

OFFICIAL COUNCIL PROCEEDINGS

**April 19, 2005
7:00 P.M**

ROLL CALL

Present: Council Member Green, Mayor Hark, Mayor Pro Tem
Dexheimer, Council Members Hatton and Hull - 5

Absent: Council Members Knickerbocker and Wilson – 2

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 Hatton led the Pledge of Allegiance to the Flag.

At this point, Council Member Hatton made motion to excuse Council Members Knickerbocker and Hull. Council Member Green seconded motion.

Motion carried.

**APPROVAL OF MINUTES
Regular Meeting of April 5, 2005**

Council Member Hatton made motion to approve the minutes. Council Member Hull seconded motion.

Motion carried.

**APPROVAL OF PAYROLL AND CLAIMS
First Half of April, 2005**

Council member Hatton made motion to approve the payroll and claims. Mayor Hark seconded motion.

Motion carried.

MARY BETH BAUDENDISTEL - CITY CLERK
Re: Certification of Election Results

The City Clerk read the following election results:

General Municipal Election
Of April 5, 2005

I hereby certify the following results from the election:

	Ralls	Marion	Total
For Councilman – Fifth Ward Jeff Hatton	44	348	392

Declaring Jeff Hatton the winner of the Fifth Ward Council Seat

	Ralls	Marion	Total
For Councilman – Sixth Ward Terry Hull		603	603

Declaring Terry Hull the winner of the Sixth Ward Council Seat

Proposition 1

Shall the City Council of the City of Hannibal, Missouri provide by ordinance for the assessment of a monthly two-dollar (\$2) surcharge to be collected by the Hannibal Board of Public works, with said funds to be used for the expenses of an annual citywide clean up?

	Ralls	Marion	Total
Yes	18	1348	1366
No	33	1702	1735

Declaring Proposition 1 as failed

Proposition 2

Shall the Charter of the City of Hannibal be amended to provide that there be a Director of Finance who will be responsible for the fiscal management and the accounts of the City of Hannibal. Director of Finance is to be appointed by and work under the direction of the City Manager with the approval of the City Council and shall be the exofficio comptroller and auditor and as such shall cause to be kept the accounts of monies received and paid by the City.

	Ralls	Marion	Total
Yes	16	1737	1753
No	33	1251	1284

Declaring Proposition 2 as passed

Proposition 3

Shall Section 2.19 of the City Charter be deleted and Section 2.20, paragraph 7, be amended to read: All ordinances shall be recorded in full in a permanent record in the office of the City Clerk. All ordinances approved and adopted shall be effective from the date of such approval and adoption.

	Ralls	Marion	Total
Yes	31	2127	2158
No	18	799	817

Declaring Proposition 3 as passed

Witness my Hand and the Seal of the City of Hannibal, Missouri, done in my office this 19th day of April 2005.

Mary Beth Baudendistel, City Clerk

Council Member Hatton made motion to approve the certification of election. Council Member Green seconded motion.

Motion carried.

MAYOR ROY HARK

Re: Approval of Nomination to Hannibal Housing Authority

William Tate to replace Charles Myers, term to expire April, 2009

Mayor Pro Tem Dexheimer made motion to approve the appointment. Council Member Hatton seconded motion.

Motion carried.

Re: Request from Hannibal Public Schools to Close Streets for Graduation Ceremony

Mayor Hark read a letter to Council that he received from the Hannibal High School requesting that Brookside from McMasters Avenue to Edgewood be closed from 6:45 p.m. on Thursday, May 26, 2005 for the commencement ceremony at Hannibal High School and also that barricades be provided to close this street at McMasters Avenue, Edgewood and Greenway.

Mayor Pro Tem Dexheimer made motion to approve the request. Council Member Hatton seconded motion.

Motion carried.

