

**OFFICIAL COUNCIL PROCEEDINGS**

**June 7, 2005  
7:00 P.M**

**ROLL CALL**

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

**Also Present:** City Manager, Andy Morris, Acting City Attorney James Lemons 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 Green led the Pledge of Allegiance to the Flag.

**APPROVAL OF MINUTES  
Regular Meeting of May 17, 2005**

Mayor Pro Tem Dexheimer made the motion to approve the minutes. Council Member Hull seconded motion.

Motion carried.

**APPROVAL OF PAYROLL AND CLAIMS  
Last Half of May, 2005**

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

Motion carried.

**ANDY MORRIS – CITY MANAGER**  
**Re: City Manager Report**

City Manager Morris discussed the following agenda items during the meeting.

**Re: Approval of Nominations to Commissions and Boards**  
**From last Meeting**

Mr. Morris asked Council to consider approving the following nominations to various boards and commissions:

**PLANNING & ZONING**

Larry Craig to be reappointed - 4-year term to expire June 2009  
Mike Kettelkamp to be reappointed - 4-year term to expire June 2009

**LIBRARY BOARD**

Marjorie Coleman to be reappointed - 3-year term to expire June 2008  
Chase Hickman to be reappointed - 3-year term to expire June 2008  
Becky Steffa to be reappointed - 3-year term to expire June 2008

Council Member Wilson made the motion to approve the City Manager's recommendations. Council Member Hull seconded motion.

Motion carried.

**Re: New Nominations to Boards**

Mr. Morris also brought forward the following nominations and will ask for approval for appointments at the next regular Council Meeting.

**PARK BOARD**

Debbie Catlett to be reappointed - 3-year term to expire July 2008  
James O'Donnell to be reappointed - 3-year term to expire July 2008  
Kristy Trevathan to be reappointed - 3-year term to expire July 2008

**Re: Budget Presentation**

Mr. Morris explained the Budget process to Council and pointed out several adjustments that had been made in the budget this year. He handed out printouts of the budget and explained the timeline that would be followed in order to get the budget amended and/or approved at the next Council Meeting. He asked for everyone to bring any questions or suggestions about the budget to either his office or the City Clerk's office before the next Council Meeting.

**Re: Approval to Set Public Hearing for Budget for 6:30 P.M. June 21, 2005**

Mayor Pro Tem Dexheimer made a motion to set the public hearing on the budget for 6:30 P.M. on Tuesday, June 21, 2005. Council Member Wilson seconded motion.

Motion carried.

**MARY BETH BAUDENDISTEL – CITY CLERK**

**Re: Letter From Dan and Sherri Steinman in Regards to Tax Penalties**

The City Clerk read a letter received from Dan and Sherri Steinman stating because of various circumstances, they did not feel that they should be billed for penalties on their taxes.

Mayor Pro Tem Dexheimer made a motion to forgive the penalties applied to these taxes. Council Member Wilson seconded motion.

Motion carried.

**Re: Letter From Chamber of Commerce Requesting the Closing of 10<sup>th</sup> Street for Fourth of July Parade**

The City Clerk read a letter received from the Chamber of Commerce requesting closure of 10<sup>th</sup> Street, from Broadway to Center on Monday, July 4, 2005 from 8:00 a.m. to 10:30 a.m. in order to use the area for parking and arranging cars that will be carrying former and present Tom's and Becky's in the parade..

Council Member Knickerbocker made a motion to approve the request. Council Member Hatton seconded motion.

Motion carried.

**LUCAS JUDLOWE - CITIZEN**

**Re: Memorial to Soldiers Wounded in Current War**

Mr. Judlowe had contacted the Clerk's office asking that this agenda item be tabled until the next Council Meeting, since he did not have his presentation completed.

Council Member Wilson made a motion to table this agenda item. Council Member Green seconded motion.

Motion carried.

**TODD BREEDING - CITIZEN**

**Re: Request to Have Gay Festival**

Since Mr. Breeding was not present at the meeting, Council Member Knickerbocker made a motion to table this agenda item. Council Member Hull seconded motion.

