

OFFICIAL COUNCIL PROCEEDINGS

**Tuesday, May 4, 2004
7:00 P.M.**

ROLL CALL

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

Absent: Council Member Hatton -1

Also Present: City Attorney and City Clerk

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 Janes led the Pledge of Allegiance to the Flag.

Motion was made by Council Member Dexheimer to excuse Council Member Hatton from this meeting. Motion was seconded by Mayor Hark.

Motion carried.

**APPROVAL OF MINUTES
Regular Meeting of April 21, 2004**

Motion was made by Council Member Wilson to approve the minutes of the regular Council Meeting held on April 21, 2004. Motion was seconded by Council Member Hull.

Motion carried.

**APPROVAL OF PAYROLL AND CLAIMS
Last Half of April, 2004**

Motion was made by Council Member Janes to approve the payroll and claims for the last half of April, 2004. Council Member Wilson seconded the motion.

Motion carried.

ROY HARK – MAYOR
Re: Approval of Nomination From Last Meeting

HANNIBAL HOUSING AUTHORITY BOARD
Ed Trotter for a four-year term to expire April, 2008

Council Member Janes made motion to approve the nomination for Ed Trotter for a four-year term to the Hannibal Housing Authority Board. Motion was seconded by Council Member Knickerbocker.

Motion carried.

BILL NO. 04-907

**AN ORDINANCE APPROVING AND ACCEPTING THE PLAT OF MCCLELLAND
SUBDIVISION BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 23,
TOWNSHIP 57 NORTH, RANGE 5 WEST IN THE CITY OF HANNIBAL, MARION
COUNTY, MISSOURI**

SECOND AND FINAL READING

Council Member Janes stated that he wished to abstain from the discussion and vote of this bill. Council Member Wilson made motion to give this bill a second and final reading and call the roll for adoption. Mayor Hark seconded the motion

Motion carried.

Roll Call

Yes: Council Member Dexheimer, Hull, Knickerbocker, Wilson and Mayor Hark – 5

No: -0-

Abstain: Council Member Janes – 1

Absent: Council Member Hatton – 1

Mayor Hark declared Bill No. 4-907 duly approved and adopted on this date.

MARY BETH BAUDENDISTEL – CITY CLERK
Re: Certification of April 6, 2004 Municipal Election

City Clerk Baudendistel read the results of the recent Municipal Election, held on April 6, 2004. The results were as follows:

	Ralls	Marion	Total
For Mayor:			
Roy Hark	5	767	772

Declaring Roy Hark winner of the Mayor of Hannibal position.

For Councilman – Second Ward:			
Doug Green		142	142

Declaring Doug Green winner of the Second Ward Council Seat.

For Councilman – Fourth Ward			
James W. Dexheimer		78	78

Declaring James W. Dexheimer winner of the Fourth Ward Council Seat.

Proposition 1

Shall the City of Hannibal, pursuant to Chapter 94 of the revised Statutes of Missouri adopt a ½ cent sales tax for transportation purposes, with said revenues to be used for street improvements, capital equipment and maintenance of capital improvements and equipment. This tax shall continue for a five-year period after its adoption.

	Ralls	Marion	Total
YES	3	640	643
NO	2	200	202

Declaring Proposition 1 was passed.

Council Member Janes made motion to approve this certification of election. Mayor Hark seconded the motion.

Motion carried.

Council Member Dexheimer briefly thanked outgoing Second Ward Council Member Jason Janes for his dedication to the position that he held, stating that it had been a pleasure working with him and wishing him well in future endeavors. Council Member Janes was then presented with a Proclamation of Appreciation for his service to the City of Hannibal on Council and various boards since 2001 by Mayor Hark.

ADJOURNMENT SINE-DIE

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

Motion carried.

HONORABLE JUDGE MOTLEY

Re: Oath of Office For Mayor Roy G. Hark, Second Ward Council Member Doug Green and Fourth Ward Council Member Jim Dexheimer

Judge Thomas Motley came forward and administered the oath of office to the newly elected Council Member Doug Green and the returning Council Member Dexheimer and Mayor Hark.

