

OFFICIAL PROCEEDINGS

**May 18, 2004
7:00 P.M.**

ROLL CALL

Present: Council Members Hatton, Hull, Knickerbocker, Green, Wilson, and Mayor Hark -6

Absent: Council Member Dexheimer-1

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 Green gave the invocation.

PLEDGE OF ALLEGIANCE

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

At this point, Council Member Wilson made motion to excuse Council Member Dexheimer from the proceedings. Council Member Hull seconded motion.

Motion carried.

**APPROVAL OF MINUTES
Regular Council Meeting of May 4, 2004**

Council Member Hull made motion to approve the minutes. Mayor Hark seconded motion.

Motion carried.

**APPROVAL OF PAYROLL AND CLAIMS
First Half of May 2004**

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

Motion carried.

ROY G. HARK - MAYOR

**Re: Nomination of Members to the Real Property Redevelopment Tax Increment
Financing Commission**

- Mike Riney - (replaces Howard Neal) term to expire in June, 2006
- Ron Verdier - (replaces Barbara Dowling) term to expire June, 2006
- Frank DiTillo - (extending present term) to expire June, 2008

This was a presentation for Council consideration only, and will be presented for approval at the next regular Council Meeting.

**Re: Approval of Nomination From Last Meeting to the Hannibal Housing
Authority Board**

- Ed Trotter - four-year term to expire April, 2008

Council Member Wilson made motion to approve the appointment. Mayor Hark seconded motion.

Motion carried.

Re: Approval of Appointment to the Fire Board From Last Meeting

- Kyle Wilson - appointment to Fire Board (replacing Jason Janes)

Council Member Hatton made motion to approve the appointment of Kyle Wilson to the Fire Board. Council Member Hull seconded motion.

Motion carried.

ANDY MORRIS - CITY MANAGER

Re: City Manager's Report

The City Manager gave a brief overview on where he was in preparing the budget. He explained that he had already estimated the revenues and he and the City Clerk had just finished the process of interviewing department heads regarding their expenditures. He plans to have a completed and balanced budget to present to Council at the first Council meeting in June.

Re: Nominations to Boards

Mr. Morris made the following nominations to the Parks & Recreation Board and the Library Board and asked Council to consider their approval at the next meeting.

PARKS AND RECREATION BOARD

Vicki Roach - (replaces Doug Green) term to expire July, 2005

LIBRARY BOARD

Vanu Bagchi, - 3-year term to expire June, 2007

Mark Johnson - 3-year term to expire June, 2007

Susan Wathen - 3-year term to expire June, 2007

**Re: Community Service Memorandum
(Resolution No. 1130 to follow)**

Mr. Morris explained to Council that this program is to allow clients of Probation Services, in order to work off some of their hours for community service, to perform various duties for the City. He asked Council to implement this agreement by approving the Resolution to follow.

Re: Forming Storm Water Repair Fund

Mr. Morris explained to Council his desire to set up a Storm Water Repair Fund which would set aside funds to be used specifically to solve storm water drainage problems within the City that do not fall within the jurisdiction of a street or the Board of Public Works service lines. Since there are no taxes or revenues to support these kinds of problems, he would like to take \$150,000 of the \$300,000 revenue received for the Sawyer Creek Project to be put in a fund for this purpose. He would like to start this fund in the next fiscal year budget.

Council Member Hull made motion to approve the transfer of funds and the formation of a new fund for this purpose. Mayor Hark seconded motion.

Motion carried.

KRIS STEINMAN – Y'S MEN'S CLUB

Re: Request For Street Closings For June Burger Blast and Fourth of July Mud Volleyball

Mr. Steinman requested the use of the city street from the floodgate up one block to the alley behind Murphy Motors for use during the annual Mud Volleyball event from Thursday through Sunday of the Fourth of July celebration. He also requested the same area to be blocked off for the June Burger Blast, if the event is formed. At this time, he

did not know if the Burger Blast would be held or not, but would like permission to use the same area if they do decide to have it.

