

**OFFICIAL COUNCIL PROCEEDINGS**

**As amended**

**Tuesday, March 16, 2004**

**7:00 P.M.**

**ROLL CALL**

**Present:** Council Members Janes, Wilson, Mayor Hark, Dexheimer, Hatton,  
and Hull - 6

**Absent:** Council Member Knickerbocker – 1

**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 Dexheimer led the Pledge of Allegiance to the Flag.

Motion was made by Council Member Dexheimer to excuse Council Member Knickerbocker from this meeting. Motion was seconded by Council Member Wilson.

Motion carried.

**APPROVAL OF MINUTES**

**Regular Meeting of March 2, 2004**

Motion was made by Council Member Wilson to approve the minutes of the regular Council Meeting held on March 2, 2004. Motion was seconded by Council Member Hull.

Motion carried.

**APPROVAL OF PAYROLL AND CLAIMS**

**First Half of March, 2004**

Motion was made by Council Member Wilson to approve the payroll and claims for the first half of March, 2004. Mayor Hark seconded the motion.

Motion carried.

**HANNIBAL JAYCEES**

**Re: Request for use of city property during Fourth of July Celebration**

Mr. Andy Long, 2004 NTSD Chairman, came before Council to request the use of City owned property for the 2004 National Tom Sawyer Days Celebration. He asked Council approval for the use of several properties during this event, also requesting closure of Church Street from Main to 3rd Streets for the carnival. He suggested that the carnival location be closed to traffic beginning June 24 and continuing until the festival is over the following weekend. June 24 would be used for set-up only. The carnival would be open on June 25-26 then close. July 1 when National Tom Sawyer Days celebration begins, the carnival would then reopen for the duration of the celebration. He asked that the license and insurance requirements be waived by the City, and stated that the Jaycees would provide the required insurance. After a brief discussion, Council approved the use of City property for these events, waiving the license requirement and agreeing to the Jaycees providing insurance. Council, however, did not approve the carnival location to be closed for the extended period of time as requested by Mr. Long. He will return at a later date with a revised schedule for the carnival event. Motion was made to approve these requests as stated by Council Member Dexheimer. Motion was seconded by Council Member Wilson.

Motion carried.

**JOHN S. HARK – MARION COUNTY HEALTH DEPARTMENT**

**Re: Request Appointing Administrator of County Health as Health Officer Director of the City of Hannibal**

Mr. John Hark appeared before Council to request the appointment of a Health Officer Director for the City of Hannibal. Hark suggested the Administrator of the Marion County Health Department be appointed to this position. In the case of unincorporated areas of Marion and Ralls Counties, the County Health Department would have jurisdiction, working together with the appointed director. After a brief discussion, Council Member Dexheimer made motion to have the City Attorney draft an ordinance accomplishing this request. Mayor Hark seconded the motion.

Motion carried.

**RUTH LEHENBAUER**

**Re: Trash Collection**

Ms. Ruth Lehenbauer came before Council with concerns about recent trash issues. She made several suggestions. These included: Passage of an ordinance requiring haulers to submit lists of customers, addition of trash removal to the inspection list for landlords, adoption of streets or blocks by service organizations and schools, and trash collection as community service by

violators. Council thanked Ms. Lehenbauer for her suggestions and said they would take these into consideration.

**MIKE TOMPKINS – CITY AUDITOR**

**Re: Audit Report**

City Auditor Mike Tompkins presented audit information to Council. He answered various questions from Council Members and the City Manager concerning the material presented. A complete audit will be submitted at a later date.

**ANDREW MORRIS – CITY MANAGER**

**Re: City Manager Report**

City Manager Morris brought several items before Council for their information and approval.

**Re: Nominations for Boards and Committees**

**Affirmative Action Board**

The following name was submitted by City Manager Morris for Council consideration and approval at the next regular Council Meeting.

Rev. Wesley Foster - 3-year term to end March, 2007

**Personnel Manual Revision Committee**

The following names were submitted by City Manager Morris for Council information only. It was noted that, since the City Manager is the administrator, and the members being City employees, formation of this committee falls under his jurisdiction and, therefore, does not need Council approval. Mr. Morris is anxious to get started, since there is much work to be done.

