

OFFICIAL COUNCIL PROCEEDINGS

**March 15, 2005
7:00 P.M**

ROLL CALL

Present: Council Members Hull, Knickerbocker, Green, Mayor Hark and Mayor Pro Tem Dexheimer – 5

Absent: Council Members Hatton and Wilson - 2

Also Present: City Manager, City Attorney, Deputy 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

Mayor Pro Tem Dexheimer led the Pledge of Allegiance to the Flag.

At this time Mayor Pro Tem Dexheimer made the motion to excuse Council Member Hatton and to admit Council Member Wilson. Council Member Green seconded the motion.

Motion carried.

**APPROVAL OF MINUTES
Regular Meeting of March 1, 2005**

Mayor Pro Tem Dexheimer made the motion to approve the minutes of the March 1, 2005 Council meeting. Mayor Hark seconded the motion.

Motion carried.

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

Council Member Hull made the motion to approve the payroll and claims from the first half of March, 2005. Council Member Wilson seconded the motion.

Motion carried.

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

City Manager Morris brought the following items before Council for their consideration.

Re: Taxi Cab Permit Revisions Update

City Manager Morris presented a draft of an ordinance prepared by himself and Police Chief Runyon after discussions with other cities in the area. Mr. Morris asked that Council review the draft and to get back with him with any suggested changes. The ordinance will be presented at a future meeting for approval and adoption.

Re: Personnel Manual

City Manager Morris asked that Council review the proposed Personnel Manual and let him know of any suggested changes so that it can be adopted in the near future.

**Re: Nutrition Center Annual Contract
(Resolution No. 1195 to follow)**

City Manager Morris stated that it was discovered the state is going to reduce the money allotted to the Nutrition Center. After discussion with Mayor Hark it was suggested to Council that the contract with the Nutrition Center be amended to specify \$20,000.00 payment instead of the previously approved \$17,000.00.

City Manager Morris stated that there were two line items that could make up the difference, one being the Mayor's Youth Council which was no longer active and the remaining \$2,000.00 could be taken from the Legal Department's office supply line item. Mr. Morris asked that the contract be amended when it came before Council on Resolution No. 1195 to follow.

**GARY PAGE & KEVIN MCLEOD – OWNERS OF “THE OTHER PLACE”
Re: Bike Rally**

Kevin McLeod and Gary Page, owners of “The Other Place” on South Main came before Council to request that South Main Street between Broadway and Church St. be blocked

off July 22, 23 and 24 for the “First Annual Bike Days”. Mr. McLeod is president of Freedom of the Road Riders, Local #9. Council Member Wilson asked if Police Chief Runyon had any problems with this. Chief Runyon stated that he did not have enough information about the rally to know. Council Member Wilson requested that Mr. McLeod and Mr. Page get with the Police Chief, Fire Chief, and Street Superintendent prior to the meeting. Council Member Knickerbocker made the motion to table until the next meeting. Mayor Hark seconded the motion.

Motion carried.

PAT MORGAN, ED TROTTER, PAUL LEWALLEN & TREY MORGAN
Re: Property at Ledford and Warren Barrett Drive

Ed Trotter spoke, representing LST Properties who is seeking to purchase some unused City property commonly known as 1204 Ledford. He requested to waive the eight-step method of buying City property. Mr. Trotter mentioned a number of properties that had been sold without going through the eight-step program. City Manager Morris stated that it is Council’s option to use or waive the eight-step method. Council Member Hull stated he would like an appraisal of this land before making a decision. City Manager Morris stated that this is one of the issues to be discussed in closed session. Mayor Hark made the motion to table this issue at this time. Mayor Pro Tem Dexheimer seconded the motion.

Roll Call

Yes: Council Members Hull, Knickerbocker, Mayor Hark and Mayor Pro Tem Dexheimer - 4

No: Council Members Green and Wilson – 2

Absent: Council Member Hatton – 1

Motion carried.

MAYOR PRO TEM DEXHEIMER – CHAIRMAN OF FIRE BOARD
Re: Recognition Award – Don Benjamin

Council Member Knickerbocker presented Assistant Fire Chief Don Benjamin a plaque and watch upon his retirement after 31 years of service with the Fire Department. Mr. Benjamin was given a standing ovation and he commented that he had really enjoyed working for the department.

**Re: Amendment to Sick Leave Computation Ordinance in Regards to
Firemen's Pay Out Rate**

(Bill No. 05-949 and 05-952 to follow)

Mayor Pro Tem Dexheimer stated that there were still some problems with the two bills referenced. He asked that they be tabled when they came up for a first reading.