Council Member Wilson made motion to approve request. Mayor Hark seconded motion.

Motion carried.

DONALD MINTER - CITIZEN
Re: Loitering Law

At this time, Mr. Minter was not present in the Council Chambers. Council Member Wilson made motion to table this agenda item. Mayor Hark seconded motion.

Motion carried.

R.D. COONROD – “LOG HOGGERS”
Re: Request to Use City Owned Parking Lot

Mr. Coonrod requested use of the city parking lot located in the 100 block of South Third Street to hold a log sculpting demonstration and competition during the daytime hours from Thursday through Sunday of the Fourth of July celebration. Mr. Coonrod explained that all proceeds from the event would go towards the Hannibal Optimist Club. He also stated that the Optimist Club would provide the necessary insurance as required by the City.

Council Member Wilson made motion to approve request. Mayor Hark seconded motion.

Motion carried.

MARY BETH BAUDENDISTEL – CITY CLERK
Re: Request for Further Street Closings From Pyrfecct For Juneteenth Celebration

The City Clerk relayed a request from Marsha Mayfield to extend the request for street closings to include Friday along with Saturday for the Juneteenth Celebration. Council Member Wilson asked the City Clerk to get in touch with Ms. Mayfield and double check the exact streets that were needed for this event.

Council Member Wilson made motion to approve request. Mayor Hark seconded motion.

Motion carried.

Re: Request For Waiver of Tax Penalties for Kentucky Fried Chicken

The City Clerk requested that this agenda item be tabled pending further information about the business. Council Member Wilson made motion to table. Council Member Hull seconded motion.

Motion carried.

Re: Permission to Write-Off Delinquent Personal Taxes For Previous Years

The City Clerk requested that Council approve charging off these back taxes for previous years. She explained that this was done yearly in order to clear the collector's books of uncollectible taxes.

Council Member Knickerbocker questioned why these taxes were not collected within the proper time frame. The City Collector explained that she had made the required attempts to collect these taxes, but since they were not property owners, many of them could not be located. Others had moved away from the area and most of the taxes were for small amounts that would not justify taking the people to court.

Council Member Wilson made motion to approve request. Mayor Hark seconded motion.

Motion carried.

JOHN WEALER – BUILDING INSPECTOR

Re: Sidewalk Program

John Wealer informed Council of what this program entailed. He also stated that the City had only one bid submitted for this project and this was from Mike' General Contracting, who also had the bid for previous years. Council Member Wilson made motion to approve the recommendation of the Building Inspector for awarding this bid to Mike's General Contracting. Council Member Hull seconded motion.

Motion carried.

JACK HERRING – BOARD OF PUBLIC WORKS

Re: Wastewater Treatment Plant Influent Pump Modifications Bid & Contract

(Resolution 1129 to follow)

Mr. Herring explained to Council that the Board had approved this bid last week and he was now asking for Council to consider the contract and the resolution to follow.

JIM BURNS – CITY ENGINEER
Re: El Rancho Bridge Contract
(Resolution 1128 to follow)

Mr. Burns explained that the bid for this work was approved at the last meeting, and now he was asking Council's approval of the contract in the resolution to follow.

Re: Hannibal Riverfront Trailhead – Change Order No. 2

Mr. Burns asked Council to table this agenda item as he was still awaiting other information regarding this project.

Mayor Hark made motion to table. Council Member Wilson seconded motion.

Motion carried.

Re: Contract for City Hall Roof Repair
(Resolution No. 1131 to follow)

Mr. Burns stated that the proposal for this work was approved at the last meeting and the cost for the project was approved to come out of the contingency fund. He asked Council to approve the resolution to follow in regards to this project. He also stated that work would begin on repairing of the roof as soon as weather permits.

RESOLUTION 1127

**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 Wilson made motion to have the Clerk read Resolution 1127 and call the roll for adoption. Mayor Hark seconded motion.

Motion carried

During discussion, Larry Craig pointed out that on our appointments, we did not make motions to approve the nominees. We need to approve these nominations in order for them to attend the next meeting.

