

OFFICIAL COUNCIL PROCEEDINGS

**Tuesday, June 15, 2004
7:00 P.M.**

ROLL CALL

Present: Council Members Knickerbocker, Green, Wilson, Mayor Hark,
Council Members Dexheimer, Hatton and Hull - 7

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 Hatton led the Pledge of Allegiance to the Flag.

**APPROVAL OF MINUTES
Regular Council of June 1, 2004**

Council Member Dexheimer made motion to approve the minutes from the June 1, 2004 meeting. Mayor Hark seconded motion.

Motion carried.

**APPROVAL OF PAYROLL AND CLAIMS
First Half of June, 2004**

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

Motion carried.

JASON MCATEE
Re: Opening a Business

Due to the fact the Jason McAtee was not present, Council Member Dexheimer made a motion to table this agenda item. Mayor Hark seconded motion.

Motion carried.

ANDY MORRIS – CITY MANAGER

Re: Yard waste in City Right-of-Ways
(Bill 04-908 to follow)

Mr. Morris stated that it was brought to his attention by Leon Wallace, Superintendent of Streets, that people mowing their grass and blowing the clippings into the gutters and right-of-ways has become a problem within the City. During heavy rains, the grass clippings were washing down the storm sewers. This could be a potential problem for the Board of Public Works. The ordinance to follow would address this problem and make it a city violation for anyone who continues to do this. The Street Department would be issuing warnings and reminders to the citizens who violate this ordinance.

**Re: MoDot Cost Participation Agreement for Intersection of U.S. 61 and
Warren Barrett Drive**
(Resolution 1135 to follow)

Mr. Morris explained that this agreement is for supplemental funds needed in order to complete the improvements to the intersection of U.S. 61 and Warren Barrett Drive. Mr. George Walley was called upon to further explain the need for additional funds. He stated that the additional funds were necessary due to a cost estimation on the part of the Missouri Department of Transportation that was too low.

Re: Adjustments to 2003-2004 Budget in Last 90 Days

The City Clerk requested that she and the City Manager be allowed to make the necessary annual adjustments to the 2003-04 budget at the end of the year. These budget adjustments would correct any shortages or overages in line items but would not change any department's bottom line.

Council Member Dexheimer made motion to approve this request. Mayor Hark seconded motion. Motion carried.

Re: Budget Discussion for City of Hannibal and Board of Public Works
(as amended)

As the Public Hearing had been held regarding the Budget earlier in the evening, the City Manager asked Council to approve the three ordinances to follow for the appropriations, payroll and insurance funding. This will be for the upcoming 2004-05 fiscal year.

He called upon Mr. Jack Herring, the Board of Public Works representative to explain the amendments to the Board of Public Works Budget. Mr. Herring stated that the changes were due to the Mirra payment that the Board did not receive until the end of May. Adjustments were made to the budget to reflect a different estimate of this line item for next year.

BOB CHRISCINSKE – GENERAL MANAGER OF BPW

Re: Updating of Risk Management Plans for Water and Wastewater Treatment Plant
(Resolution 1136 to follow)

Mr. Herring, who spoke on behalf of Mr. Chriscinske, asked Council to award the bid of \$16,800.00 to Black & Veatch and allow the Mayor sign the contract awarding the bid by approving the resolution to follow.

KYLE WILSON – COUNCIL MEMBER

Re: Penalties Regarding Public Nuisances

Council Member Wilson made motion to move this agenda item to closed session as it regarded litigation. Mayor Hark seconded motion.

Motion carried.

CHRIS ATKINSON – INTERIM PARK SUPERINTENDENT

Re: Skate Park Bid

Mr. Atkinson presented bids submitted for construction of the future Skate Park. George Lee Construction was the lowest bidder at \$275,712.00, but all bids came in over the amount budgeted for this project. After consulting with Jamie Paige, Engineer with Klingner & Associates, he was informed that he could remove some items from the bids to lower the total cost. If removing them equally from all submitted bids, and the lower bidder remained the lower bidder for the amended project, it would be legal and would not require redoing the process of collecting bids for this project. The items removed from all bids included the ornamental fencing, ornamental gate, HVAC, insulation & paint from the administration building and replacing the concrete parking lot and sidewalk with asphalt. After doing this, George Lee Jr. Construction Company remained the lower bidder.

Council Member Knickerbocker questioned whether it might be a bad economic decision to heat and air-condition an un-insulated building and suggested that this item be included back into the specifications.

Council Member Knickerbocker made motion to include the HVAC and insulation back into the specifications and award the bid to George Lee Jr. Construction Company. Mayor Hark seconded motion.

Motion carried.

JOHN WEALER – BUILDING INSPECTOR
Re: Demolition Bid Recommendations

624 N. 7th St.

Mr. Wealer stated that the lowest bidder for this house was Northern Sanitation and recommended that the bid be awarded to them.