BILL WEBBER – KIWANIS CLUB

Re: 29th Annual Samuel L. Clemens Arts & Crafts Festival During National Tom Sawyer Days

Mr. Webber requested use of city property for the 29th Annual Samuel L. Clemens Arts & Crafts Festival that is to be held July 2 through the 4th, 2005, during National Tom Sawyer Days. He requested use of the following properties on the dates indicated:

1. July 1 – 4 Central Park
2. July 1 – 4 The parking spaces on the west side of 4th Street
3. July 2 – 4 Fourth Street between Center Street and Broadway.
4. July 1 – 4 The lot on south side of Collier Street between 7th & 8th Streets.

Mayor Pro Tem Dexheimer told Mr. Webber that he had been approached by several churches that would like to have use of the bandstand for performances at certain times during the celebration. He asked Mr. Webber if he would make an effort to coordinate with these organizations during this time. Mr. Webber agreed to this.

ANDY MORRIS – CITY MANAGER

Re: City Manager Report

Mr. Morris spoke on several issues. They were as follows:

Re: Approval of Board & Commission Nominations

Mr. Morris asked Council to approve his nominations to the following Boards and Commissions. He had brought these forward at the last Council Meeting:

BOARD OF ADJUSTMENT

Debbie Catlett to replace John M. Hark - term to expire May, 2009

MARK TWAIN HOME BOARD

Mary Lou Callicott to replace Jim Cary - term to expire November, 2008

PLANNING & ZONING

Mike Constable to replace Bob Cowder - term to expire June, 2007

Council Member Hull made a motion to approve the recommendations for these positions. Council Member Green seconded motion.

Motion carried.

Re: Nomination for Employee Benefit Trust Board

Mr. Morris asked Council to consider the following nominations for positions on the Benefit Trust Board. He would be asking for approval at the next Council Meeting.

Reappoint Kathy Davis, HPD - 3-year term to end May 2008
Reappoint Charles Paxton, HFD - for a 3-year term to end May 2008

Re: Employee Personnel Manual Update

Mr. Morris reminded Council that he wanted them to review and give him any desired changes to the revised employee Personnel Manual. He said he would be placing the revised manual on the next Council Meeting for approval.

Re: City Attorney Amended Contract
(Resolution No. 1202 to follow)

Mr. Morris explained to Council the revisions he had made to the previous submitted draft of the contract and asked that Council approve this revised contract later in the meeting.

Re: Fixed Base Operator Agreement for the Hannibal Regional Airport

Mr. Morris also presented to Council the Fixed Base Operator Agreement for the Hannibal Regional Airport. He asked them to look over the wording of this contract and let him know if there were any changes they would like to make. In the meantime, he would be going out for bids for this position.

Re: Updated Taxi Cab Ordinance
(Bill No. 05-954 to follow)

Mr. Morris explained to Council that Bill 05-954 contained the revisions to the present ordinance regarding taxicabs. He would be asking Council's approval of this bill later on in the meeting.

Re: Change to Charter in Regards to Publication of Ordinances
(Bill No. 05-955 to follow)

Mr. Morris asked the City Clerk to give Council an update on this item. The City Clerk informed Council that this ordinance changed the wording in the City Charter reflecting the outcome of the election results on April 5, 2005. She asked that Council approve giving this ordinance a first reading later during this meeting.

FAYE BLEIGH – INTERIM DIRECTOR OF TOURISM
Re: Bid Recommendations for Visitor's Guide

Mrs. Bleigh presented bids to Council that she had received for the printing of the Hannibal Visitor's Guide. She recommended that the bid be awarded to C.L. Downey who was the lowest bidder and had done previous satisfactory work for the Center.

Mayor Pro Tem Dexheimer made a motion to approve the recommendation. Mayor Hark seconded motion.

Motion carried.

