

OFFICIAL PROCEEDINGS

**Tuesday, January 18, 2005
7:00 P.M.**

ROLL CALL

Present: Council Members Knickerbocker, Green, Wilson (arrived after roll call), Mayor Pro Tem Dexheimer, Council Members Hatton and Hull - 6

Absent: Mayor Hark – 1

Also Present: City Attorney, City Manager and City Clerk

CALL TO ORDER

There being a quorum present, Mayor Pro Tem Dexheimer called the meeting to order.

INVOCATION

Council Member Green gave the invocation.

PLEDGE OF ALLEGIANCE

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

At this point in the meeting, Council Member Wilson arrived. Council Member Knickerbocker made a motion to admit Council Member Wilson. Council Member Green seconded motion.

Motion carried.

Council Member Green made motion to excuse Mayor Hark from the proceedings. Council Member Hatton seconded motion.

Motion carried.

APPROVAL OF MINUTES **Regular Council Minutes from January 4, 2005** **CWC Minutes from January 11, 2005**

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

Motion carried.

**APPROVAL OF PAYROLL AND CLAIMS
First Half of January 2005**

Council Member Hatton 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 Council concerning his recent activities as follows.

**Re: Airport Commission Recommendation Regarding Use of Non-Piloted Aircraft
at the Airport**

Mr. Morris stated to Council that the Airport Commission, in a previous meeting, voted unanimously to prohibit radio controlled or unmanned aircraft use on the runway at the Municipal Airport. They would like for Council to approve this recommendation. Council Member Wilson made motion to approve the recommendation of the airport commission and to prohibit use of such aircraft. Council Member Green seconded motion.

Motion carried.

Re: Special Tax Bill Release Policy

Mr. Morris explained to Council the special tax bill release policy form. The purpose of the form is to allow excusal of special tax bills by signatures from the City Engineer, City Clerk and the City Collector on this form and thereby eliminating the necessity for the citizen to appear before the Council. Mr. Morris made it clear that this was only for errors on our part, and that if a citizen wanted to waive or argue special tax bills that were properly applied to their property, they would still have to appeal before Council.

Council Member Wilson made motion to approve this process and form and have the City Attorney prepare an ordinance to this effect. Council Member Hull seconded motion.

Motion carried.

**MICHELE DENT – HANNIBAL COURIER POST
Re: Request for Permission of Street Use for the Mardi Gras by the River Parade
on Feb. 5, 2005**

Ms. Dent, on behalf of the Hannibal Courier Post, requested that a portion of Main Street be temporarily blocked for the purpose of having the annual Mardi Gras parade on Saturday February 5, 2005, beginning at Industrial Drive, continuing down Main Street and ending at North Street. The hours needed for the parade would be approximately 2:00 P.M. to 2:45 P.M.

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

Motion carried.

BRAD ADKISSON – LOAFERS CAR CLUB

Re: Use of Main Street and Some Side Streets for the Car Show on May 14, 2005

Brad Adkisson and Kevin Sorrill both spoke on behalf of the Loafer's Car Club. The Car Club wishes to close traffic and use Main Street from Broadway to North Street, including all side streets (Center, Bird & Hill) from alley to alley. This would be for use to park the cars for the show. The streets would need to be blocked from 5:A.M. to 5:P.M. on Saturday, May 14, 2005. Mr. Sorrell stated that in the past, the Street Department left the barricades on the corners and car club members set them up and took them down.

Council Member Wilson stated that he had received a complaint from the Riverboat in regards to blocking Center Street which is the main access to their business and asked if they could get by without blocking Center Street. Mr. Sorrill stated that he felt this would be a real safety issue if all the other streets were to be blocked off and right in the middle of the block, one street allowed traffic on it. He stated that the club would make sure that signs were erected that would direct people to the proper way of access to the Riverboat.

Council Member Wilson made motion to approve the request. Council Member Knickerbocker seconded motion.

Motion carried.