**Roll Call**

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

**No:** Council Member Green – 1

Motion to table carried.

**JACKIE CHILDRESS - CITIZEN**

**Re: Ramp Park Fees**

Ms. Childress spoke to Council regarding the Ramp Park fees and the fact that she felt they were too high. She asked for lower fees or no fees at all to be considered.

**CHRIS ATKINSON – DIRECTOR OF PARKS & RECREATION**

**Re: Ramp Park Fees**

Mr. Atkinson explained some of the reasons to Council on which he based his decision to set rates at the Ramp Park. He then informed Council that he would be immediately lowering the daily rate for the Ramp Park to better accommodate all children.

**MICHELLE COX – WADE SHOWS**

**Re: Carnival**

Ms. Cox of Wade Shows introduced Nick Johnson of the Boy Scouts of America and requested the use of city streets and a city lot during their carnival that is to be held in August. This will be a fund raiser for the Boy Scouts.

Ms. Cox & Mr. Johnson asked permission to operate the carnival within the city limits from August 25 through August 28<sup>th</sup>, 2005. They also asked for the use of fire hydrants on Main Street and on Industrial Drive and also to have both Broadway and Main intersection and Church & Main intersection closed during business hours for public safety. They requested use of the city lot on 7<sup>th</sup> & Industrial Drive, as in the past, for parking their trailers. Set up time for the carnival will take place beginning August 23<sup>rd</sup>, 2005.

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

Motion carried.

**HANNIBAL JAYCEES**  
**Re: City Contract in Regard to Fireworks Donation**

Mr. Chris Harsell, Tom Sawyer Chairman for the Hannibal Jaycees informed Council that their goal for donations had been met; therefore, they would not need to contract with the City for support of the fireworks display.

Mr. Harsell expressed the Jaycee's appreciation for the support of Council regarding this issue.

**MAYOR PRO TEM DEXHEIMER**  
**Re: Tom Sawyer Days Concessions**

Mayor Pro Tem Dexheimer stated that he had received several phone calls complaining of difficulty when trying to contact the Jaycees and the Kiwanis about obtaining vending spaces during the Fourth of July.

Council Member Knickerbocker, who is also President of the Hannibal Jaycees, stated that he could not speak for the Kiwanis, but the Jaycees have all their contact information available on the Internet. He also stated that he thought that the Hannibal Visitor's and Convention Bureau had names and numbers of people to get in touch with for this event

Mayor Pro Tem Dexheimer asked Council Member Knickerbocker to please check on this and to make sure that both the Tourism Office and the Clerk's Office have this information available to them so that they could assist the public.

**JOHN WEALER – BUILDING INSPECTOR**  
**Re: Bid Recommendation for Mowing Old Baptist Cemetery**

Building Inspector John Wealer recommended that the bid for mowing the Old Baptist Cemetery be awarded to Scott Powell for the amount of \$6,000 per year.

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

Motion carried

**Re: Bid Recommendation for Sale of 2801 Carroll Street**

Building Inspector Wealer told Council that the bids had been opened regarding the sale of this property and the highest and only bidder was Mr. Fred Tate in the amount of \$2,100. Mr. Tate, at his own expense, had previously had the property appraised and this

amount was above the assessment; therefore, Wealer recommended that the City sell the property to Mr. Tate for the amount of the bid.

Council Member Wilson made a motion to award the sale of this property to Mr. Tate in the amount of \$2,100.00. Council Member Hull seconded motion.

Motion carried.

Mr. Wealer then requested permission to add an item to Council agenda concerning demolition bids. Mayor Pro Tem Dexheimer made a motion to add this item to the agenda. Council Member Hatton seconded motion.

Motion carried.

**Re: Demolition of 1610-12 Broadway and 1632 Fulton**

Mr. Wealer stated that Jeff Bricker had been awarded the bid for the demolition of these properties over 60 days ago. He had only removed the slate siding from one building and the other building had nothing done to it. Wealer informed Council that he had been in touch with Mr. Bricker and he felt Bricker had become involved in some other projects that would not allow him to complete these demolitions on a timely basis. Mr. Wealer asked Council to approve re-awarding this bid to the next highest bidder on the project who was Don Martin Construction.

