

# OFFICIAL COUNCIL PROCEEDINGS

November 7, 2006

7:00 P.M.

## ROLL CALL

**Present:** Council Members Hull, Green, Wilson, Mayor Hark, and Mayor Pro Tem Dexheimer – 4

**Absent:** Council Members Knickerbocker and Hatton - 2

## CALL TO ORDER

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

## INVOCATION

The invocation was given by Council member Green.

## PLEDGE OF ALLEGIANCE

Council Member Hull led the Pledge of Allegiance to the Flag.

Following the Pledge of Allegiance, Mayor Pro Tem Dexheimer made a motion to excuse Council Members Knickerbocker and Hatton. Council Member Wilson seconded the motion.

Motion carried.

## APPROVAL OF MINUTES

**Regular Meeting – October 17, 2006**

**Special Call Council Meeting – October 23, 2006**

**Special Call Council Meeting – November 1, 2006**

Council Member Wilson made a motion to approve the Council minutes for the regular meeting that was held on October 17, 2006 and the two Special Call meetings held on October 23 and November 1, 2006. Motion was seconded by Council Member Hull.

Motion carried.

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

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

Motion carried.

**ROY HARK – MAYOR**  
**Re: Nomination to Industrial Development Authority**

Mayor Hark made the following recommendation to be approved at the next regular Council meeting.

INDUSTRIAL DEVELOPMENT AUTHORITY  
Glenn Ruhl – Reappointment for a term to expire January, 2011

**JAMIE PAGE – INTERIM CITY MANAGER**  
**Re: Nominations to Various Boards and Commissions**

Interim City Manager Page made the following recommendation to be approved at the next regular Council meeting.

EMPLOYEE BENEFIT TRUST BOARD  
John Zerbonia - Appointment to replace Kathy Davis for an unexpired term to expire May, 2008

LANDMARKS AND MONUMENT BOARD  
Frank Salter – Reappointment for a term to expire January, 2008  
Dena Ellis – Reappointment for a term to expire January, 2009

MARK TWAIN HOME BOARD  
Harry Hughes – Reappointment for a term to expire November, 2013

P&F RETIREMENT BOARD  
Pat Benson – Reappointment for a term to expire December, 2009  
Michael McHargue – Appointment (as alternate) to replace Joe Hunold for an unexpired term to expire December, 2009

REAL PROPERTY REDEVELOPMENT TAX INCREMENT FINANCING  
COMMISSION  
Jim Humphreys - Reappointment for a term to expire October, 2010  
Ronald Verdier - Reappointment for a term to expire October, 2010  
David Jackson - Reappointment for a term to expire December, 2010

**Re: Amendment to City Code in Regard to the Legal Limit of Blood Alcohol Content**

*(Bill No. 06-046, to follow)*

Mr. Page introduced Bill No. 06-046, to follow, that will decrease the legal limit of blood alcohol from 1.0 to .08. This bill is necessary in order to compare with State Statutes whose limit is also .08. He asked Council approval of Bill No. 06-046 later during the meeting.

**ANGELICA ZERBONIA – INTERIM CITY CLERK**

**Re: Adopting the Rate of Taxation for 2006**

*(Bill No. 06-045, to follow)*

In the absence of Interim City Clerk Zerbonia, Deputy Clerk Phyllis Nelson introduced Bill No. 06-045 that would be given an emergency reading later during the meeting. This bill, which was the topic of a public hearing at 6:45 p.m., will adopt the rate of taxation for 2006 and levy the taxes.

**JIM TALLEY – HANNIBAL HISTORICAL SOCIETY**

**Re: Permission to Use Welshman’s House Storage**

Mayor Hark asked that Council table this item, per Mr. Talley. Due to an unforeseen circumstance, Mr. Talley is unable to attend and Ms. Candice Kleeman, who will be speaking on his behalf, will be delayed. This item will be re-introduced later during the meeting.

**JAMIE PAGE – CITY ENGINEER**

**Re: Vacation of Platted Alleys**

*(Bill No. 06-048 and Bill No. 06-049, to follow)*

City Engineer Jamie Page spoke to Council regarding the vacation of platted alleys that are in the MoDot right-of-way for Highway 36. These will be vacated on Bill Nos. 06-048 and 06-049, that will have a first reading later during the meeting.

**Re: Traffic Committee Recommendations**

From October 30, 2006 Meeting

Mr. Page informed the Council of the following recommendation made by the Traffic Committee; he added that this area was designed for no ‘On Street’ parking:

1. Install “No Parking” signs on the south side of Paris Avenue, from Section Street to Olive Street.

Since Council took no action regarding this recommendation, Mayor Hark declared the recommendation approved.