ROLL CALL

Present: Council Members Green, Wilson, Dexheimer, Hull, Mayor Hark and council Member Knickerbocker - 6

Absent: Council Member Hatton -1

Also Present: City Attorney and City Clerk

CALL TO ORDER

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

Council Member Dexheimer made motion to excuse Council Member Hatton. Council Member Wilson seconded the motion.

Motion carried.

ROBERT KLAHR – ARMSTRONG TEASDALE

Re: Amendments to the Stardust-Munger-Diamond Redevelopment Plan
(Resolution 1127 to follow)

At this time, Mr. Robert Klahr, of Armstrong Teasdale, spoke before Council. Mr. Klahr has been a special council to the City in regards to the Stardust-Munger-Diamond Redevelopment Plan that was approved by the City in 1998. There was a bond financing about 1 ½ years ago in connection with this plan and most of the related projects have been completed to date. Mr. Klahr expressed the City's need to amend the Tax Increment Financing (TIF) plan and asked Council to consider approval of the resolution to accomplish this. The purpose of this resolution, along with appointing and re-appointing certain members of the tax increment financing commission and authorizing other related acts would be to set a public hearing to discuss an amendment to this redevelopment plan.

The purpose for the amendment is because a transportation corporation will be proposing the creation of a transportation development district, which will seek to raise funding through a tax for the expansion of US 36 from two to four lanes between the US 24/36 junction to Macon. Klahr said that unless the local TIF is amended, half of the increased sales tax generated would go

toward paying off the outstanding TIF bonds. A reconstructed TIF Commission will need to meet in order to set a date for a public hearing, a step that is necessary in revising the local TIF plan.

ROY G. HARK – MAYOR
Re: Re-Appointment of Members to the TIF Commission

Mayor Hark recommended to Council re-appointments of present members to the TIF Commission. These were:

John M. Hark	Term to expire June 2, 2008
Brian Caldwell	Term to expire June 2, 2008
Frank Di'Tillo	Term to expire June 2, 2006
Ron Verdier	Term to expire June 2, 2006
Stevens Plowman	Term to expire June 2, 2005
Michael Ginsberg	Term to expire June 2, 2005

These names are for consideration only and will be presented for approval at the next Council meeting.

Council Member Dexheimer asked if any member of the committee was representing labor and added that he hoped Mayor Hark would reconsider appointing someone from this field. Mayor Hark stated that these were all members of the previous appointment. Mr. Klahr stated that someone would need to be replaced if this were to happen, since the statute requires that the City have only six commissioners. This matter will be taken into consideration before the next regular Council meeting.

Re: Request From Hannibal High School For Street Closing For Commencement

City Clerk Baudendistel read a letter, requesting the closure of Brookside, from McMasters Avenue to Edgewood. The request was from 6:45 p.m. to 8:30 p.m. on Thursday, May 27, 2004 for the Commencement Exercises at Hannibal High School. Barricades were also requested to be placed at McMasters, Edgewood, and Greenway for this event. The request was made by Darren Powell, Hannibal High School Principal. Motion was made by Council Member Wilson. Mayor Hark seconded the motion.

Motion carried.

Re: Appointment of Mayor Pro-Tem

Council Member Wilson made motion to re-appoint Council Member Dexheimer, since he has held this position in the past and is the senior member of Council. Mayor Hark seconded the motion.

Roll Call

Yes: Council Members Hull, Knickerbocker, Green, Wilson, and Mayor Hark – 5

No: Council Member Dexheimer – 1

Absent: Council Member Hatton – 1

Motion carried.

Re: Appointment of Member to Fire Board

Mayor Hark nominated Council Member Kyle Wilson to complete the unexpired term of Council Member Janes on the Fire Board. This is a nomination for Council consideration only and will be presented for approval at the next regular Council Meeting.

ANDREW MORRIS – CITY MANAGER
Re: City Manager Report

Mayor Hark recognized City Manager Morris; however, Mr. Morris did not have any items to present before Council at this time.

ANDY LONG – HANNIBAL JAYCEES
Re: Use of City Streets For Carnival

Mr. Andy Long, the 2004 National Tom Sawyer Days Chairman, came before Council to request the use of Church Street from Third to Main from June 30, 2004 through July 4, 2004 for the operation of a carnival.

