

OFFICIAL COUNCIL PROCEEDINGS

**Tuesday, November 2, 2004
7:00 P.M.**

ROLL CALL

Present: Council Members Wilson, Mayor Hark, Mayor Pro Tem
Dexheimer, Hatton, Hull, Knickerbocker and Green – 7

Absent: -0-

Also Present: City Attorney, City Manager and City Clerk

CALL TO ORDER

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

INVOCATION

Mayor Pro Tem Dexheimer gave the invocation.

PLEDGE OF ALLEGIANCE

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

**APPROVAL OF MINUTES, AS AMENDED
Regular Meeting of October 19, 2004**

Mayor Pro Tem Dexheimer made motion to approve the minutes, as amended. Council
Member Green seconded motion.

Motion carried.

**APPROVAL OF PAYROLL AND CLAIMS
Second Half of October 2004**

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

Motion carried.

ANDY MORRIS – CITY MANAGER

Re: City Manager Report

The City Manager updated the Council in regards to his activities.

Re: Board Appointments

The City Manager placed the following nomination before Council and stated that he would be asking for their approval at the next Council meeting.

MARK TWAIN HOME BOARD

Charles Anton - Reappointment of 7-year term to expire November, 2011

Re: Contract for Emergency Management Services

(Resolution No. 1159 to follow)

The City Manager asked that Council consider approving this contract with John S. Hark for providing Emergency Management Services by passing the resolution to follow.

Re: Release of Security Interest for MITG

(Resolution No. 1160)

The City Manager explained that this was to release the lien we had against MITG property since the money loaned to them had been paid back to us in full.

Re: Permission to Temporarily Transfer Funds From General Fund to Cover Fire Grant Purchases

The City Manager explained the Fire Grant required that paid invoices and cancelled checks be submitted before grant funds could be released. This short-term temporary transfer would allow us to pay these bills out of the general fund, then when grant funds were received, the monies would be reimbursed. He asked Council's permission to do this.

Council Member Knickerbocker made motion to approve this request to transfer funds. Mayor Pro Tem Dexheimer seconded motion.

Motion carried.

Re: Release of Deed for Malcolm Gentry Property

(Resolution No. 1161 to follow)

The City Manager explained to Council that this item and the item following relate to a road that will be built through the Industrial Park property and connect to Shinn Lane. These two resolutions will approve the Mayor signing deeds from each property that give us legal right of way through their property to complete this project.

Re: Warranty Deed for Abel Realty Company

(Resolution No. 1162 to follow)

(See above explanation)

JEFF ARP – MIRMA

Re: Award of Funds For Purchase of Equipment for the Police Department

Jeff Arp from MIRMA presented an award to Council and the Hannibal Police Department for submitting a plan to show a potential reduction in liability for the City. This would be accomplished by implementing the use of TASER guns as an enforcement tool. Along with this award, the Hannibal Police Department will be receiving a check from MIRMA in the amount of \$3,234.71. This will cover 75% of the cost to purchase this equipment.

JIM DEXHEIMER – CHAIRMAN OF THE FIRE BOARD

Re: Purchase of Vehicle With SEMA Grant Funds

For Mobile Command Unit Prime Mover Vehicle

(State bid)

Mayor Pro Tem Dexheimer, on behalf of the Fire Board, asked Council approval of the state bid for purchase of a Ford Excursion from Anderson Ford of St. Louis, Mo. for the price of \$34,452.00, plus mileage for delivery. This amount is to be 100% reimbursed from the Weapons of Mass Destruction Grant.

Mayor Pro Tem Dexheimer made motion to approve this purchase. Council Member Wilson seconded motion.

Motion carried.

JOHN WEALER

Re: Tax Bill Payment Agreement With Bob Ellis

(Resolution No. 1163 to follow)

Mr. Wealer explained that this resolution was for approval of an agreement made with Mr. Bob Ellis to repay a special tax assessment. This assessment was for reimbursement to the City for the cost of house demolition on his property. Wealer asked that Council approve the resolution to follow in regards to this agreement.

ROBERT CURTIS – CITY ATTORNEY

Re: Firearms in City Buildings

(Bill No. 04-937 to follow)

Mr. Curtis explained to Council that the purpose of this bill is to set forth rules regarding enforcement of firearms policy within city buildings.

Re: Resisting or Obstructing a City Officer

(Bill No. 04-938 to follow)

Mr. Curtis explained the purpose of this bill, which is to make it clear what behavior can or cannot be condoned in regards to interaction with a police officer.

CHRIS ATKINSON – PARKS & RECREATION DIRECTOR

Re: Approval for the Extension of Completion Date on the Huckleberry Ramp Park

Mr. Atkinson explained to Council that an extension of completion date for this project was needed because of a delay in the shipment of needed materials. There is also concern over completing the project in light of inclement weather. Completion of this project would be better suited for the spring and would push the completion date back to May 1, 2005.

Council Member Wilson made a motion to approve the request. Council Member Hull seconded motion.

Motion carried.

Re: Update on Dredging Marina

Mr. Atkinson also explained to Council that it has been decided to delay the dredging of the marina until next spring. By doing this project in the spring, the Department will be saving approximately \$40,000.00.

BOB CHRISCINSKE – DIRECTOR OF BOARD OF PUBLIC WORKS

Re: Performance Contract with Johnson Controls, Inc.