STEVE ROBERTSON

Re: Appeal for Chief Of Police's Denial of a Taxi Permit

Mr. Robertson came before Council because the Chief of Police had denied his request to obtain a permit to drive a taxi in the City. He asked that Council override the Chief's decision on this. Chief Runyon stated that he had denied the request for a taxi driver permit based on the fact that Mr. Robertson had extensive DWI convictions and had even been incarcerated for this offense in the past.

Mr. Robertson explained to Council that he had served his time, has received treatment and no longer drinks. He just was asking for the opportunity to prove to everyone that he can do this. This permit is necessary in order for him to support his family.

After a lengthy discussion, Council Member Knickerbocker made motion to deny the request for a taxi permit based on the Chief's original recommendation. Council Member Hull seconded motion.

Roll Call

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

No: Council Member Wilson – 1

Absent: Mayor Hark - 1

Motion carried.

LARRY CRAIG – PRESIDENT AND EXECUTIVE DIRECTOR OF THE U.S. HIGHWAY 36-72 CORRIDOR TRANSPORTATION CORPORATION

Re: Highway 36-72 Corridor Transportation District
(Bill No. 05-944 to follow)

Mr. Craig gave a history of the formation of the transportation district and how the tax would be utilized if passed by the voters. He stated that the tax had to pass by a simple majority of all counties and cities, before it could be declared in effect. If passed, this tax would be collected for the next 15 years, or whenever the TDD was paid in full, whichever comes first. He asked Council to approve giving this bill, as amended, a first reading.

BOB CURTIS – CITY ATTORNEY

Re: Voluntary Annexation by S&D Developers, Inc.
(Bill No. 05-945 to follow)

Mr. Curtis explained that this was to be the first reading of Bill No. 05-945 that would approve the voluntary annexation request by S& D Developers, Inc. He also stated that there was a public hearing held previously on this matter and no objections were made. He asked Council to approve giving this bill a first reading later on in the agenda.

Re: Discussion of Demand Meters – Hancock Amendment

It was decided during discussion between Mr. Chriscinske and the City Attorney that to begin collecting this fee again, we would not need a vote of the people. Since it was voted on by the people to collect this fee and was never voted upon by the people to “not collect” the fee it could be collected again without being on the ballot. Also, since this was technically a fee and not a tax, it would not be subject to the Hancock Amendment.

Mr. Chriscinske stated that the decision to collect this tax was approved by the people in 1974. Since the Board was facing a 10% increase in electric rates, the Council met with them and decided to allow them to cease paying this fee until further notice or until the rates went down. Chriscinske said that if the City wished to re-enact the fee, we should

do it in a proper fashion so that we can go ahead and allow him a couple of billing cycles in order to notify customers.

Council Member Hull made motion to reinstate collection of the fees on demand meters. Council Member Hatton seconded motion.

Motion carried.

MARY BETH BAUDENDISTEL – CITY CLERK
Re: Closing Boat Harbor Bank Account

The City Clerk asked Council's permission to close the boat harbor bank account and transfer the remaining \$16,394.56 in funds to the Parks and Recreation Dept. as miscellaneous revenue and to credit the capitol improvement expenditure line by this amount. After a discussion concerning what the balance was and whether it would go back into the general fund or back to parks & recreation, Council Member Knickerbocker made motion to close the account and move the funds to the designated accounts in Parks & Recreation. Council Member Wilson seconded motion.

Motion carried.

CHRIS ATKINSON – PARKS & RECREATION DIRECTOR
Re: Introduction of New Recreation Supervisor

Mr. Atkinson introduced Therron Dieckmann, the new Recreation Supervisor, to Council.

JOHN WEALER - BUILDING INSPECTOR
Re: Approval of Demolition for:
1617 Turn Street
1316 Valley
217 Konder

Mr. Wealer submitted bids that were received for demolition of the above properties and recommended that the bid be awarded to Northern Sanitation, who was the lowest bidder, with a bid amount of \$8,600.00.

Council Member Wilson made motion to approve. Council Member Green seconded motion.

Motion carried.

Mr. Wealer then asked Council's permission to add an item to the agenda regarding another demolition.

