

OFFICIAL COUNCIL PROCEEDINGS

**December 5, 2006
7:00 P.M.**

ROLL CALL

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

Absent: Council Member Hull – 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 Hatton led the Pledge of Allegiance to the Flag.

At this time, Mayor Pro Tem Dexheimer made a motion to excuse Council Member Hull.
Council Member Knickerbocker seconded the motion.

Motion carried.

APPROVAL OF MINUTES Regular Council Meeting of November 21, 2006

Motion was made by Council Member Hatton to approve the minutes of the last regular Council Meeting that was held on November 21, 2006. Motion was seconded by Council Member Wilson.

Motion carried.

**APPROVAL OF PAYROLL AND CLAIMS
Second Half of November 2006**

Motion was made by Council Member Wilson to approve the payroll and claims for the second half of November, 2006. Motion was seconded by Council Member Hatton.

Motion carried.

**ROY HARK – MAYOR
Re: Oath of Office – Jeffrey LaGarce, City Manager**

Mayor Hark administered the Oath of Office to Jeffrey LaGarce, the new City Manager.

**JAMES DEXHEIMER – FIREBOARD CHAIRMAN
Re: Mutual Aid Agreement with Shelbina
*(Resolution No. 1326-06, to follow)***

Fire Board Chairman, Jim Dexheimer, introduced Resolution No. 1326-06 and offered to answer any questions concerning this Resolution. He asked for Council approval later during the meeting. Approval of this Resolution would also approve a mutual aid agreement with the city of Shelbina for fire protection.

Re: Contract with Midwest Breathing Air, LLC

Fire Board Chairman Dexheimer also asked for the approval of Resolution No. 1327-06, which would approve a contract with Midwest Breathing Air, LLC to perform the annual air test on the Fire Departments compressor system. This will be brought up later during the meeting for Council's consideration.

**PAUL RICHARDS – WADE STABLES, P.C.
Re: 2005-06 Audit**

Mayor Hark introduced Paul Richards and Anita Failor of Wade Stables for presentation of the 2005-06 Municipal Audit. Ms. Failor gave a brief overview of the statements, explaining various points throughout the audit. After a brief introduction, Mayor Pro Tem Dexheimer made a motion to approve and accept the audit as presented. Council Member Hatton seconded the motion.

Motion carried.

JAMIE PAGE – CITY ENGINEER
Re: Bid and Contract Approval with Hannibal Industrial Painting
(Resolution No. 1328-06, to follow)

Jamie Page, City Engineer, came before Council at this time seeking approval of Resolution 1328-06, to follow, regarding a bid and contract with Hannibal Industrial Painting for the demolition of the Pleasant Street Water Tower.

Re: Change Order No. 2, Paris Avenue Improvements
(Resolution No. 1329-06, to follow)

City Engineer Page also requested the approval of Resolution No. 1329-06, to follow, that would approve Change Order No. 2 of the Paris Avenue Improvements Project with Bross Construction. Page stated that the majority of the additional amount of \$59,486.90 was due to additional pavement needed to finish the project and to complete all that was agreed to in the contract.

Re: Collection of Fees for Permits and Inspections
(Bill No. 06-043, to follow)

Page introduced Bill No. 06-043 to be presented later in the meeting. He asked that Council give this bill a first reading at that time.

Re: Rezoning of 501 Clinic Road
(Bill No. 06-052, to follow)

Page stated that Bill No. 06-052 would also need a first reading later during this meeting. This bill concerns the rezoning of 501 Clinic Road from A-one and two family to E-commercial.

JEFFREY LAGARCE – CITY MANAGER
Re: Appointment of Acting City Manager

Mr. Jeffrey LaGarce, the New City Manager, asked the Council to consider the appointment of City Engineer Jamie Page as acting City Manager in the event of his absence. Motion was made by Mayor Pro Tem Dexheimer. Motion was seconded by Mayor Hark.

Motion carried.

JACK HERRING – DIRECTOR, BOARD OF PUBLIC WORKS
Re: Lease Purchase Agreement with Missouri Association of Municipal Utilities
(Bill No. 06-054, to follow)

Mr. Jack Herring, Director of the Hannibal Board of Public Works, presented information on Bill No. 06-054, which would approve an agreement with the Missouri Association of Municipal

Utilities. He asked Council approval to give this Bill an emergency reading later during the meeting. Approval of this bill will cover a \$1,100,000.00 project at the water treatment plant. This consists of upgrading the transfer pumps which was previously approved by Council at an earlier meeting. Herring stated the reason he was requesting an emergency reading was because the closing of the schedule will be on Tuesday, December 19, 2006. He said that looking at the current rate, the BPW would get on December 5th would be approximately 4%.

RESOLUTION NO. 1326-06

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A MUTUAL AID AGREEMENT WITH THE CITY OF SHELBY FIRE PROTECTION DISTRICT FOR THE PURPOSE OF FIRE PROTECTION ASSISTANCE

Motion was made by Mayor Pro Tem Dexheimer to have the City Clerk read Resolution No. 1326-06 and call the roll for adoption. Motion was seconded by Council Member Green.

