Hatton.

City Engineer, Jim Burns addressed some questions concerning this Resolution regarding construction of the trailhead facility, a project that was discussed at some length last fall because a lawsuit was involved. A bid was previously accepted by Bleigh Construction for this work. After discussions with the contractor and a reduction in price, the Historic District Commission has been consulted concerning the reduction recommendations. We have received the approval for these changes. These are contingent on approval from the state. Upon approval by Council, the signed contract will be sent to the state for this approval.

Motion carried.

Roll Call

Yes: Council Members Hatton, Hull, Knickerbocker, Janes, and Mayor Hark – 5

No: -0-

Absent: Council Members Dexheimer and Wilson - 2

Mayor Hark declared Resolution 1101 duly approved and adopted on this date.

RESOLUTION NO. 1102

A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT WITH THOMAS D. ENGLE FOR A SURVEY OF THE CITY OF HANNIBAL TO DETERMINE FIRE STATION REALIGNMENT

Motion was made by Council Member Janes to have the Clerk read Resolution 1102 and call the roll for adoption. Motion was seconded by Council Member Knickerbocker. . Council Member Knickerbocker stated that the Fire Department wanted to maintain acceptable ISO ratings. Assistant Fire Chief Dryden explained the westward expansion of the City and gave some background and reasoning behind this request.

After some discussion, motion carried.

Roll Call

Yes: Council Members Hatton, Hull, Knickerbocker, Janes, and Mayor Hark – 5

No: -0-

Absent: Council Members Dexheimer and Wilson - 2

Mayor Hark declared Resolution 1102 duly approved and adopted on this date.

BILL NO. 03-897

AN ORDINANCE DELETING ARTICLE III; FLOOD DAMAGE PREVENTION OF CHAPTER 9, DRAINAGE AND FLOOD CONTROL OF THE HANNIBAL MUNICIPAL CODE BOOK

FIRST READING

Motion was made by Council Member Hull to give Bill No. 03-897 a first reading. Motion was seconded by Council Member Knickerbocker.

Motion carried.

BILL NO. 03-898
(as amended)

AN ORDINANCE AMENDING CHAPTER 21, PERSONNEL, ARTICLE II, POLICE AND FIRE PENSIONS, DIVISION 1, GENERALLY, SECTION 21-60 AND 21-61 IN REGARDS TO PENSION DEATH BENEFITS

FIRST READING

Council Member Knickerbocker made motion to table Bill No. 03-898, as amended, at this time. Motion was seconded by Mayor Hark.

Motion carried.

BILL NO. 03-899

AN ORDINANCE AMENDING CHAPTER 21, PERSONNEL, ARTICLE II, POLICE AND FIRE PENSIONS, DIVISION 1 OF THE HANNIBAL CITY CODE IN REGARD TO VESTED BENEFITS

FIRST READING

Council Member Knickerbocker made motion to table Bill No. 03-899 at this time. Motion was seconded by Mayor Hark.

Motion carried.

CLOSED SESSION (2)
In Accordance with RSMo 610-021 (1)

Motion was made by Mayor Hark to go into closed session in accordance with RSMo 610-021(1), admitting the Mayor, City Council, City Manager, City Attorney, Deputy Clerk and City Engineer. Motion was seconded by Council Member Janes.

Roll Call

Yes: Council Members Hatton, Hull, Knickerbocker, Janes, and Mayor Hark – 5

No: -0-

Absent: Council Members Dexheimer and Wilson – 2

Motion carried.

OPEN SESSION

Motion was made by Council Member Knickerbocker to return to open session. Motion was seconded by Council Member Hull.

Motion carried.

ADJOURNMENT

Motion was made by Council Member Janes to adjourn. Motion was seconded by Mayor Hark.

Motion carried.