Bill Lankford	Phyllis Nelson
Frances Tiller	Leon Wallace
John Wealer	Joey Runyon
Donna Reeves	Mary Sexton
Ken Hess	Connie Quinn
Chuck Anderson	Brian Ferguson
Angel Zerbonia-Shuck	Larry Hodson
Linda Floweree	Kathy Rahe
Ken Steffen	Mike Benjamin
Sean Hampton	

**Re: Baseball Letter of Intent and Lease Agreement**

(Resolution 1115 to follow)

City Manager Morris presented a draft letter of intent that has been requested by Mr. Bill Larsen of Great Lakes Professional Baseball League. Mr. Larsen has also asked the City's approval of a sample lease that he has submitted to Bill Lankford, Parks & Recreation Superintendent. Mr. Lawsen's sample lease has been reviewed by Mr. Morris, Superintendent Lankford, City Clerk Baudendistel and the City Attorney. Morris has also been in touch with Mr. Phil Pruitt, a St.

Louis Lawyer that he has worked with in the past who is familiar with leases, and has asked him to review it. Mr. Pruitt has agreed to do this for a fee of \$750.00. City Manager Morris stated that he has this amount in the executive department budget. Morris requested Council's approval to sign this lease, contingent upon a favorable review by this lawyer. Since there is a time element involved and Council will not meet for three weeks.

City Manager Burns had some questions about insurance issues and Mr. Morris said that these were being addressed and were being incorporated into the lease.

### **Re: Discussion of Budget**

City Manager Morris distributed handouts related to the upcoming budget and preceded to inform Council of various changes he hoped could be made. He mentioned four items that he wished Council would give some thought:

1. **General Fund Account Balance History** (In his opinion were not too bad.)
2. **Coverage Ratio** (A simple formula which is the amount of investments+income+cash in general fund as numerator with the size of general fund as denominator. This will tell us the percent that the City has on the sidelines to cover itself. This should be around 15-20%; the City's is 33%, which is very good.)
3. **Set up a Motor Fuel Budget** (Which would be in lieu of ½-cent transportation tax, a separate fund set up only for street improvements. This is authorized in the Missouri Constitution, Article 4, Section 30 and includes items such as gas tax, vehicle tax, city stickers, etc.)
4. **Set up of Capital Budget** (As it exists now, all expenditures are thrown into general fund. Morris suggested setting up a Capital Improvement account. This will free up money in your regular operating budget, your general fund. It will also separate those capital expenditures.)

Mr. Morris added that these items did not need Council approval, but were informational only. He wished to discuss some of the items before getting into the budget discussions. He stated that he and the City Clerk had discussed some of the issues before bringing them before Council.

### **MAYOR ROY HARK Re: Nominations for Trash Committee**

Council Member Dexheimer made motion to approve having Mayor Hark form a committee for trash collection issues. Council Member Wilson seconded the motion.

Motion carried.

Mayor Hark presented his recommendations for the Trash Committee as follows:

Brian Bross  
Monica Williams  
Rachel Campbell

David Bleigh  
Vicki Dempsey  
Joe Campbell

Jim Behymer  
Nancy Cruse

Jeff Welch

Council Member Dexheimer made motion to approve the appointments the Mayor brought before Council. Council Member Wilson seconded the motion.

Motion carried.

**BOB CHRISCINSKE – GENERAL MANAGER OF BPW**

**Re: Bid Recommendation for Utility Pole Inspection, Asset Collection and GPS Services  
(Resolution 1116 to follow)**

In Mr. Chriscinske's absence, Mr. Jack Herring, Director of Operations, presented the bid recommendation for utility pole inspection, asset collection and GPS services. He recommended awarding the bid to Osmose Utilities Services, Inc. with a bid amount of \$121,630.00. Osmose was the lowest bidder for these services. He asked Council to approve the resolution concerning this bid award that will be brought before Council for approval later during the meeting.

**Re: Amendment No. 2 with Black and Veatch Engineers in Regards to Improvements to  
the Water Treatment Plant**

Mr. Herring requested Council approval for amendment no. 2 of an existing contract with Black & Veatch Engineers. This contract is for construction services, making improvements to the water treatment plant, which is on an hourly rate, not to exceed amount of \$167,300.00.

Motion was made by Council Member Dexheimer to approve amendment no. 2 of this contract. Motion was seconded by Council Member Wilson.

Motion carried.

**JIM BURNS – CITY ENGINEER**

**Re: Diamond Boulevard – Change Order No. 5**

City Engineer Burns brought change order no. 5 from the Diamond Boulevard project before Council for their approval. This is the final quantity change order resulting in a net decrease of \$242.05. All quantities have been adjusted and this project is essentially complete at this time. The amount of money left has been determined and will be wrapped up when the TDD payment process is closed out in mid-April. All that will be left at this time is seeding and mulching. Motion was made by Council Member Wilson to approve the final change order for Diamond Boulevard. Motion was seconded by Council Member Hull.

