

OFFICIAL COUNCIL PROCEEDINGS

**May 2, 2006
7:00 P.M.**

ROLL CALL

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

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 April 18, 2006

Council Member Hatton made a motion to approve the minutes. Council Member Hull seconded motion.

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS Last Half of April 2006

Council Member Hull made a motion to approve the payroll and claims. Council Member Knickerbocker seconded motion.

Motion carried.

ANDY MORRIS - CITY MANAGER Re: Approval of Nomination From Last Meeting

HISTORIC DEVELOPMENT DISTRICT

Mike Kettelkamp - Appointment of a term to expire in May, 2011

HANNIBAL EMPLOYEE BENEFIT TRUST BOARD

John M. Hayes - Reappointment of a term to expire in May, 2009

Mayor Pro Tem Dexheimer made a motion to approve the nominations. Mayor Hark seconded motion.

Motion carried.

BILL NO. 06-016

AN ORDINANCE AMENDING THE BOUNDARIES OF THE ZONING DISTRICTS TO RECLASSIFY A TRACT OF LAND LYING IN PETERS SUBDIVISION, BEING PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 57 NORTH, RANGE 5 WEST, IN THE CITY OF HANNIBAL, MARION COUNTY, MISSOURI

SECOND AND FINAL READING

Council Member Hatton made a motion to have the Clerk give Bill No. 06-016 a second and final reading and call the roll for adoption. Council Member Knickerbocker seconded motion.

Motion carried.

Roll Call

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

No: -0-

Mayor Hark declared Bill No. 06-016 duly approved and adopted on this day.

BILL NO. 06-017

AN ORDINANCE AMENDING THE PAYROLL ORDINANCE OF THE CITY OF HANNIBAL ESTABLISHING THE SALARY FOR THE MUNICIPAL JUDGE

SECOND AND FINAL READING

Council Member Hull made a motion to have the Clerk give Bill No. 06-017 a second and final reading and call the roll for adoption. Council Member Knickerbocker seconded motion.

Roll Call

Yes: Council Members Hatton, Hull, Knickerbocker and Mayor Hark - 4

No: Council Members Green, Wilson and Mayor Pro Tem Dexheimer – 3

Motion to read carried.

Roll Call

Yes: Council Members Hatton, Hull, Knickerbocker, Green and Mayor Hark – 5

No: Council Member Wilson and Mayor Pro Tem Dexheimer – 2

Mayor Hark declared Bill No. 06-017 duly approved and adopted on this day.

BILL NO. 06-018

AN ORDINANCE AMENDING THE HANNIBAL CITY CODE, CHAPTER 15, ARTICLE III, DIVISION 2, SECTION 15.93, SUBPARAGRAPH (a.) IN REGARDS TO HOTEL MOTEL LICENSE TAX, TO BE REVISED TO REFLECT AN INCREASE TO SIX PERCENT (6%) AS PER THE APRIL 4, 2006 ELECTION

SECOND AND FINAL READING

Council Member Knickerbocker made a motion to have the Clerk give Bill No. 06-018 a second and final reading and call the roll for adoption. Council Member Hull seconded motion.

Motion carried.

Roll Call

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

No: -0-

Mayor Hark declared Bill No. 06-018 duly approved and adopted on this day.

ADJOURNMENT SINE-DIE

Council Member Knickerbocker made a motion to adjourn sine-die. Council Member Hatton seconded motion.

Motion carried.

KEVIN KNICKERBOCKER AND KYLE WILSON Re: Oath of Office for 1st and 3rd Ward Council Seats

Mayor Hark administered the oath of office to Council Members Knickerbocker and Wilson.

ROLL CALL

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

CALL TO ORDER

There being a quorum present, Mayor Hark called the meeting to order.

ANDY MORRIS – CITY MANAGER Re: Amendment to Telecommunication Tax Ordinance (Bill No. 06-021 to follow)

Mr. Morris explained to Council that since the house bill allowing the collection of the telecommunication tax could fail, this additional wording would allow the City to revert back to the collection of a 5% franchise fee rather than the 2% fee mandated by the State of Missouri for this bill.