JAMES W. DEXHEIMER – CHAIRMAN OF FIRE BOARD
Re: Bid Recommendation for Thermal Imaging Camera and Bid for Washer and Dryer

On the behalf of the recommendations from the FireBoard, Chairman Dexheimer made a motion to award the following bids:

1. Bid for purchase of a hand held thermal imaging camera be awarded to Battalion Three, Inc. in the amount of \$9,995.00.
2. Bid for the purchase of a washer be awarded to Kenco Fire Equipment in the amount of 6,011.78.
3. Bid for bunker gear drier cabinet be awarded to KeeWees Equipment Company in the amount of \$5,645.00.

These will be coming from the 2004 FEMA Fire Grant with a 10 percent local match that is included in the 2004-05 budget. Mayor Hark seconded motion.

Motion carried.

JACK HERRING – GENERAL MANAGER, BOARD OF PUBLIC WORKS
Re: Electric Transmission Documents
(Resolution No. 1205 to follow)

Mr. Herring informed Council that Ameren has turned over operation of their transmission system to an outside party. He asked Council to approve Resolution 1205, to follow, that would authorize the Mayor to sign additional documents for Hannibal to participate in the energy markets operated by the Midwest Independent Transmission System Operator, Inc. These documents, which were approved by the Board yesterday, include a FTR Pooling Agreement, Memorandum of Understanding and Meter Data Management Service Agreement.

CHRIS ATKINSON – DIRECTOR OF PARKS & RECREATION
Re: Dredging Permit From the U.S. Corps of Engineers
(Resolution No. 1206 to follow)

Mr. Atkinson asked Council to approve Resolution 1206, to follow, which would authorize the Mayor to sign a permit from the Corps of Engineers to dredge the marina. Mr. Atkinson also informed Council that bids had already gone out and would be opened in a week for the actual dredging service.

JIM BURNS – CITY ENGINEER
Re: City Landfill Contract of Obligation Reaffirmation Letter to DNR
(Resolution No. 1207)

Jim Burns, City Engineer, asked Council to consider approving Resolution 1207, to follow. This would allow the Mayor to sign a “Contract of Obligation Reaffirmation Letter” to the Department of Natural Resources as required for post-closure of city landfills. He stated that this was a required reaffirmation of a previous resolution signed in 1999.

Re: Bid Submittal for Quonset Hut Located at 704 Lindell Avenue

Mr. Burns presented bids to Council that had been received on dismantling and removal of the Quonset hut on Lindell Avenue. There was only one bid in the amount of \$5.00, and he recommended that the bid be awarded to the bidder, Jason Ross Construction Company.

Mayor Pro Tem Dexheimer made motion to approve the City Engineer’s recommendation. Council Member Hull seconded motion.

Motion carried.

Re: Tea 21, Phase 6, Part 1, Riverfront Overlook and Parking Lot Change Order No. 1

Mr. Burns explained that this change order is to remove a foundation that was found when they began excavation and was not part of the original bid. There is money in the budget for this project in both the grant and the local share to cover the cost.

Council Member Hull made motion to approve the change order. Council Member Green seconded motion.

Motion carried.

RESOLUTION 1202

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CONTRACT WITH THE FIRM AHRENS, HALE AND LEMON, LLC, IN REGARDS TO APPOINT C. TODD AHRENS AS CITY ATTORNEY AND JAMES F. LEMON AS CITY PROSECUTOR

Mayor Pro Tem Dexheimer made a motion to have the Clerk read Resolution 1202 and call the roll for adoption. Mayor Hark seconded motion.

Motion carried.

Roll Call

Yes: Council Member Green, Mayor Hark, Mayor Pro Tem Dexheimer, Council Members Hatton and Hull – 5

Absent: Council Members Knickerbocker and Wilson – 2

No: -0-

Mayor Hark declared Resolution 1202 duly approved and adopted on this day.

RESOLUTION 1205

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN DOCUMENTS ON BEHALF OF THE BOARD OF PUBLIC WORKS TO ALLOW HANNIBAL TO PARTICIPATE IN THE ENERGY MARKETS OPERATED BY THE MIDWEST INDEPENDENT TRANSMISSION SYSTEM OPERATOR, INC. (MISO)

Council Member Hatton made a motion to have the Clerk read Resolution 1205 and call the roll for adoption. Council Member Hull seconded motion.

