

OFFICIAL COUNCIL PROCEEDINGS

Tuesday, January 4, 2005

7:00 P.M.

ROLL CALL

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

Absent: -0-

Also Present: City Manager Andy Morris, City Attorney Robert Curtis,
and City Clerk Mary Beth Baudendistel

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 Regular Meeting December 21, 2004

Mayor Pro Tem Dexheimer made motion to approve the minutes from the regular meeting of December 21, 2004. Council Member Hatton seconded motion.

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS Second Half of December 2004

Council Member Hatton made motion to approve the payroll and claims. Council Member Green seconded motion.

Motion carried.

MAYOR HARK
Re: Approval of Nomination to Board from Last Meeting

INDUSTRIAL DEVELOPMENT AUTHORITY
Ben Ritter – Reappoint for a six (6) year term to expire January, 2011

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

Motion carried.

POLICE CHIEF JOEY RUNYON
Re: Bid Award for Police Station Renovations

Chief Runyon presented to Council bids that came in for this project and stated that after review of the architect, he recommended that the bid be awarded to Whiston Construction Company in the amount of \$177,600.00. He went on to explain that although the bid from Martin Construction Company was \$213.00 lower, the decision to award it to Whiston instead of Martin was because Whiston gave a completion time of 100 days and Martin's was for 245 days. There is a need to have this project completed as soon as possible after it is once started; therefore it was recommended that the bid be awarded to Whiston Construction.

Chief Runyon also asked Council to approve whether or not additional funds could be adjusted in the budget since only \$140,000.00 was budgeted for this project and the bid was in excess of that amount. He could possibly have 2 of the 3 phases completed in this fiscal year in order to remain in the budget and then complete the 3rd phase in next fiscal year, but he preferred to have all 3 phases completed at once.

City Manager Andy Morris explained that it would be possible to allocate the additional funds this budget year since there is \$22,000 set aside for emergency management in the capitol improvement budget that would probably not be expended in this year and also the money set aside for boat harbor dredging would not be expended in this fiscal year. The additional \$15,600.00 needed for this project could be diverted from funds set aside for these projects.

Council Member Hull and Wilson both questioned the Chief concerning the importance of awarding the bid to Whiston's instead of Martin's based not on lowest price, but on the shorter completion date. Council Members Wilson and Mayor Pro Tem Dexheimer also voiced their concern whether or not Whiston would be able to complete the project in this amount of time and also wanted the Chief to check the contract to see if there were penalties written in the contract for failure to complete the project by the proposed date.

Chief Runyon stated that although he did not have the amount of the penalty written into the contract with him at this meeting, he would get the information to them.

Mayor Pro Tem Dexheimer made motion to approve the completion of all three phases within this budget year by adjusting the budget and to award the bid to Whiston Construction Company. Council Member Green seconded motion.

Roll Call

Yes: Council Members Knickerbocker, Green, Mayor Hark, Mayor Pro Tem Dexheimer and Council Member Hatton - 5

No: Council Members Hull and Wilson – 2

Motion carried.

JIM BURNS – CITY ENGINEER Re: Annexation Request – S&D Developers

Mr. Burns informed Council that this property was 9.67 acres of land located south of the Bear Creek Dam site and on the west side of Red Devil Road. The property owner has requested that the property be zoned F-Industrial, which is consistent with zoning in the adjacent annexed areas. A public hearing was held on December 21, 2004 at 6:56 P.M. and no objections to this request were made. Mr. Burns, on behalf of the Planning and Zoning Committee, requested that Council approve this request for annexation and re-zoning on this property.

Council Member Wilson made motion to approve this request and have the City Attorney draw up the necessary ordinance to accomplish this. Mayor Hark seconded motion.

Motion carried.

Re: Re-Zoning Request – Riverfront Progress Association

Mr. Burns informed Council that a public hearing on this was held on December 16, 2004, and an objection was raised by Bubba's Restaurant, which is adjacent to the property. The property owners also expressed no particular development plans for this area, but were asking to have it re-zoned in order to increase marketability. After consideration of the issues, the Planning and Zoning Commission unanimously voted to forward the re-zoning request to Council with a negative recommendation.

Council Member Wilson made motion to deny the request. Council Member Hull seconded motion.

Motion carried.

RESOLUTION 1176

A RESOLUTION TERMINATING THE LEASE AGREEMENT BETWEEN THE CITY OF HANNIBAL AND THE MARK TWAIN HOME FOUNDATION FOR THE LAND BOUNDED BY CENTER AND HILL STREETS AND THE RIGHT OF WAYS OF THE BURLINGTON NORTHERN RAILROAD AND WABASH RAILROAD

Council Member Hatton made a motion to have the Clerk read Resolution 1176 and call the roll for adoption. Council Member Wilson seconded motion.

Motion carried.

Roll Call

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

No: -0-

Mayor Hark declared Resolution 1176 duly approved and adopted on this day.

BILL NO. 05-943

AN ORDINANCE PROVIDING FOR A MUNICIPAL ELECTION TO BE HELD ON TUESDAY, APRIL 5, 2005

FIRST READING

Council Member Green made motion to have the Clerk give Bill No. 05-943 a first reading. Council Member Hatton seconded motion.

Motion carried.

The City Clerk stated that the complete language for this bill would be available at the next Council Meeting before the second reading since the deadline for candidate filing would be on January 18, 2005 at 5:00 P.M.

CLOSED SESSION

In Accordance with RSMo 610-021 (2)

Council Member Dexheimer made motion to go into closed session in accordance with RSMo 610-021 sub-section 2 admitting Council, Mayor Hark, City Attorney, City

Manager, City Building Inspector, City Clerk, Dr. Jill Janes, Susan Johnson, Dana Ruhl, George Walley and Martin Meyer. Council Member Wilson seconded motion.

Council Member Knickerbocker amended motion to also admit Henry Sweets into the closed session. Mr. Sweets was also present and missed during the first motion. Mayor Hark seconded motion.

Roll Call

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

No: -0-

The motion, as amended, 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.