Council Member Wilson withdrew his motion and Mayor Hark withdrew his second.

Council Member Wilson then made motion to approve the reappointment of John M. Hark, Ron Verdier, Frank DiTillo, Mike Ginsberg and Brian Caldwell to their present terms on the Board as per stated in the resolution. Mayor Hark seconded motion.

Motion carried.

Council Member Wilson restated his motion to have the Clerk read Resolution 1127 and call the roll for adoption. Mayor Hark seconded motion.

Roll Call

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

No: -0-

Mayor Hark declared Resolution 1127 duly approved and adopted on this date.

RESOLUTION 1128

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CONTRACT ON BEHALF OF THE CITY OF HANNIBAL, WITH BLEIGH CONSTRUCTION CO. FOR EL RANCHO BRIDGE IMPROVEMENTS IN THE AMOUNT OF \$119,465.00

Council Member Knickerbocker made motion to have the Clerk read this Resolution 1128 and call the roll for adoption. Mayor Hark seconded motion.

Motion carried.

Roll Call

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

No: -0-

Mayor Hark declared Resolution 1128 duly approved and adopted on this date.

RESOLUTION 1129

A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING THE MAYOR TO SIGN A CONTRACT AGREEMENT WITH DOTSON AND

**GIBBS, INC. FOR WASTEWATER TREATMENT PLANT INFLUENT PUMP
STATION IMPROVEMENTS**

Council Member Wilson made motion to have the Clerk read Resolution 1129 and call the roll for adoption. Council Member Knickerbocker seconded motion.

Motion carried.

Roll Call

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

No: -0-

Mayor Hark declared Resolution 1129 duly approved and adopted on this date.

RESOLUTION 1130

**A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING
THE MAYOR TO SIGN A COMMUNITY SERVICE MEMORANDUM WITH
SUPERVISED PROBATION SERVICES**

Council Member Knickerbocker made motion to have the Clerk read Resolution 1130 and call the roll for adoption. Council Member Hull seconded motion.

Motion carried.

Roll Call

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

No: -0-

Mayor Hark declared Resolution 1130 duly approved and adopted on this date.

RESOLUTION 1131

**A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING
THE MAYOR TO SIGN AN AGREEMENT WITH ED RUTHERFORD
ROOFING, INC. FOR MATERIALS AND LABOR, TOTALING \$18,100.00 TO
REPAIR CITY HALL ROOF**

Kevin Knickerbocker made motion to have the Clerk read Resolution 1131 and call the roll for adoption. Council Member Hatton seconded motion.

Motion carried.

Roll Call

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

No: -0-

Mayor Hark declared Resolution 1131 duly approved and adopted on this date.

At this point Mayor Hark recognized Mr. Mintner who had arrived in the Council Chambers earlier. Council Member Wilson made motion to revisit the previous agenda item of Mr. Mintner's. Mayor Hark seconded motion.

Motion carried.

**DONALD MINTER – CITIZEN
Re: Loitering Law**

Mr. Mintner addressed Council regarding the problem with people just “hanging around” on street corners and sidewalks. His suggestion was for Council to approve a loitering law that would give them the authority to break up people gathering in this way. The City Attorney and the Chief of Police both stated reasons why this would not work and that it was also against constitutional rights to break up a gathering like this unless the people were making loud noises or behaving in a threatening manner. The Council thanked Mr. Minter for his concern, and would try to find a solution to this problem.

**CLOSED SESSION (2)
In Accordance With RSMo 620-021 (1 & 3)**

Council Member Hatton made motion to go into closed session in accordance with RSMo 620-021 subsections 1 & 3, admitting himself, Council, Mayor Hark, City Attorney, City Manager, City Clerk, Chuck Anderson and John Wealer. Council Member Knickerbocker seconded motion.

Roll Call

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

No: -0-

Motion carried.

OPEN SESSION

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

Motion carried.

ADJOURNMENT

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

Motion carried.

Mary Beth Baudendistel, City Clerk

Roy G. Hark, Mayor