2308 Spruce St.

1210 Ely St. (garage)

Wealer recommended that the bid for these two houses be awarded to Bricker Excavating, who was the lowest bidder.

308 N. 4th St.

1931-33 Market St.

Wealer recommended that demolition on these two properties be delayed, since some work on them was in progress.

Council Member Dexheimer made motion to approve the recommendations of the Building Inspector. Council Member Wilson seconded motion.

Motion carried.

Re: Bid Recommendation – Mowing of Old Baptist Cemetery

Mr. Wealer presented to Council the three bids received for mowing the Old Baptist Cemetery. He explained that the lowest bidder from Orville Van Deusen came in as the lowest bid, but his liability insurance had expired and although he had been contacted, he had failed to come in and provide proof of new coverage. The next lowest bidder was Jim Roberts who had planned to use his construction company insurance as coverage for this project. After consulting with the City Attorney, Mr. Wealer was informed that this was not legal. The highest bidder was Scott Powell who had been the previous mower for the cemetery several years ago and would have no problem with providing proof of insurance. After being questioned by Council, Mr. Wealer stated that at present time, he had encountered some problems with the quality of Mr. Van Deusen's work and would recommend that the bid be awarded to Scott Powell who had done a very good job in the past. Noting that the price differences were not that great between bidders, Council Member Dexheimer made motion that the bid be awarded to Scott Powell. Council Member Wilson seconded motion.

Motion carried.

Re: Solid Waste Committee Survey

Mr. Wealer presented the form that would be distributed to city citizens in their utility bills to Council. This would provide insight into how the citizens feel about their present trash collection system.

Re: Changes to Flood Plain Management Plan
(Bill 04-909 to follow)

Mr. Wealer explained that the changes to this ordinance were only clerical changes needed to place the appropriate Section and Division numbers on the existing document.

JIM BURNS – CITY ENGINEER

**Re: Mark Twain Area Restoration Phase 5, Pt. 1 Riverfront Trailhead
Change Order No. 2**

Mr. Burns told Council that this agenda item had been discussed and approved on the previous agenda. Council Member Dexheimer made motion to skip this agenda item. Mayor Hark seconded motion.

Motion carried.

Re: Bid Recommendations

Landfill mowing & Maintenance

Mr. Burns recommended that this bid be awarded to Watkins Tree Service who was the lowest bidder for this project. Council Member Wilson questioned Mr. Burns as to whether or not Mr. Watkins had insurance. Mr. Burns stated that Mr. Watkins was to provide proof of insurance after the award of the bid.

Council Member Wilson made motion to approve awarding the bid to Watkins Tree Service contingent upon whether proof of insurance is provided. Mayor Hark seconded motion.

Motion carried.

Two 1-ton trucks for Street Department

Mr. Burns recommended that the trucks be purchased from Tom Boland Ford who was the lowest bidder. He also stated that the funds to purchase these trucks would be coming out of the ½ cent sales tax fund.

Council Member Wilson made motion to approve the City Engineer's recommendation. Council Member Hatton seconded motion.

Motion carried.

MARY BETH BAUDENDISTEL – CITY CLERK
Re: Proof of Payment of City Taxes for Business Licenses
(Bill 04-911 to follow)

The City Clerk asked for Council’s approval to give this bill a first reading which would be an incentive for business owners and merchants to keep current with their city taxes. When checking the list of delinquent taxes owed, she had noticed numerous businesses and merchants who were on the list. The ordinance states that any business owner, contractor or other merchant would not be allowed to obtain or renew their licenses if they were delinquent in their payment of city taxes or fees. The Clerk also stated that she felt this might be a helpful tool that the City could use to cut back on their delinquent taxes.

RESOLUTION 1135

**A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING THE
MAYOR TO SIGN A SUPPLEMENTAL COST-SHARE AGREEMENT BETWEEN
THE CITY OF HANNIBAL AND THE MISSOURI HIGHWAY AND
TRANSPORTATION COMMISSION FOR THE IMPROVEMENTS TO THE
INTERSECTION OF WARREN BARRETT DRIVE AND ROUTE 61**

Council Member Dexheimer made motion to have the Clerk read Resolution 1135 and call the roll for adoption. Council Member Wilson seconded motion.

Motion carried.

Roll Call

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

No: -0-

Mayor Hark declared Resolution 1135 duly approved and adopted on this day.

RESOLUTION 1136

**A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING THE
MAYOR TO SIGN A PROPOSAL FROM BLACK AND VEATCH ENGINEERING
FOR \$16,800.00 TO ASSIST THE BOARD OF PUBLIC WORKS WITH UPDATING
THE RISK MANAGEMENT PLANS FOR THE WATER TREATMENT PLANT
AND WASTEWATER TREATMENT PLANT**

Council Member Wilson made motion to have the Clerk read Resolution 1136 and call the roll for adoption. Council Member Hull seconded motion.