The City Attorney, James Lemons, advised Wealer it would be best to send a certified notice to Mr. Bricker of the City's intention to re-award the bid and allow him 10 days to respond before re-awarding the bid.

Mayor Pro Tem Dexheimer made the motion to follow the recommendation of Mr. Lemons, send a notice to Mr. Bricker and if work was not completed in 10 days, to award the bid to Don Martin Construction. Council Member Wilson seconded motion.

Motion carried.

**CHRIS ATKINSON – DIRECTOR OF PARKS & RECREATION**

**Re: Change Order for Huckleberry Ramp Park**

Mr. Atkinson asked Council to approve a change order for George Lee Construction in the amount of \$15,411.00. This is for increased cost of materials because of shipment delays created by Site Design for a shipment due last fall.

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

Motion carried.

**CHIEF JOEY RUNYON**  
**Re: Federal Equitable Sharing Agreement**  
*(Resolution 1220 to follow)*

On behalf of the Police Chief, who was unable to attend the meeting, Captain Lyndell Davis explained this agreement to Council. This is an agreement with the Federal Government to share any federally forfeited cash, property, proceeds and any interest earned that is seized in connection with criminal activity. He asked Council to approve the Resolution to follow regarding this agreement.

**Re: Grant Application & City Council Authorization for MoDot's Highway Safety Law Enforcement Grant**  
*(Resolution 1221 to follow)*

Captain Davis asked Council to approve Resolution 1221 to follow that would authorize the Mayor to sign an application for MoDot's Highway Safety Grant for traffic enforcement.

**Re: Memorandum of Understanding Between City and Marion County in Regard to the Justice Assistance Grant**  
*(Resolution 1222 to follow)*

Captain Davis asked Council to approve Resolution 1222 to follow which would allow the Mayor to sign the memorandum, which documents how grant funding will be shared between the City of Hannibal and Marion County for the Justice Assistance Grant. During discussion, it was determined that the Memorandum required the Mayor's signature and also the signature of the City Manager. The City Clerk stated that she could amend this resolution to authorize both the Mayor and City Manager to sign.

**JIM BURNS – CITY ENGINEER**  
**Re: Contract with Chester Bross Construction for 2005 Milling and Asphalt Overlay Project**  
*(Resolution No. 1223 to follow)*

Mr. Burns asked Council to authorize the bid award and contract with Chester Bross Construction in the amount of \$377,845.00 for milling and overlay of various streets in the city by approving Resolution 1223 to follow.

**Re: Tree Removal Bid Recommendation and Contract**  
*(Resolution No. 1224 to follow)*

Mr. Burns also asked Council to approve the award of the Tree Removal 2005 Project to the lowest bidder, Busy Bee Tree Service in the amount of \$6,060.00 and authorize the Mayor to sign the related contract by approving Resolution 1224.

**Re: Recommendation to Extend White Star Laundry Contract for Uniform Service of Street Department**

Mr. Burns recommended that the bid for uniform service be awarded to White Star Laundry. Mayor Pro Tem Dexheimer made a motion to approve the City Engineer's recommendation. Mayor Hark seconded motion.

Motion carried.

**CAPTAIN LYNDELL DAVIS – POLICE AND FIRE PENSION BOARD  
CHAIRMAN**

**Re: Change in Reimbursements of Pension Contributions**

*(Bill No. 05-959, as amended, to follow)*

Captain Davis addressed Council concerning the unanimous decision of the Police and Fire Pension Board to change the ordinance and Plan Document so that any fire or police non-civilian employees hired after July 1, 2005, who qualify for a pension, will not receive deductions reimbursements. He also explained that this would not affect anyone already employed, but will affect only those hired after this date. He said the reason behind this was an effort by the Board to reduce the pensions unfunded liability and asked Council to approve giving Bill 05-959 a first reading.