**Re: Set Public Hearing for Abandonment of Garth Street**

Mr. Page stated his desire to set a public hearing on November 21, 2006 at 6:45 p.m. for the purpose of Garth Street abandonment. Motion was made by Mayor Pro Tem Dexheimer to set a public hearing for this purpose on November 21, 2006. Motion was seconded by Council Member Hull.

Motion carried.

**Re: Update on Antenna Project at Pleasant Street Water Tower**

City Engineer Page gave a brief update on the Pleasant Street Water Tower situation. The demolition portion of this project is in the bidding process. After the completion of this process, the project will be awarded and the demolition will be scheduled. His office has been in contact with the contractor who will be setting up a temporary cell tower. All items in this process are moving forward and the project is on schedule.

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

**Re: City Dog Park**

After much research, Mr. Atkinson returned to Council with an alternate location for the placement of a city dog park that has been an item of interest since July. The tentative location is 6<sup>th</sup> and Ely Street, a location that had been brought to his attention by Mayor Hark and Council Member Wilson. This property is currently owned and maintained by the City and lies in the flood plain. There are no plans for future development there, according to Atkinson. One potential problem, which has been resolved, is the Board of Public Works Building at this location. It has been agreed that the fence will not be built within 10 feet of the road allowing access that the Board needs to this building.

Mr. Atkinson pointed out that this location was similar to the original location, because both were easily accessible from downtown, within walking distance; however, unlike the previous property, this location is not close to any business or residence. It was noted that this project will not be funded through the parks and recreation ½ cent sales tax, but through private donations only. In conclusion, Mr. Atkinson stated that if there were no questions or concerns, he would like to have this location approved so that he could move forward with this project. Motion was made by Mayor Pro Tem Dexheimer to approve Atkinson's request. Motion was seconded by Mayor Hark.

Motion carried.

**Re: Bid Recommendation for Fencing at Glascock Landing**

Mr. Atkinson's second item on the agenda was a bid recommendation for fencing at Glascock Landing for which he was seeking Council approval. He stated that he had

budgeted \$25,000 for this project this fiscal year. He had received two bids and asked approval of the lowest bid from BVCP Fencing in the amount of \$19,119.51. Motion was made by Council Member Wilson to approve the bid recommendation. Motion was seconded by Council Member Hull.

Motion carried.

At this time, Mayor Pro Tem Dexheimer asked that a presentation to Former Chief Gene Dryden be added to the agenda. Motion was seconded by Council Member Wilson.

Motion carried.

**JIM DEXHEIMER – FIREBOARD CHAIRMAN**  
**Re: Presentation to Fire Chief Gene Dryden**

Fire Board Chairman Dexheimer presented a plaque to the former Fire Chief Gene Dryden and expressed his and the City's appreciation and gratitude for his years of service on the Fire Department. Dryden graciously accepted this award stating that it had been an honor and privilege to serve the City of Hannibal. He thanked the City, the Department, and Jim Dexheimer for the support that he had received throughout his time at HFD.

**JIM TALLEY – HANNIBAL HISTORICAL SOCIETY**  
**Re: Permission to Use Welshman's House for Storage**

Mayor Hark recognized Mr. Terrill Dempsey, who would be speaking on behalf of the Hannibal Historical Society in place of Mr. Jim Talley. This item was tabled earlier during the meeting because of an unexpected delay. Mr. Dempsey stated that the Hannibal Historical Society wished to utilize the Welshman's House for storing archival materials that were originally obtained primarily from the City. These had formerly been stored at the old Pettibone School where there had been problems with vandalism and water damage in the past. Since this location was originally provided to the City in 1963 by the Marion County Historical Society, Dempsey felt that it was appropriate for this property to be used by his organization. There was some question of electric charges, which Mr. Dempsey stated he hoped would remain in the City's name, since he didn't foresee much change from current usage. He did state, however, that in the event more electricity was being used, billing could be renegotiated.

There was a brief discussion in which questions and concerns were brought to Mr. Dempsey's attention and dispelled. Motion was made by Mayor Pro Tem Dexheimer to approve the Historical Society's request. Motion was seconded by Mayor Hark.

Motion carried.

**BILL NO. 06-044**

**AN ORDINANCE AMENDING CHAPTER 19, ARTICLES I-III, CHAPTER 16, ARTICLE I, CHAPTER 27, ARTICLES II AND CHAPTER 7, ARTICLE III OF THE CODE OF THE CITY OF HANNIBAL, ADOPTED JANUARY 19, 1988 AND EFFECTIVE JANUARY 19, 1988**

**SECOND AND FINAL READING**

Motion was made by Council Member Hull to have the Deputy City Clerk give Bill No. 06-044 a second and final reading and call the roll for adoption. Motion was seconded by Mayor Hark.