Motion carried.

**Re: A&G Construction – Change Order No. 1**

Burns presented change order no. 1 from A&G Construction for Council approval. This is for the tree removal at the Municipal Airport, which has been delayed because of difficulties awarding the contract and obtaining burn permit for the trees. Trees must be down by April 1, because of environmental concern with the Indiana Bat. For these reasons, the deadline has been extended from March 15 until April 1, with no change in the funding. It is unclear if this deadline will be met, but no amount will be paid until the job is complete, including clean up.

Motion was made by Council Member Dexheimer to approve the change order. Motion was seconded by Council Member Wilson.

Motion carried.

**BILL LANKFORD – PARKS & RECREATION SUPERINTENDENT**  
**Re: Professional Baseball Agreement**

Parks & Recreation Superintendent Lankford noted that this had been previously discussed earlier in the meeting; however, he would try to answer any questions the Council may have. He added there was only one small problem that he could foresee and that was with scheduling. He stated that he was confident the Recreation Supervisor Chris Atkinson would work with the legion and the new league to make this happen without any confusion.

Mr. Lankford also assured Council that Parks Department would be working with Mr. Larsen to create a family atmosphere during the ball games. He feels it is a win-win situation for all.

**Re: Boat Harbor**

Lankford voiced his concerns with the Boat Harbor. He stated that City is trying to develop the Riverfront area for citizens and for visitors, as well. One spot, the Boat Harbor, is in great need of improvements. This area has been visited by the Mayor and the City Manager with the same conclusion. Mr. Lankford suggested that for this season only the harbor would try to ‘get by’; however he assured Council the resources and revenues will be found for the needed improvements when the season is over. If revenue sources are found, the season may need to be cut short.

One major expense will be dredging the harbor at a cost of approximately \$71,000.00. A cost of \$15,000.00 would be incurred just to bring the needed equipment to the area, according to an accurate estimation by McGruder Construction of Eolia, Mo., who works hand-in-hand with the Corps of Engineers. The floating docks at the harbor have outlived their usefulness, and plans are to pull them out at the end of the boating season, to be replaced before next season begins. This is only for Council information. Once a package is put together, it will be taken to the Park Board for recommendation, then brought to Council for approval.

Council Member Janes asked if a new structure would be utilized or the Boat Harbor would be moved. Lankford stated that the existing facility would be used, with the exception of new docks.

**MARY BETH BAUDENDISTEL – CITY CLERK**  
**Re: Boat Harbor Salaries**

City Clerk Baudendistel informed Council that the Boat Harbor has no remaining funds for the rest of this fiscal year. If the Harbor is to be opened in April, funds will be needed in order to pay salaries and other routine expenses, such as ice, utilities, telephone and tank insurance from April 1, 2004 through June 30, 2004. The amount of \$10,337.00 is the total cost that will be needed until the year is complete, according to City Clerk Baudendistel. Since there are no funds in contingency, Council Member Dexheimer made motion to take money out of savings and place in the contingency fund, then pay salaries, etc. out of the contingency for the remainder of the fiscal year. Motion was seconded by Council Member Wilson.

Motion carried.

### **Re: Decision in Regards to Twenty-Seven Pay Periods in 2004-05 Budget Year**

City Clerk Baudendistel asked Council to make a decision about the next budget year's salaries. Very seldom, a year comes around with twenty-seven (27) pay periods, instead of twenty-six (26). Since employee yearly salaries are divided by twenty-six (26), not twenty-seven (27), employees will not be paid for the final two weeks of the fiscal year for budget year 2004-05 if something is not adjusted. There are several options, according to the Clerk:

1. **Leave as is.** (This will mean that the salaries, as they are, will be paid and yearly total will be reached before the final pay period, therefore, no payroll will be figured for the final week of the fiscal year.)
2. **At the beginning of the next budget year, divide the yearly salary of each employee by twenty-seven (27).** (This will mean a decrease in the weekly payroll check for each employee; however, employees will receive twenty-seven (27) checks, with no lapse in pay.)
3. **Increase the yearly wage of employees by one pay period.** (Checks will be for the same amount each week **and** employees will receive twenty-seven (27) checks, with no lapse in pay.)

After some discussion, Council Member Dexheimer made motion to increase the yearly wage of employees by one pay period. (Number 3) Council Member Janes seconded the motion.

Motion carried.