JACK HERRING – GENERAL MANAGER OF BPW

Re: Purchase of Hardware and Software for New SCADA Replacement System

(Resolution No. 1196 to follow)

Re: Engineering for Substation Modifications & SCADA Implementation

(Resolution No. 1197 to follow)

Jack Herring, BPW General Manager explained the need to replace the SCADA system and the need for engineering for substation modifications and SCADA implementation. He stated that the SCADA system had last been replaced in 1993 and that there was no longer support available since it was outdated. He requested Council to approve the two resolutions when they were presented for a vote later during the meeting.

JOEY RUNYON - POLICE CHIEF

Re: Change Order for Whiston Construction Company

Chief Runyon requested a change order in the amount of \$680.00 for Whiston Construction regarding the police station renovations. He stated that the bullet-proof glass could not be re-used since it was discovered that it was imbedded in concrete. Also, an additional door frame was needed and other minor things. Mayor Pro Tem Dexheimer made the motion to approve the change order. Council Member Wilson seconded the motion.

Motion carried.

JIM BURNS – CITY ENGINEER

Re: Farm Lease – Greg Bross

(Resolution No. 1194 to follow)

City Engineer Jim Burns stated this is a farming contract that Mr. Bross has had for a number of years with the City. It is farmland in the Industrial Park on the far side of the creek. The contract is renewed annually. He asked for Council approval when it is presented.

Re: Repairs to City Hall Exterior
(Resolution No. 1198 to follow)

City Engineer Burns stated that it is important to get some repairs done on the exterior of the City Hall building since it is presenting a hazard to the people on the sidewalk because pieces are chipping off in certain areas. River City Restoration was the only company contacted that was interested in the job. Mr. Burns estimated that when they begin the work, there may be further repairs needed. This will begin the process.

Re: Water Discharge Agreement and Easement
(Resolution No. 1199 to follow)

City Engineer Burns stated this agreement is necessary since the water run-off is causing problems and needs to be addressed.

Re: Vacating an Alley South of New London Gravel Rd and West of Orchard Ave.
(Bill No. 05-950 to follow)

The City Engineer stated that the alley is short, involving two houses. Council Member Wilson stated that one of the homeowners had been maintaining this for a number of years.

Re: Hummingbird Estates Subdivision 3rd Addition
(Bill No. 05-951 to follow)

City Engineer Burns stated this would require a bond or letter of credit prior to the final adoption of the bill.

RESOLUTION NO. 1194

**A RESOLUTION OF THE CITY OF HANNIBAL, AUTHORIZING THE
MAYOR TO SIGN A CONTRACT WITH GREG BROSS FOR THE PURPOSE
OF LEASING 10 ACRES, MORE OR LESS, FOR FARMING PURPOSES**

Council Member Wilson made the motion to have the Deputy Clerk read Resolution No. 1194 and call the roll for adoption. Council Member Hull seconded.

Motion carried.

Roll Call

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

No: -0-

Absent: Council Member Hatton - 1

Mayor Hark declared Resolution No. 1194 duly approved and adopted on this day.

RESOLUTION NO. 1195
(As Amended)

**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CONTRACT
WITH THE HANNIBAL NUTRITION CENTER FOR THE SERVING OF
MEALS TO THE ELDERLY AND THE INFIRM**

Council Member Wilson made the motion to have the Deputy Clerk read Resolution No. 1195, as amended, and call the roll for adoption. Council Member Green seconded motion.

Motion carried.

Roll Call

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

No: -0-

Absent: Council Member Hatton - 1

Mayor Hark declared Resolution No. 1195 duly approved and adopted on this day.

RESOLUTION NO. 1196

**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A PROCUREMENT
AGREEMENT WITH ADVANCED CONTROL SYSTEMS FOR PURCHASE OF
AND SERVICES RELATED TO THE INSTALLATION OF A MASTER
STATION SCADA SYSTEM FOR THE BOARD OF PUBLIC WORKS**

Council Member Wilson made the motion to have the Deputy Clerk read Resolution No. 1196 and call the roll for adoption. Mayor Hark seconded the motion.

Motion carried.

Roll Call

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

No: -0-

Absent: Council Member Hatton - 1

Mayor Hark declared Resolution No. 1196 duly approved and adopted on this day.

RESOLUTION NO. 1197

**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CONTRACT
WITH R.W. BECK FOR ASSISTANCE TO THE BOARD OF PUBLIC WORKS
IN REVIEWING AND DIRECTING THE INSTALLATION OF A NEW SCADA
SYSTEM**

Council Member Wilson made the motion to have the Deputy Clerk read Resolution No. 1197 and call the roll for adoption. Council Member Green seconded.

Motion carried.

Roll Call

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

No: -0-

Absent: Council Member Hatton - 1

Mayor Hark declared Resolution No. 1197 duly approved and adopted on this day.