Motion carried.

Roll Call

Yes: Council Member Green, Mayor Hark, Mayor Pro Tem Dexheimer, Council Members Hatton and Hull – 5

Absent: Council Members Knickerbocker and Wilson – 2

No: -0-

Mayor Hark declared Resolution 1205 duly approved and adopted on this day.

RESOLUTION 1206

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A PERMIT WITH THE U.S. ARMY CORPS OF ENGINEERS FOR DREDGING OF THE MARINA

Council Member Green made a motion to have the Clerk read Resolution 1206 and call the roll for adoption. Mayor Hark seconded motion.

Motion carried.

Roll Call

Yes: Council Member Green, Mayor Hark, Mayor Pro Tem Dexheimer, Council Members Hatton and Hull –5

Absent: Council Members Knickerbocker and Wilson – 2

No: -0-

Mayor Hark declared Resolution 1206 duly approved and adopted on this day.

RESOLUTION 1207

A RESOLUTION APPROVING THE MAYOR TO SIGN A CONTRACT OF OBLIGATION REAFFIRMATION LETTER TO THE MISSOURI DEPARTMENT OF NATURAL RESOURCES FOR POST-CLOSURE OF CITY LANDFILLS ON BEHALF OF THE CITY OF HANNIBAL

Council Member Hatton made a motion to have the Clerk read Resolution 1207 and call the roll for adoption. Council Member Hull seconded motion.

Motion carried.

Roll Call

Yes: Council Member Green, Mayor Hark, Mayor Pro Tem Dexheimer, Council Members Hatton and Hull – 5

Absent: Council Members Knickerbocker and Wilson – 2

No: -0-

Mayor Hark declared Resolution 1207 duly approved and adopted on this day.

BILL NO. 05-954

AN ORDINANCE AMENDING CHAPTER 31, VEHICLES FOR HIRE, ARTICLE II, TAXICABS DIVISIONS 1, 2 & 3 OF THE HANNIBAL CITY CODE

FIRST READING

Council Member Green made a motion to have the Clerk give Bill 05-954 a first reading. Council Member Hull seconded motion.

Motion carried.

BILL NO. 05-955

AN ORDINANCE AMENDING THE CHARTER OF THE CITY OF HANNIBAL PURSUANT TO THE APRIL 5, 2005 ELECTION CHANGING RULES FOR PUBLICATION OF ORDINANCES

FIRST READING

Council Member Hatton made a motion to have the Clerk give Bill 05-955 a first reading. Council Member Green seconded motion.

Motion carried.

CLOSED SESSION
In Accordance with RSMo 610-021 (2)

Council Member Green made a motion to go into closed session in accordance with RSMo 610-021 (2), admitting himself, Council, Mayor Hark, City Attorney, City Manager, City Clerk and Jack Herring. Mayor Hark seconded motion.

Roll Call

Yes: Council Member Green, Mayor Hark, Mayor Pro Tem Dexheimer, Council Members Hatton and Hull – 5

Absent: Council Members Knickerbocker and Wilson – 2

No: -0-

ACTION TAKEN DURING CLOSED SESSION

Mayor Pro Tem Dexheimer made a motion to authorize the Mayor to sign a contract with Meco Engineering Company, Inc. for Survey Work of a new electrical transmission line for the City of Hannibal. Council Member Green seconded motion.

Roll Call

Yes: Council Member Green, Mayor Hark, Mayor Pro Tem Dexheimer, Council Members Hatton and Hull – 5

Absent: Council Members Knickerbocker and Wilson – 2

No: -0-

Motion carried.

OPEN SESSION

Mayor Pro Tem Dexheimer made a motion to go back into open session. Council Member Hatton seconded motion.

Motion carried.

ADJOURNMENT

Mayor Pro Tem Dexheimer made a motion to adjourn. Council Member Hatton seconded motion.

Motion carried.