### **Re: Increasing Pay Scale Steps**

City Clerk Baudendistel made a request to Council to increase the pay scale steps from seventeen (17) to twenty (20). This scale was increased seven years ago, from 13 steps to 17 steps.

The reason for this change is to keep department heads from creating new job descriptions for employees that have reached maximum pay, in order to give that employee a raise in pay. This will jeopardize our present grade succession and job descriptions. This is only a quick 'fix' until administration has time to re-examine the present pay scale. Motion was made by Council Member Dexheimer to increase the pay scale steps to twenty (20). Motion was seconded by Council Member Hull.

Motion carried.

### **RESOLUTION 1114**

#### **A RESOLUTION OF THE CITY OF HANNIBAL, AUTHORIZING THE MAYOR TO SIGN A CONTRACT ON BEHALF OF THE CITY OF HANNIBAL, WITH GREG BROSS FOR THE PURPOSE OF LEASING 10 ACRES, MORE OR LESS, FOR FARMING PURPOSES**

Council Member Dexheimer made motion to have the Clerk read Resolution 1114 and call the roll for adoption. Council Member Wilson seconded the motion.

Motion carried.

#### **Roll Call**

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

**No:** -0-

**Absent:** Council Member Knickerbocker – 1

Mayor Hark declared Resolution 1114 duly approved and adopted as of this date.

### **RESOLUTION 1115**

#### **A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING THE MAYOR TO SIGN A CONTRACT ON BEHALF OF THE CITY OF HANNIBAL, WITH GREAT LAKES PROFESSIONAL BASEBALL LEAGUE**

Council Member Wilson made motion to have the Clerk read Resolution 1115 and call the roll for adoption. Council Member Hatton seconded the motion.

Motion carried.

#### **Roll Call**

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

**No:** -0-

**Absent:** Council Member Knickerbocker – 1

Mayor Hark declared Resolution 1115 duly approved and adopted as of this date.

Council Member Dexheimer made motion to add an item to the agenda. This item is to authorize the City Manager to contract outside legal council for the lease agreement with Great Lakes Professional Baseball League in the amount of \$750.00. Mayor Hark seconded the motion.

Motion carried.

Council Member Dexheimer made motion to allow the City Manager to contract outside legal council for the proposed contract with Great Lakes Professional Baseball League in the amount of \$750.00. This amount to be taken out of Executive budget. Motion was seconded by Council Member Wilson.

Motion carried.

### **RESOLUTION 1116**

#### **A RESOLUTION OF THE CITY OF HANNIBAL BOARD OF PUBLIC WORKS APPROVING A CONTRACT WITH OSMOSE UTILITIES SERVICES, INC. FOR POLE INSPECTION, ASSET COLLECTION AND GPS SERVICES**

Council Member Wilson made motion to have the Clerk read Resolution 1116 and call the roll for adoption. Mayor Hark seconded the motion.

Motion carried.

#### **Roll Call**

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

**No:** -0-

**Absent:** Council Member Knickerbocker – 1

Mayor Hark declared Resolution 1116 duly approved and adopted as of this date.

### **BILL NO. 04-900**

**AN ORDINANCE ESTABLISHING A TRASH HAULER SYSTEM ADVISORY COMMITTEE AND AUTHORIZING SAID COMMITTEE TO PROVIDE CITY COUNCIL WITH OPTIONS IN ACCORDANCE WITH SECTION 260.247 OF THE REVISED STATUTES OF MISSOURI WHEREBY AFTER PROVIDING THE TWO YEAR NOTICE REQUIRED, THE CITY WOULD HAVE THE OPTION TO ENTER INTO THE BUSINESS OF SOLID WASTE COLLECTION IN A MANNER TO BE DETERMINED BY COUNCIL**

#### **FIRST READING**

Council Member Wilson made motion to table Bill No. 04-900. Motion was seconded by Council Member Janes.

Motion carried.

**BILL NO. 04-901  
(as amended)**

**AN ORDINANCE AMENDING ARTICLE I, IN GENERAL OF CHAPTER 19 OF THE  
HANNIBAL CITY CODE IN REGARDS TO PUBLIC NUISANCES**

**FIRST READING**

Motion was made by Council Member Wilson to give Bill No. 04-901, as amended, a first reading. Motion was seconded by Council Member Hull.

Council Member Dexheimer asked what part of this bill had been amended. City Manager Morris answered that the 'violation of penalties' section was set forth and Judge Motley recommended that this be added to the ordinance.

Motion carried.

**ADJOURNMENT**

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

Motion carried.