Council Member Wilson made motion to add this item to the agenda. Council Member Green seconded motion.

Motion carried.

Re: Demolition Proposals for 1931-33 Market

Mr. Wealer stated that he had received 2 proposals for demolition of this property and he recommended that the job be awarded to Bricker Excavation with a bid amount of \$2,300.00.

Council Member Wilson made motion to approve. Council Member Green seconded motion.

Motion carried.

JOEY RUNYON – POLICE CHIEF

Re: Approval of Contract with Whiston Construction Company
(Resolution 1178 to follow)

Chief Runyon asked that Council approve Resolution 1178, to follow, which would approve the contract with Whiston Construction Company for completion of the Police Department renovation. He also informed Council that there was a clause in the contract that a failure to meet the completion deadline date would result in a \$100.00 per day fine.

JIM BURNS – CITY ENGINEER

Re: Bid Recommendation for Tractor/Loader Backhoe

Mr. Burns requested Council approval of bids for a tractor/loader backhoe to be purchased and used by the Street Department out of ½ cent sales tax funds. Although Altorfer Machinery was not the lowest bidder, he requested Council approve awarding the bid to them since the lowest bidder's machine did not meet the City's specifications and was missing several safety features that he felt were necessary.

Council Member Wilson made motion to approve awarding the bid to Altorfer's. Council Member Green seconded motion. Council Member's Hatton and Hull stated that they would both be abstaining due to a possible conflict of interest.

Roll Call

Yes: Council Members Knickerbocker, Green, Wilson & Mayor
Pro Tem Dexheimer – 4

No: -0-

Abstain: Council Members Hatton and Hull – 2

Absent: Mayor Hark – 1

Motion carried.

Re: Bid Recommendation for Tree Removal

Mr. Burns recommended to Council that Busy Bee Tree Service be awarded the bid for right of way tree removal in the amount of \$2,260.00.

Council Member Wilson made motion to approve the City Engineer's recommendation. Council Member Green seconded motion.

Motion carried.

Re: Authorize Agreement with Klingner & Associates, P.C. in the Amount of \$155,500 for the Paris Avenue Improvement Project
(Resolution 1179 to follow)

Mr. Burns asked that Council approve Resolution 1179 to follow which would authorize the Mayor to sign a contract with Klingner & Associates for the completion of the Paris Avenue Improvement Project. He stated that funds for this project would be coming out of ½ cent sales tax.

Re: Authorize Agreement with MECO Engineering Co. in the Amount of \$58,608.00 for Design Services of the Red Devil Road Project
(Resolution 1180 to follow)

Mr. Burns also asked that Council approve Resolution 1180 which would approve a contract with MECO Engineering Co., to provide design services of the Red Devil Road Project. The expected completion date of this project will be in the fall of 2006.

Re: Airport Advisory Commission Recommendation for Renaming Road in Front of Airport
(Resolution 1181 to follow)

After discussion, it was decided that a Resolution was not needed in order to rename this road. Since it was a county road not a city road, it was decided that a letter needed to be drafted to the County Commissioners from the Council recommending this change in name.

Council Member Wilson made motion to have a letter drafted on behalf of the Council to the County Commissioners recommending that they rename the road. Council Member Knickerbocker seconded motion.

Motion carried.

RESOLUTION 1178

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT WITH WHISTON CONSTRUCTION CO., INC FOR COMPLETION OF THE RENOVATION OF THE HANNIBAL POLICE DEPARTMENT IN THE AMOUNT OF \$177,600.00

Council Member Hatton made motion to have the Clerk read Resolution 1178 and call the roll for adoption. Council Member Wilson seconded motion.

Motion carried.

Roll Call

Yes: Council Members Knickerbocker, Green, Wilson, Mayor Pro Tem Dexheimer, Council Members Hatton and Hull – 6

No: -0-

Absent: Mayor Hark - 1

Mayor Pro Tem Dexheimer declared this Resolution 1178 duly approved and adopted on this day.

RESOLUTION 1179

A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT BETWEEN THE CITY OF HANNIBAL, MISSOURI AND KLINGNER & ASSOCIATES, P.C.