Motion carried.

Roll Call

Yes: Council Members Knickerbocker, Green, Wilson, Mayor Hark,
Council Members Dexheimer, Hatton and Hull - 7

No: -0-

Mayor Hark declared Resolution 1136 duly approved and adopted on this day.

BILL 04-908

AN ORDINANCE AMENDING CHAPTER 28, 'STREETS, SIDEWALKS AND OTHER PUBLIC PLACES', ARTICLE III, 'CONSTRUCTION, MAINTENANCE AND IMPROVEMENTS, IN REGARDS TO DEBRIS ON CITY RIGHT-OF-WAYS'

FIRST READING

Council Member Wilson made motion to have the Clerk give Bill 04-908 a first reading.
Mayor Hark seconded motion.

Motion carried.

BILL 04-909

AN ORDINANCE AMENDING ORDINANCE NO. 4277 BY DELETING ARTICLE III: FLOOD DAMAGE PREVENTION OF CHAPTER 9, DRAINAGE AND FLOOD CONTROL OF THE HANNIBAL MUNICIPAL CODE BOOK

FIRST READING

Council Member Wilson made motion to have the Clerk give Bill 04-909 a first reading.
Mayor Hark seconded motion.

Motion carried.

BILL 04-910

AN ORDINANCE AMENDING SECTION III, PAY AND BENEFITS, HEALTH INSURANCE, OF THE EMPLOYEE GUIDE TO SUCCESS.

EMERGENCY READING

Council Member Wilson made motion to have the Clerk give Bill 04-910 an emergency reading and call the roll for adoption. Council Member Dexheimer seconded motion.

Motion carried.

Roll Call

Yes: Council Members Knickerbocker, Green, Wilson, Mayor Hark,
Council Members Dexheimer, Hatton and Hull - 7

No: -0-

Mayor Hark declared Bill 04-910 duly approved and adopted on this day.

BILL 04-911

**AN ORDINANCE AMENDING CHAPTER 15, LICENSES, TAXATION AND
MISCELLANEOUS BUSINESS REGULATIONS, ARTICLE I, IN GENERAL,
SECTION 15-9, PROOF OF PAYMENT OF TAXES REQUIRED**

FIRST READING

Council Member Hatton made motion to have the Clerk give Bill 04-911 a first reading.
Council Member Wilson seconded motion.

Motion carried.

**BILL 04-912
(as amended)**

Council Member Wilson made motion to have the Clerk give Bill 04-912 an emergency reading and call the roll for adoption. Council Member Hatton seconded the motion. After discussion, Council Member Wilson amended his motion to have the Clerk give this bill, as amended, an emergency reading and call the roll for adoption. Council Member Hatton seconded the amended motion.

Motion carried.

**AN ORDINANCE TO PAY OFFICERS AND EMPLOYEES
FOR FISCAL YEAR 2004-05**

EMERGENCY READING

Roll Call

Yes: Council Members Knickerbocker, Green, Wilson, Mayor Hark,
Dexheimer, Hatton and Hull - 7

No: -0-

Mayor Hark declared Bill 04-912, as amended, duly approved and adopted on this day.

**BILL 04-913
(as amended)**

**AN ORDINANCE APPROPRIATING TO THE VARIOUS DEPARTMENTS,
BOARDS, COMMISSIONS AND AGENCIES OF THE CITY GOVERNMENT OF
THE CITY OF HANNIBAL, MISSOURI FOR THE FISCAL YEAR ENDING
JUNE 30, 2005**

EMERGENCY READING

Council Member Wilson made motion to have the Clerk give Bill 04-913 an emergency reading and call the roll for adoption. Council Member Hatton seconded motion. After discussion, Council Member Wilson amended his motion to have the Clerk give this bill, as amended, an emergency reading and call the roll for adoption. Council Member Hatton seconded the amended motion.

Motion carried.

Roll Call

Yes: Council Members Knickerbocker, Green, Wilson, Mayor Hark,
Council Members Dexheimer, Hatton and Hull - 7

No: -0-

Mayor Hark declared Bill 04-913, as amended, duly approved and adopted on this day.

**CLOSED SESSIONS
In Accordance with RSMo 610-021 (1) AND (3)**

Council Member Dexheimer made motion to go into closed sessions in accordance with RSMo 610-021 subsections one (1) and three (3) admitting himself, the rest of Council, Mayor Hark, City Manager, City Attorney and City Clerk. Mayor Hark seconded motion.

Roll Call

Yes: Council Members Knickerbocker, Green, Wilson, Mayor Hark,
Council Members Dexheimer, Hatton and Hull - 7

No: -0-

Motion carried.

OPEN SESSION

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

Motion carried.

ADJOURNMENT

Council Member Wilson made motion to adjourn. Council Member Dexheimer seconded motion.

Motion carried.