Mr. Long reminded Council that he had requested use of the streets at an earlier Council Meeting. During this time he had mentioned that the carnival wished to operate for an extended period of time. He updated his request, stating that, even though they would be coming into Hannibal early, they would be setting up in a way that would not require use of the streets. Long requested that, for the festival dates mentioned earlier, these streets be blocked off.

Council Member Wilson requested clarification of the period of time and the logistics of the carnival's setup. Mr. Long stated the carnival planned to come on June 24, setting up on private lots and operating on Friday, June 25 through Sunday, June 27, 2004. Wilson adamantly opposed this and voiced his opposition. After some discussion, including the fact that there had been several complaints from businesses in the proposed area motion was made by Council Member Wilson to allow the carnival to operate from June 30, 2004 through July 4, 2004 in the area previously designated. Motion was seconded by Mayor Hark. (They would allow setup on June 29, 2004)

Motion carried.

CATHY RAHE – DIRECTOR OF TOURISM
Re: Bid Recommendation For Visitor's Guide

Cathy Rahe presented the results for the bid opening of the Hannibal Visitor's Guide. Ms. Rahe recommended awarding the bid to C.L. Downey, in the amount of \$36,512.00. This amount would

be for 350,000 visitor's guides at 40 pages per guide. She also recommended Downey be awarded the printing of 1,600 colored group tour guides at a price of \$3,164.00. Council Member Dexheimer made motion to approve Ms. Rahe's recommendation. Mayor Hark seconded the motion.

Motion carried.

JIM BURNS – CITY ENGINEER
Re: Change Order No. 2 for Grand Avenue North

City Engineer Burns brought change order no. 2 from the Grand Avenue North project before Council for their approval. This is the final quantity change order resulting in a net decrease of \$693.32. The project is now finished. There is still some question concerning paperwork for property exchange with Mr. Ed Wenneker; however, this matter has been approved by Council and Mr. Wenneker's attorney is now in possession of the required paperwork. Motion was made by Council Member Knickerbocker to approve the final change order for Grand Avenue North. Motion was seconded by Council Member Wilson.

Motion carried.

Re: Amendment No. 1 For El Rancho Bridge – Inspection Services

Burns presented amendment no. 1 for the El Rancho Bridge – Inspection Services. He requested Council approval of an increase to the agreement with Klingner & Associates for inspection services in the amount of \$3,000.00. He also requested approval to have the inspection/observation phase be expanded from 12 hours to 40 hours. Motion was made by Council Member Wilson to approve the amendment. Motion was seconded by Council Member Hull.

Motion carried.

Re: Bid Recommendations for El Rancho Bridge Construction

City Engineer Burns presented his bid recommendation for the construction of El Rancho Bridge. He requested Council's approval to award the bid to Bleigh Construction, who was the low bidder of this project, with a bid amount of \$119,465.00. Motion was made by Council Member Wilson to approve Mr. Burn's bid recommendation. Motion was seconded by Council Member Hull.

Motion carried.

Re: Bid Recommendation For Tree Removal

The final item that Mr. Burns presented to Council was his request for approval to enter into a contract with Watkins Tree Service for removal/trimming of dead/dying trees within the City of Hannibal right-of ways. The bid had previously been awarded to Watkins. A resolution will be presented for approval with regards to this item later in the meeting.

MARY BETH BAUDENDISTEL – CITY CLERK

Re: City Wide Auction

This agenda item was inadvertently skipped but was presented following approval of Resolution 1124.

RESOLUTION 1123

A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT WITH WATKINS TREE SERVICE FOR TREE REMOVAL IN THE AMOUNT OF \$3,325.00

Council Member Hull made motion to have the Clerk read Resolution 1123 and call the roll for adoption. Mayor Hark seconded the motion.

Motion carried.

Roll Call

Yes: Council Members Dexheimer, Hull, Knickerbocker, Green, Wilson and Mayor Hark – 6

No: -0-

Absent: Council Member Hatton – 1

Mayor Hark declared Resolution 1123 duly approved and adopted as of this date.

RESOLUTION 1124

A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING THE MAYOR TO SIGN A CONTRACT WITH THE MISSOURI DIVISION OF HIGHWAY SAFETY FOR A HAZARDOUS MOVING VIOLATIONS GRANT

Council Member Hull made motion to have the Clerk read Resolution 1124 and call the roll for adoption. Council Member Wilson seconded the motion.