Motion carried.

**Roll Call**

**Yes:** Council Members Hull, Green, Wilson, Mayor Hark, and Mayor Pro Tem Dexheimer – 4

**Absent:** Council Members Knickerbocker and Hatton - 2

Mayor Hark declared Bill No. 06-044 duly approved and adopted on this date.

**BILL NO. 06-045**

**AN ORDINANCE FIXING AND ADOPTING THE RATE OF TAXATION FOR THE YEAR OF 2006 AND LEVYING TAXES THEREFORE**

**EMERGENCY READING**

Motion was made by Council Member Wilson to have the Deputy City Clerk give Bill No. 06-045 an emergency reading and call the roll for adoption. Motion was seconded by Council Member Green.

Motion carried.

**Roll Call**

**Yes:** Council Members Hull, Green, Wilson, Mayor Hark, and Mayor Pro Tem Dexheimer – 4

**Absent:** Council Members Knickerbocker and Hatton - 2

Mayor Hark declared Bill No. 06-045 duly approved and adopted on this date.

**BILL NO. 06-046**

**AN ORDINANCE AMENDING CHAPTER 17, ARTICLES IV, DIVISION 2, OF THE CODE OF THE CITY OF HANNIBAL, ADOPTED JANUARY 19, 1988, AND EFFECTIVE JANUARY 19, 1988, CONCERNING THE LEGAL LIMIT OF BLOOD ALCOHOL CONTENT**

**FIRST READING**

Motion was made by Council Member Wilson to have the Deputy Clerk give Bill No. 06-046 a first reading. Motion was seconded by Mayor Pro Tem Dexheimer.

Motion carried.

**BILL NO. 06-047**

**AN ORDINANCE AMENDING CHAPTER 16, ARTICLE V, OF THE CODE OF THE CITY OF HANNIBAL, ADOPTED JANUARY 19, 1988, AND EFFECTIVE JANUARY 19, 1988, CONCERNING LOITERING**

**FIRST READING**

Motion was made by Council Member Hull to have the Deputy Clerk give Bill No. 06-047 a first reading. Motion was seconded by Mayor Hark.

Motion carried.

**BILL NO. 06-048**

**AN ORDINANCE VACATING A PLATTED ALLEY LYING EAST AND WEST OF MISSOURI STREET IN THE CITY OF HANNIBAL, MARION COUNTY, MISSOURI**

**FIRST READING**

Motion was made by Council Member Wilson to have the Deputy Clerk give Bill No. 06-048 a first reading. Motion was seconded by Mayor Hark.

Motion carried.

**BILL NO. 06-049**

**AN ORDINANCE VACATING A PLATTED ALLEY LYING  
NORTHEASTERLY OF VACATED MISSOURI STREET IN THE CITY OF  
HANNIBAL, MARION COUNTY, MISSOURI**

**FIRST READING**

Motion was made by Mayor Pro Tem Dexheimer to have the Deputy Clerk give Bill No. 06-049 a first reading. Motion was seconded by mayor Council Member Hull.

Motion carried.

**CLOSED SESSION  
In Accordance with RSMo 610-021 (3, 9 & 11)**

A motion was made by Mayor Pro Tem Dexheimer to go into closed session, in accordance with RSMo 610-021, subparagraphs three, nine and eleven (3, 9 and 11), admitting Mayor Hark, Council, Interim City Manager Jamie Page, City Attorney Todd Ahrens and Deputy City Clerk Phyllis Nelson. Motion was seconded by Council Member Hull.

**Roll Call**

**Yes:** Council Members Hull, Green, Wilson, Mayor Hark, and Mayor Pro Tem Dexheimer – 4

**Absent:** Council Members Knickerbocker and Hatton - 2

Motion carried.

Official action taken during closed session:

- ◆ Motion was made to appoint Angelica Zerbonia as City Clerk, effective December 1, 2006 by Mayor Pro Tem Dexheimer. Motion was seconded by Council Member Wilson.

Motion carried.

- ◆ Motion was made by Council Member Wilson to hire Jeff Lagarce as City Manager, effective November 27, 2006 at an annual salary of \$75,000.00. Motion was seconded by Council Member Green.

Motion carried.

**OPEN SESSION**

Motion was made by Mayor Pro Tem Dexheimer to go back into open session. Motion was seconded by Council Member Green.

Motion carried.

### **ADJOURNMENT**

Motion was made by Council Member Wilson to adjourn. Motion was seconded by Mayor Hark.

Motion carried.