

## **OFFICIAL COUNCIL PROCEEDINGS**

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

### **ROLL CALL**

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

**Absent:** Council Member Hatton – 1

### **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.

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

Motion carried.

### **APPROVAL OF MINUTES Regular Council Meeting of November 1, 2005**

Council Member Wilson made the motion to approve the minutes of the previous Council  
Meeting held on November 1, 2005. Council Member Hull seconded the motion.

Motion carried.

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

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

Motion carried.

**RICHARD R PENCE – CITIZEN**  
**Re: Music at JJC Hall**

Mr. Pence was not in attendance. Mayor Pro Tem Dexheimer made the motion to table this item. Council Member Wilson seconded the motion.

Motion carried.

**ANDY MORRIS – CITY MANAGER**  
**Re: Approval of Board Nominations From Last Meeting**

**EMPLOYEE BENEFIT TRUST BOARD**

Mark Kempker, HFD

Appointment for unexpired term to end May, 2008

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

Motion carried.

**Re: Available Update for LAGERS Plan**

Mr. Morris explained that a new benefit program had become available to members of the LAGERS system. The new benefit program is the LT-14(65), which is the next step up from the City's current benefit program of LT-8(65). The cost of this benefit to the General Fund should not exceed \$17,282 for the remainder of this fiscal year. Mr. Morris mentioned the savings that had been achieved by not hiring the new Finance Director to date. He also made mention of the fact that this could possibly allow current long-term employees to seek retirement, thereby offering more savings. Mr. Morris reminded the Council that, due to budget constraints, there had been no step increases awarded to employees this fiscal year. Mr. Morris also informed Council that no action to implement the new benefit plan could be taken until 45 days after the information was made public.

**Re: Seller's Affidavit for Conveying Property for Community Supervision Center**  
(Resolution No. 1254)

Mr. Morris informed Council that this is the next step necessary to proceed with the property exchange between the City of Hannibal and the State of Missouri. The affidavit required by the State of Missouri states there are no liens, encumbrances or clouds on the title to the property. Mr. Morris stated that Todd Ahrens, City Counselor had looked at the affidavit and found no problems with it. Mr. Ahrens affirmed that he saw no problem with the affidavit as written.

**JIM BURNS – CITY ENGINEER**  
**Re: Fulton Avenue Storm Water Project**

Mr. Burns presented Council with Change Order #1 requesting \$2,500 to extend riprap rock (Embankment stabilization) on the east and west side of the creek. This work is behind 1109 Fulton Avenue.

Mayor Pro Tem Dexheimer made the motion to approve Change Order #1. Council Member Wilson seconded the motion. During discussion, Council Member Green stated that he would be abstaining from this vote due to a possible conflict of interest.

**Roll Call**

**Yes:** Council Member Wilson, Mayor Hark, Mayor Pro Tem Dexheimer, Council Members Hull and Knickerbocker – 5

**Abstain:** Council Member Green – 1

**No:** -0-

**Absent:** Council Member Hatton – 1

Motion to approve Change Order #1 carried.

**RESOLUTION NO. 1254**

**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A SELLER’S AFFIDAVIT  
FOR THE PURPOSE OF CONVEYING PROPERTY AT WARREN BARRETT  
DRIVE AND LINDELL AVENUE TO THE STATE OF MISSOURI FOR THE  
PURPOSE OF BUILDING A COMMUNITY SUPERVISION CENTER**

Council Member Wilson made a motion to have the Deputy Clerk read Resolution No. 1254 and call the roll for adoption. Council Member Green seconded the motion. During discussion, Council Member Knickerbocker stated that he would abstain from voting on this Resolution due to a possible conflict of interest.

**Roll Call**

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

**Abstain:** Council Member Knickerbocker – 1

**No:** -0-

**Absent:** Council Member Hatton – 1

Motion to read carried.

**Roll Call**

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

**Abstain:** Council Member Knickerbocker – 1

**No:** -0-

**Absent:** Council Member Hatton – 1

Mayor Hark declared Resolution No. 1254 duly approved and adopted on this date.

**BILL NO. 05-967**

**AN ORDINANCE VACATING AND ABANDONING A PORTION OF THE PUBLIC ALLEY LOCATED IN BLOCK SIXTEEN (16) IN THE CITY OF HANNIBAL, MARION COUNTY, MISSOURI**

**SECOND AND FINAL READING**

**Roll Call**

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

**No:** -0-

**Absent:** Council Member Hatton – 1

Mayor Hark declared Bill No. 05-967 duly approved and adopted on this date.

**CLOSED SESSION**  
**In Accordance with RSMo 610-021 (1)**

Mayor Pro Tem Dexheimer made a motion to go into closed session admitting Council, City Manager Morris, City Counselor Ahrens, Deputy Clerk Nelson and BPW Superintendent Jack Herring. Council Member Green seconded the motion.

**Roll Call**

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

**No:** -0-

**Absent:** Council Member Hatton – 1

Motion carried.

**ACTION TAKEN IN CLOSED SESSION**

Council Member Wilson made the motion for the Board of Public Works to file a lawsuit against MECO, Bleigh Construction Company and Flowserve for the unacceptable performance of the new pumps installed as part of the raw water intake project. Mayor Pro Tem seconded the motion.

**Roll Call**

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

**No:** -0-

**Absent:** Council Member Hatton – 1

Motion carried.

Council Member Wilson made the motion to authorize the Board of Public Works to retain an engineering firm as an expert witness to testify in the above referenced lawsuit. Council Member Hull seconded that motion.

**Roll Call**

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

**No:** -0-

**Absent:** Council Member Hatton – 1

Motion carried.

### **OPEN SESSION**

Motion was made by Council Member Wilson to go back into open session. Mayor Hark seconded the motion.

Motion carried.

### **ADJOURNMENT**

Motion was made by Council Member Green to adjourn. Mayor Hark seconded the motion.

Motion carried.