Re: Library Board of Trustees Recommendations for Re-appointment of Members

Mr. Morris made the following recommendations for re-appointment to the Library Board and would be asking for approval at the next Council Meeting.

- Todd Ahrens - reappointment for a term to end in June of 2009
- Pam Ginsberg - reappointment for a term to end in June of 2009
- April Baldwin - reappointment for a term to end in June of 2009

BROTHER ANDREWS - CITIZEN
Re: Request to Use City Owned Property

Brother Andrews addressed Council regarding the possibility of purchasing a piece of city owned property located at South Arch and Market Street. He was instructed to contact the Building Inspector regarding this matter.

MARY BETH BAUDENDISTEL – CITY CLERK
Re: Election and Sidewalk Policy Ordinances From Last Council Meeting
(Bill No.s 06-019 & 06-020 to follow)

The City Clerk explained to Council that Bill Nos. 06-019 and 06-020, to follow, were for ordinances that Council instructed her to write from the last meeting. One was concerning the proposition requested by the Board of Public Works to be placed on the August ballot and the other was to implement into the City Charter the Sidewalk Replacement Policy.

BILL NO. 06-019
As Amended

**AN ORDINANCE PROVIDING FOR A MUNICIPAL ELECTION TO BE HELD ON
TUESDAY, AUGUST 8, 2006.**

FIRST READING

Council Member Hatton made a motion to have the Clerk give Bill No. 06-019 a first reading, as amended. Council Member Hull seconded motion.

Motion carried.

BILL NO. 06-020

**AN ORDINANCE AMENDING CHAPTER 28, ARTICLE III, SECTION 28-71,
LIABILITY OF COST BE ABOLISHED AND REPLACED WITH THE FOLLOWING
IN REGARDS TO SIDEWALK REPLACEMENT**

FIRST READING

Council Member Hatton made a motion to have the Clerk give Bill No. 06-020 a first reading. Mayor Hark seconded motion.

Motion carried.

BILL NO. 06-021

AN ORDINANCE AMENDING CHAPTER 15, ARTICLE III, DIVISION 1, SECTION 15-78.1 IN REGARDS TO LICENSE TAX FOR TELECOMMUNICATION SERVICES

EMERGENCY READING

Mayor Pro Tem Dexheimer made a motion to have the Clerk give Bill No. 06-021 an emergency reading and call the roll for adoption. Mayor Hark seconded motion.

Motion carried.

Roll Call

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

No: -0-

Mayor Hark declared Bill No. 06-021 duly approved and adopted on this day.

CLOSED SESSION

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

Mayor Pro Tem Dexheimer made a motion to go into closed session in accordance with RSMo 610-021 subsections 2 and 3 admitting himself, Mayor Hark, rest of Council, the City Manager, City Attorney, City Clerk and Thomas Loraine. Mayor Hark seconded motion.

Roll Call

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

No: -0-

Motion carried.

OPEN SESSION

After entering closed session, it was noted that Lt. Bogue had not been admitted. Council Member Hull made a motion to go back into open session. Mayor Hark seconded motion.

Roll Call

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

No: -0-

Motion carried.

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

Mayor Hark made a motion to go back into closed session admitting the same personnel as before and also admitting Lt. Bogue. Council Member Hatton seconded motion.

Roll Call

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

No: -0-

Motion carried.

CLOSED SESSION

There was a discussion regarding meetings held between the City Manager, City Attorney and Mr. John Lyng regarding a potential legal malpractice cause of action against Armstrong Teasdale for legal advice given regarding prevailing wage matters. Although discussed, no action was taken in regards to this matter.

OPEN SESSION

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

Motion carried.

ADJOURNMENT

Mayor Pro Tem Dexheimer made a motion to adjourn. Mayor Hark seconded motion.

Motion carried.