Motion carried.

Roll Call

Yes: Council Members Dexheimer, Hull, Knickerbocker, Green, Wilson and Mayor Hark – 6

No: -0-

Absent: Council Member Hatton – 1

Mayor Hark declared Resolution 1124 duly approved and adopted as of this date.

At this time, City Clerk Baudendistel made an announcement that the city wide auction would take place on Thursday, May 6, 2004 and would be advertised in the Hannibal Courier Post on May 5th.

RESOLUTION 1125

A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT WITH U.S. CABLE FOR INSTALLATION, EQUIPMENT AND INTERNET SERVICES FOR THE HANNIBAL FIRE DEPARTMENT FOR A PERIOD OF 2 YEARS

Council Member Dexheimer made motion to have the Clerk read Resolution 1125 and call the roll for adoption. Mayor Hark seconded the motion.

Motion carried.

At this time, there was a brief discussion concerning the approval of this resolution and the bidding process. Council Member Knickerbocker explained the contract is for networking five computers and hooking up equipment at stations 1, 2 and 3 with the high-speed connection. Commercial pricing was used for station 1; however, residential pricing was used in the billing of stations 2 and 3, which was a cost savings to the City. It was noted that \$1,300.00 of the total \$1,700.00 was covered through a recent grant received by the department.

Roll Call

Yes: Council Members Dexheimer, Hull, Knickerbocker, Green, Wilson and Mayor Hark – 6

No: -0-

Absent: Council Member Hatton – 1

Mayor Hark declared Resolution 1125 duly approved and adopted as of this date.

RESOLUTION 1126

A RESOLUTION OF THE CITY OF HANNIBAL, AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT WITH THE MISSOURI DEPARTMENT OF NATURAL RESOURCES FOR FUNDS FOR THE COMPLETION OF THE HUCKLEBERRY PARK SKATEPARK

Council Member Wilson made motion to have the Clerk read Resolution 1126 and call the roll for adoption. Council Member Hull seconded the motion.

Motion carried.

Roll Call

Yes: Council Members Dexheimer, Hull, Knickerbocker, Green, Wilson and Mayor Hark – 6

No: -0-

Absent: Council Member Hatton – 1

Mayor Hark declared Resolution 1126 duly approved and adopted as of this date.

RESOLUTION 1127

A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI CALLING FOR A PUBLIC HEARING TO BE HELD BY THE REAL PROPERTY REDEVELOPMENT TAX INCREMENT FINANCING COMMISSION WITH RESPECT TO A PROPOSED AMENDMENT TO THE STARDUST-MUNGER-DIAMOND REDEVELOPMENT PLAN; APPOINTING AND RE-APPOINTING CERTAIN MEMBERS OF THE TAX INCREMENT FINANCING COMMISSION; AND AUTHORIZING OTHER RELATED ACTS

Council Member Hull made motion to have the Clerk read Resolution 1127 and call the roll for adoption. Council Member Wilson seconded the motion.

Motion carried.

It was noted by Council Member Dexheimer that the only thing Council was doing at this time was calling for a public hearing. City Attorney, Robert Curtis, added that, since the City Charter provides that Council cannot vote to approve appointment by the Mayor until at least one week after the nomination has been presented. In order to approve the resolution, as it reads, this evening.

Council Member Dexheimer made a substitute motion that the approval of this resolution, as it reads, be tabled until later. Motion was seconded by Council Member Wilson.

Mayor Hark asked if there was other discussion concerning the resolution at hand. Mr. Larry Craig, President of the Hannibal Area Chamber of Commerce asked that a public hearing date be set at this time, since no action was going to be taken on the resolution. The purpose would be to continue the process.

Mr. Klahr, stated that Council is not the body that sets the public hearing, but the Tax Increment Financing Commission's responsibility, under state statutes. This resolution would have authorized the TIF Commission to have an organizational meeting to set the date for the public hearing. Unfortunately, this Commission cannot be voted on this evening because of reasons previously stated. According to the schedule, Mr. Klahr stated there was still enough time to make everything work properly.

Substitute motion carried.

ADJOURNMENT

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

Motion carried.