Motion carried.

Roll Call

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

No: -0-

Absent: Council Member Hull – 1

Mayor Hark declared Resolution No. 1326-06 approved and adopted on this date.

RESOLUTION NO. 1327-06

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A SERVICE AGREEMENT FOR THE HANNIBAL FIRE DEPARTMENT COMPRESSOR SYSTEM WITH MIDWEST BREATHING AIR LLC

Motion was made by Council Member Hatton to have the City Clerk read Resolution No. 1327-06 and call the roll for adoption. Motion was seconded by Mayor Hark.

Motion carried.

Roll Call

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

No: -0-

Absent: Council Member Hull – 1

Mayor Hark declared Resolution No. 1327-06 approved and adopted on this date.

RESOLUTION NO. 1328-06

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CONTRACT WITH HANNIBAL INDUSTRIAL PAINTING IN THE AMOUNT OF \$18,000 FOR THE DEMOLITION OF THE PLEASANT STREET WATER TOWER

Motion was made by Council Member Wilson to have the City Clerk read Resolution No. 1328-06 and call the roll for adoption. Motion was seconded by Council Member Green.

Motion carried.

Roll Call

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

No: -0-

Absent: Council Member Hull – 1

Mayor Hark declared Resolution No. 1328-06 approved and adopted on this date.

Mayor Hark asked Council for a motion to add Resolution No. 1329-06, that was inadvertently omitted from the agenda. Council Member Wilson made a motion to add Resolution No. 1329-06 at this time. Motion was seconded by Mayor Hark.

Motion carried.

RESOLUTION NO. 1329-06

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN CHANGE ORDER NO. 2 OF THE BROSS CONSTRUCTION CONTRACT FOR PARIS AVENUE IMPROVEMENTS IN THE AMOUNT OF \$59,486.90

Motion was made by Council Member Wilson to have the City Clerk read Resolution No. 1329-06 and call the roll for adoption. Motion was seconded by Mayor Hark.

Motion carried.

Roll Call

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

No: -0-

Absent: Council Member Hull – 1

Mayor Hark declared Resolution No. 1329-06 approved and adopted on this date.

BILL NO. 06-043

AN ORDINANCE AMENDING SECTION 7-17, FEES FOR PERMITS AND INSPECTIONS, ARTICLE II – TECHNICAL, CODES AND STANDARDS, OF CHAPTER 7 OF THE HANNIBAL CITY CODE, REGARDING MONEY RECEIVED BY THE BUILDING INSPECTOR FOR PERMITS AND INSPECTIONS

FIRST READING

A motion was made by Mayor Pro Tem Dexheimer to have the Clerk give Bill No. 06-043 a first reading. Motion was seconded by Mayor Hark.

Motion carried.

BILL NO. 06-052

AN ORDINANCE AMENDING THE BOUNDARIES OF THE ZONING DISTRICTS TO RECLASSIFY A TRACT OF LAND LYING IN MCMASTER'S SUBDIVISION FROM A-ONE AND TWO FAMILY TO E-COMMERCIAL

FIRST READING

A motion was made by Council Member Wilson to have the Clerk give Bill No. 06-052 a first reading. Motion was seconded by Council Member Knickerbocker.

Motion carried.

BILL NO. 06-054

AN ORDINANCE AUTHORIZING THE CITY OF HANNIBAL, MISSOURI, TO ENTER INTO A LEASE-PURCHASE TRANSACTION WITH THE MISSOURI ASSOCIATION OF MUNICIPAL UTILITIES FOR CERTAIN PUBLIC IMPROVEMENTS FOR THE CITY OF HANNIBAL, MISSOURI; AND AUTHORIZING AND APPROVING CERTAIN ACTIONS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF SAID LEASE-PURCHASE TRANSACTION

EMERGENCY READING

Motion was made by Council Member Hatton to have the City Clerk give Bill No. 06-054 an emergency reading and call the roll for adoption. Motion was seconded by Mayor Hark.

Motion carried.

Roll Call

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

No: -0-

Absent: Council Member Hull – 1

Mayor Hark declared Bill No. 06-054, as an emergency reading, approved and adopted on this date.

At this time, Mayor Hark recognized City Manager Jeffrey LaGarce, who stated that he wished to publicly thank Street Superintendent Leon Wallace and his staff and crew for their hard work during the recent snow storm.

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

At this time, motion was made by Mayor Pro Tem Dexheimer to go into closed session in accordance with RSMo 610-021, subparagraph 1, admitting Mayor Hark, Council, City Manager Jeffrey LaGarce, City Attorney James Lemon, City Clerk Angelica Zerbonia and City Engineer Jamie Page. Motion was seconded by Mayor Hark.

Roll Call

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

No: -0-

Absent: Council Member Hull – 1

Motion carried.

No official action was taken during the closed session.

OPEN SESSION

Motion was made to return to open session by Council Member Wilson. Motion was seconded by Mayor Pro Tem Dexheimer.

Motion carried.

ADJOURNMENT

Motion was made by Council Member Wilson to adjourn. Motion was seconded by Council Member Knickerbocker.

Motion carried.