RESOLUTION NO. 1198

**A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING
THE MAYOR TO SIGN AN AGREEMENT BETWEEN THE CITY OF
HANNIBAL AND RIVER CITY RESTORATIONS FOR REPAIRS TO THE
OUTSIDE WALLS OF CITY HALL**

Council Member Hull made the motion to have the Deputy Clerk read Resolution No. 1198 and call the roll for adoption. Mayor Hark seconded the motion.

Motion carried.

Roll Call

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

No: -0-

Absent: Council Member Hatton - 1

Mayor Hark declared Resolution No. 1198 duly approved and adopted on this day.

RESOLUTION NO. 1199

A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING THE MAYOR TO SIGN A WATER DISCHARGE AGREEMENT AND EASEMENT WITH JORGE LIENDO AND CHARLENE JONES-LIENDO

Council Member Wilson made the motion to have the Deputy Clerk read Resolution No. 1199 and call the roll for adoption. Mayor Pro Tem Dexheimer seconded the motion.

Motion carried.

Roll Call

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

No: -0-

Absent: Council Member Green - 1

Mayor Hark declared this Resolution No. 1199 duly approved and adopted on this day.

BILL NO. 05-949

AN ORDINANCE AMENDING THE ORDINANCE AMENDING ARTICLE 11 OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE HANNIBAL FIREFIGHTERS LOCAL 1211 AND THE CITY OF HANNIBAL, MISSOURI, IN REFERENCE TO SICK LEAVE

FIRST READING
(TABLED)

Mayor Pro Tem Dexheimer made the motion to table Bill No. 05-949 at this time.
Council Member Wilson seconded the motion.

Motion carried.

BILL NO. 05-950

**AN ORDINANCE VACATING A 150' PORTION OF A NORTH-SOUTH ALLEY
SOUTH OF NEW LONDON GRAVEL ROAD AND WEST OF ORCHARD AVE**

FIRST READING

Council Member Wilson made the motion to have the Deputy Clerk give Bill No. 05-950
a first reading. Council Member Green seconded the motion.

Motion carried.

BILL NO. 05-951

**AN ORDINANCE APPROVING AND ACCEPTING THE PLAT OF
HUMMINGBIRD ESTATES SUBDIVISION 3RD ADDITION, A SUBDIVISION
OF A TRACT OF LAND LYING IN THE SOUTHEAST QUARTER OF THE
SOUTHWEST QUARTER OF SECTION 25 AND THE NORTHEAST QUARTER
OF THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 57 NORTH,
RANGE 5 WEST, CITY OF HANNIBAL, MARION COUNTY, MISSOURI**

FIRST READING

Council Member Hull made the motion to have the Deputy Clerk give Bill No. 05-951 a
first reading. Mayor Hark seconded the motion.

Motion carried.

BILL NO. 05-952

*AN ORDINANCE AMENDING THE ORDINANCE AMENDING CHAPTER 21,
PERSONNEL, ARTICLE II, POLICE AND FIRE PENSIONS, DIVISION 1, SECTION
21-57, SUBPARAGRAPH (E) IN REGARDS TO COMPUTATION OF SICK PAY FOR
FIREFIGHTERS*

FIRST READING
(TABLED)

Mayor Pro Tem Dexheimer made the motion to table Bill No. 05-952 at this time.
Council Member Wilson seconded the motion.

Motion carried.

CLOSED SESSION
In Accordance with RSMo 610-021 (1, 2 & 3)

Mayor Pro Tem Dexheimer made the motion to go into closed session in accordance with RSMo 610-021, subparagraphs 1, 2, and 3, admitting the Council, City Manager, City Attorney, Deputy Clerk, John Wealer, Jack Herring, Chief Runyon, and Chief Dryden.
Council Member Wilson seconded the motion.

Roll Call

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

No: -0-

Absent: Council Member Hatton - 1

Motion carried.

OFFICIAL ACTION TAKEN IN CLOSED SESSION

Motion was made by Mayor Pro Tem Dexheimer to accept a settlement agreement regarding Dennis McCullough vs. City of Hannibal. Council Member Wilson seconded the motion.

Roll Call

Yes: Council Members Hull, Knickerbocker, Green, Wilson,
Mayor Hark and Mayor Pro Tem Dexheimer - 6

No: -0-

Absent: Council Member Hatton - 1

Motion carried.

At this time Mayor Hark and City Attorney Curtis left the meeting. Motion was made by Council Member Wilson to appoint Todd Ahrens as the City Attorney. Council Member Green seconded motion.

Roll Call

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

No: -0-

Absent: Council Member Hatton and Mayor Hark - 2

Motion carried.

OPEN SESSION

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

Motion carried.

ADJOURNMENT

Council Member Wilson made motion to adjourn. Mayor Pro Tem Dexheimer seconded the motion.

Motion carried.