Council Member Wilson made motion to have the Clerk read Resolution 1179 and call the roll for adoption. Council Member Green seconded motion.

Motion carried.

Roll Call

Yes: Council Members Knickerbocker, Green, Wilson, Mayor Pro Tem Dexheimer, Council Member Hatton and Hull – 6

No: -0-

Absent: Mayor Hark - 1

Mayor Pro Tem Dexheimer declared Resolution 1179 duly approved and adopted on this day.

RESOLUTION 1180

A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT BETWEEN THE CITY OF HANNIBAL, MISSOURI AND MECO ENGINEERING CO., INC.

Council Member Green made motion to have the Clerk read Resolution 1180 and call the roll for adoption. Council Member Hatton seconded motion.

Motion carried.

Roll Call

Yes: Council Members Knickerbocker, Green, Wilson, Mayor Pro Tem Dexheimer, Council Member Hatton and Hull – 6

No: - 0-

Absent: Mayor Hark - 1

Mayor Pro Tem Dexheimer declared Resolution 1180 duly approved and adopted on this day.

RESOLUTION 1181

A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, DESIGNATING THE FORMER COUNTY ROAD 425 AT THE HANNIBAL AIRPORT TO BE RENAMED AIRPORT ROAD

Council Member Wilson made motion to table Resolution 1181. Council Member Knickerbocker seconded motion.

Motion carried.

BILL NO. 05-944

(As Amended)

AN ORDINANCE OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL COOPERATION AGREEMENT BY AND AMONG THE COUNTIES OF MACON, MARION, MONROE, RALLS AND SHELBY AND THE CITIES OF CLARENCE, HANNIBAL, HUNNEWELL, MACON, MONROE CITY AND SHELBY; PRESCRIBING THE FORM AND DETAILS OF SAID AGREEMENT; AND AUTHORIZING OTHER RELATED ACTIONS IN CONNECTION WITH THE AGREEMENT

FIRST READING

Council Member Wilson made motion to have the Clerk give Bill No. 05-944 a first reading, as amended. Council Member Knickerbocker seconded motion.

Motion carried.

BILL NO. 05-945

AN ORDINANCE PROVIDING FOR THE VOLUNTARY ANNEXATION OF CERTAIN PROPERTY OWNED BY S&D DEVELOPERS, INC. PURSUANT TO SECTION 71.012 OF THE REVISED STATUTES OF MISSOURI

FIRST READING

Council Member Wilson made motion to have the Clerk give Bill No. 05-945 a first reading. Council Member Hatton seconded motion.

Motion carried.

BILL NO. 05-943

(As Amended)

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

SECOND AND FINAL READING

Mayor Pro Tem Dexheimer made motion to have the Clerk give Bill No. 05-943, as amended, containing all three propositions a second and final reading and call the roll for adoption. Council Member Knickerbocker seconded motion.

Motion carried.

Roll Call

Yes: Council Members Knickerbocker, Green, Wilson, Mayor Pro Tem Dexheimer, Council Member Hatton and Hull – 6

No: -0-

Absent: Mayor Hark - 1

Mayor Pro Tem Dexheimer declared Bill No. 05-943, as amended, duly approved and adopted on this day.

CLOSED SESSION

In Accordance with RSMo 610-021 (2 & 3)

Mayor Pro Tem Dexheimer made motion to go into closed session in accordance with RSMo 610-021 in accordance with subparagraphs 2 and 3, admitting Council, City Attorney, City Manager, City Clerk and Building Inspector to session regarding #2 and admitting the City Council to session regarding #3. Council Member Wilson seconded motion.

Roll Call

Yes: Council Members Knickerbocker, Green, Wilson, Mayor Pro Tem Dexheimer, Council Member Hatton and Hull – 6

No: -0-

Absent: Mayor Hark - 1

Motion carried.

No official action was taken during the closed session.

OPEN SESSION

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

Motion carried.

ADJOURNMENT

Council Member Wilson made motion to adjourn. Council Member Knickerbocker seconded motion.

Motion carried.