**RESOLUTION 1220**

**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A FEDERAL  
EQUITABLE SHARING AGREEMENT WITH THE HANNIBAL POLICE  
DEPARTMENT AND THE FEDERAL GOVERNMENT IN REGARDS TO  
ASSET FORFEITURE**

Council Member Hull made a motion to have the Clerk read Resolution 1220 and call the roll for adoption. Mayor Hark seconded motion.

Motion carried.

**Roll Call**

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

**No:** -0-

Mayor Hark declared Resolution 1220 duly approved and adopted on this day.

**RESOLUTION 1221**

**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A LAW ENFORCEMENT HIGHWAY SAFETY GRANT APPLICATION WITH THE MO. DEPT OF TRANSPORTATION TO PAY OFFICERS FOR TRAFFIC ENFORCEMENT**

Council Member Wilson made a motion to have the Clerk read Resolution 1221 and call the roll for adoption. Council Member Green seconded motion.

Motion carried.

**Roll Call**

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

**No:** -0-

Mayor Hark declared Resolution 1221 duly approved and adopted on this day.

**RESOLUTION NO. 1222**

**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN APPLICATION FOR A 2005 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD ON BEHALF OF THE HANNIBAL POLICE DEPARTMENT FOR SPECIAL EMERGENCY RESPONSE TEAM EQUIPMENT**

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

Motion carried.

**Roll Call**

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

**No:** -0-

Mayor Hark declared Resolution 1222 duly approved and adopted on this day.

**RESOLUTION 1223  
As Amended**

**A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING THE MAYOR TO SIGN A CONTRACT ON BEHALF OF THE CITY OF HANNIBAL, WITH CHESTER BROSS CONSTRUCTION CO. FOR MILLING AND ASPHALT OVERLAY OF VARIOUS CITY STREETS IN THE AMOUNT OF \$377,845**

Council Member Wilson made a motion to have the Clerk read Resolution 1223 and call the roll for adoption. Council Member Hatton seconded motion.

Motion carried.

**Roll Call**

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

**No:** -0-

Mayor Hark declared Resolution 1223, as amended, duly approved and adopted on this day.

**RESOLUTION 1224**

**A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT WITH BUSY BEE TREE SERVICE FOR TREE REMOVAL IN THE AMOUNT OF \$6,060.00**

Council Member Wilson made a motion to have the Clerk read Resolution 1224 and call the roll for adoption. Council Member Green seconded motion.

Motion carried.

**Roll Call**

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

**No:** -0-

Mayor Hark declared Resolution 1224 duly approved and adopted on this day.

**BILL NO. 05-959  
As Amended**

**AN ORDINANCE AMENDING CHAPTER 21, PERSONNEL, SECTIONS 21-67 TERMINATION OF SERVICE, OF THE HANNIBAL CITY CODE IN**

**REGARDS TO REIMBURSEMENT OF CONTRIBUTIONS TO THE POLICE  
AND FIRE PENSION FUND.**

**FIRST READING**

Council Member Wilson made a motion to have the Clerk give Bill 05-959, as amended, a first reading. Council Member Hull seconded motion.

Motion carried.

**CLOSED SESSION  
(In Accordance with RSMo 610-021 (3))**

Council Member Hatton made a motion to go into closed session in accordance with RSMo 610-021 sub-paragraph 3, admitting himself, Council, Mayor Hark, and City Clerk. Mayor Hark seconded motion.

**Roll Call**

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

**No:** -0-

Motion carried.

**ACTION TAKEN DURING CLOSED SESSION**

Mayor Pro Tem Dexheimer made a motion to approve a 4% increase (3.8% cost of living and .2% merit increase) in the City Manager's Salary for the year 2005-06. Council Member Knickerbocker seconded motion.

**Roll Call**

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

**No:** -0-

Motion carried.

**OPEN SESSION**

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

Motion carried.

## **ADJOURNMENT**

Council Member Green made a motion to adjourn. Council Member Knickerbocker seconded motion.

Motion carried.