(Resolution No. 1164 to follow)

Mr. Chriscinske explained to Council the scope of work and the projected savings to be made by awarding this contract and allowing work to begin by Johnson Controls, Inc. In the contract JCI is guaranteeing a savings in revenue enhancements by this project and if shortfalls would arise, they will be paying back to us the difference. They will also guarantee the accuracy of the meters that are installed. When asked if any employee positions would be eliminated, Mr. Chriscinske stated that possibly two positions would be eliminated but due to the projected retirement of some employees, he felt that no one would be put out of work. Chad Currier of JCI was also on hand to answer questions concerning the project. After much discussion, Council Member Wilson stated that due to the immensity of this project, he felt that Council needed more time to go over the contract and the financing agreement in order to make a decision. Mr. Chriscinske indicated that he understood, but timeliness was important since there is a large incentive to get the project under way in order to realize the savings that this project would bring.

Re: Lease Purchase Agreement for Funding

(Resolution No. 1165 to follow)

Mr. Chriscinske explained that Commerce Bank has agreed to provide financing for this project and explained the details of the agreement.

RESOLUTION NO. 1159

A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING THE MAYOR AND THE CITY MANAGER TO SIGN AN AGREEMENT WITH JOHN S. HARK FOR SERVICES AS EMERGENCY MANAGEMENT COORDINATOR

Council Member Hull made motion to have the Clerk read Resolution 1159 and call the roll for adoption. Council Member Hatton seconded motion.

Motion carried.

Roll Call

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

No: -0-

Mayor Hark declared Resolution 1159 duly approved and adopted on this day.

RESOLUTION 1160

A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, APPROVING A RELEASE OF SECURITY INTEREST ACKNOWLEDGING REPAYMENT OF THE REVOLVING LOAN AUTHORIZED BY RESOLUTION 921, AND AUTHORIZING THE MAYOR TO SIGN THE SAME

Council Member Wilson made motion to have the Clerk read Resolution 1160 and call the roll for adoption. Council Member Hull seconded motion.

Motion carried.

Roll Call

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

No: -0-

Mayor Hark declared Resolution 1160 duly approved and adopted on this day.

RESOLUTION 1161

A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, APPROVING A TRUSTEE’S DEED FROM MALCOLM H. GENTRY GRANTING TO THE CITY

CERTAIN REAL PROPERTY, AND AUTHORIZING THE MAYOR TO RECEIVE THE SAME AND SIGN ANY DOCUMENTS TO COMPLETE SAID TRANSFER

Council Member Hull made motion to have the Clerk read Resolution 1161 and call the roll for adoption. Council Member Hatton seconded motion.

Motion carried.

Roll Call

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

No: -0-

Mayor Hark declared Resolution 1161 duly approved and adopted on this day.

RESOLUTION 1162

A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, APPROVING A WARRANTY DEED OF CORPORATION FROM ABEL REALTY COMPANY, INC., GRANTING TO THE CITY CERTAIN REAL PROPERTY, AND AUTHORIZING THE MAYOR TO RECEIVE THE SAME AND SIGN ANY DOCUMENTS TO COMPLETE SAID TRANSFER

Mayor Pro Tem Dexheimer made motion to have the Clerk read Resolution 1162 and call the roll for adoption. Council Member Hull seconded motion.

Motion carried.

Roll Call

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

No: -0-

Mayor Hark declared Resolution 1162 duly approved and adopted on this day.

RESOLUTION 1163

A RESOLUTION OF THE CITY OF HANNIBAL, AUTHORIZING THE MAYOR TO SIGN A TAX BILL PAYMENT AGREEMENT WITH BOB ELLIS

Council Member Wilson made motion to have the Clerk read Resolution 1163 and call the roll for adoption. Council Member Hull seconded motion.
Motion carried.

Roll Call

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

No: -0-

Mayor Hark declared Resolution 1163 duly approved and adopted on this day.

RESOLUTION 1164

A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING THE MAYOR TO SIGN A PERFORMANCE CONTRACT WITH JOHNSON CONTROLS, INC. FOR THE AMOUNT OF \$5,467,838.00

Council Member Wilson made motion to table Resolution 1164. Mayor Pro Tem Dexheimer seconded motion.

Motion carried.

RESOLUTION 1165

A RESOLUTION OF THE CITY OF HANNIBAL, AUTHORIZING THE MAYOR TO SIGN A LEASE PURCHASE AGREEMENT WITH COMMERCE BANK

Council Member Wilson made motion to table Resolution 1165. Mayor Hark seconded motion.

Motion carried.

BILL NO. 04-937

AN ORDINANCE AMENDING ARTICLE VII, OFFENSES AGAINST GOVERNMENT, OF CHAPTER 16 OF THE HANNIBAL CITY CODE, IN REGARDS TO FIREARMS IN CITY BUILDINGS

FIRST READING

Mayor Pro Tem Dexheimer made motion to have the Clerk give Bill 04-937 a first reading. Council Member Wilson seconded motion.

Motion carried.

BILL NO. 04-938

**AN ORDINANCE AMENDING ARTICLE VII, OFFENSES AGAINST
GOVERNMENT OF CHAPTER 16 OF THE HANNIBAL CITY CODE, IN
REGARDS TO RESISTING OR OBSTRUCTING A CITY OFFICER**

FIRST READING

Council Member Hatton made motion to have the Clerk give Bill 04-938 a first reading. Council Member Green seconded motion.

Motion carried.

**CLOSED SESSION
RSMo 610-021 (2)**

Mayor Pro Tem made motion to go into Closed Session in accordance with RSMo 610-021 sub-paragraph 2, admitting himself, Council, Mayor Hark, City Manager, City Attorney, City Clerk and City Engineer. Council Member Wilson seconded motion.

Roll Call

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

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

Mayor Hark made motion to adjourn. Mayor Pro Tem Dexheimer seconded motion.

Motion carried.

