

OFFICIAL COUNCIL PROCEEDINGS

**November 21, 2006
7:00 P.M.**

ROLL CALL

Present: Council Members Hull, Knickerbocker, Green, Wilson, Mayor Hark
and Council Member Hatton – 6

Absent: Mayor Pro Tem Dexheimer – 1

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

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

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

Motion carried.

APPROVAL OF MINUTES Regular Council Meeting of November 7, 2006

Motion was made by Council Member Hull to approve the minutes of the last regular Council Meeting that was held on November 7, 2006. Motion was seconded by Council Member Wilson.

Motion carried.

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

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

Motion carried.

**ROY HARK – MAYOR
Re: Oath of Office – Angelica Zerbonia, City Clerk**

Mayor Hark administered the Oath of Office to Angelica Zerbonia the new City Clerk.

Re: Approval of Nomination to Industrial Development Authority

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

Mayor Hark asked Council to approve this nomination for reappointment that he had introduced at the last regular Council meeting that was held on November 7, 2006. Motion was made by Council Member Wilson to approve Mayor Hark's nomination. Mayor Hark seconded this motion.

Motion carried.

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

EMPLOYEE BENEFIT TRUST BOARD
John Zerbonia – Appointment to replace Kathy Davis for an unexpired term to expire in May of 2008

LANDMARKS AND MONUMENTS 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 on December, 2009

REAL PROPERTY DEVELOPMENT 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

Jamie Page asked Council to approve these nominations for various appointments and reappointments that he had introduced at the last regular Council meeting that was held on November 7, 2006. Motion was made by Council Member Wilson to approve Jamie Page's nominations. Council Member Hull seconded this motion.

Motion carried.

Re: Codification of Ordinance

Interim City Manager Page asked Council to approve the codification of the City Ordinances by the Municipal Code Corporation. He also asked that the bidding process be waived, since this was the company who currently provided code update services to the City. The amount quoted by Municipal Code Corporation for the codification is \$11,950.00. Page added that this procedure had not been done for approximately eighteen years.

Council Member Knickerbocker asked how the City would pay for this service. Page suggested that, if there was not a line item for this, the amount could be taken from contingency fund. Council Member Wilson made a motion to approve Page's request. Council Member Knickerbocker seconded the motion.

Motion carried.

Re: Red Light Enforcement

At this time, Page requested that Chief Lyndell Davis present the 'Red Light Enforcement', which was the next item on the agenda. Chief Davis gave details, stating the issue that he wished to address is the problem on US 61, in particular, the intersections. He said that there had been numerous complaints, since he had become Chief, about cars running red lights and potentially causing accidents. There have been several accidents for this reason over the years. Chief Davis said this is a major problem that he has been addressing and having some success; however much still needs to be done.

After doing some research, Davis and his staff have found that automated red light camera enforcement is becoming popular in the State of Missouri and throughout the Country. This has been rather controversial in the past, but is becoming more accepted. Cities like Arnold, MO are already using this process and liking the results; St. Peters, MO and St. Louis City are ready to get online just to mention a few of the many Cities accepting this program and using it very well. Also, major cities, such as New York City and Chicago, either have these cameras already or are getting ready to install them.

Chief Davis said he would like to further explore the City's options, with Council's blessing. He has already spoken with two of the leading companies in this field, Red Flex and ATX, who originated in Arizona and now have offices in Missouri. Either will come in, at no charge, and do traffic study at any intersection that is a concern, reporting to the Police Department, or to Council their findings based on the intersections which are reviewed and the services that they provide. He concluded by reiterating that he would seek Council's direction, concerning whether or not this was something that needed further research.

Re: Traffic Grant

Davis continued by introducing another option he was pursuing that addressed traffic enforcement. He began by saying that Council has approved other grants for the Police Department to increase traffic enforcement in the past. This traffic grant, which the City is eligible and could make application for in March of 2007, would allow the Department to apply for the salary of two full time officers, including benefits and some equipment. It would cover these expenses at 100% for the first year, 75% for the second year and 50% for the third year. This grant would also allow the Police Department to buy a fully equipped traffic unit for use throughout the City. This option would not only be concerned with the highway traffic, but also traffic throughout the City of Hannibal.

Council Member Wilson recommended that Chief Davis meet with Jamie Page, the Interim City Manager and later with the new City Manager, review these two options and bring their results back to Council. Davis said that he had already briefly met with Jamie Page and the Mayor, addressing these traffic concerns. He also stated that he had contacted Missouri Department of Transportation, since both companies indicated that they worked closely with MoDot and he wanted to verify that.

Chief Davis spoke with the MoDot's representative in charge of traffic studies, who indicated that he would be supportive of a 'Red Light Enforcement' study and would like to receive a copy of this study if the City decided to pursue it. Council Member Wilson asked about the cost involved and Davis replied that there is no up front cost for the installation, no out-of-pocket or ongoing cost for the City. The only factor would be deciding which company the Department felt more comfortable with or which has the best product. According to Davis' findings, eventually you contract with these companies and decide on a fee, which is based on the amount of tickets issued.

Council Member Knickerbocker expressed his concerns about the manner in which semi trucks go through the traffic lights at after they turn yellow at various intersections throughout the City. Council Member Hull added that he liked the idea of cameras in place at all times for consistency and over the long term.

Council Member Wilson asked for clarification whether these two options were 'either/or' status and Chief Davis indicated that he would be open to either or both options, committing the time it would take to do both, with Council approval. Both companies had the same statistics, quoting a

national violation reduction of 50% following installation of these cameras. Council welcomed the option of conducting the red light traffic study.

Re: Contract with City Manager Jeff LaGarce
(Resolution No. 1324-06, to follow)

Interim City Manager Jamie Page stated that Resolution No. 1324-06 concerning the contract with the new City Manager, Jeff LaGarce would be presented for approval later during the meeting.

RON RANEY – LOAFERS CAR CLUB
Re: Permission to Use City Street for Event

Mayor Hark asked Ron Raney to speak on behalf of the Loafers Car Club, at this time. Mr. Raney asked for permission to use the North Main Street area on May 12, 2007 for the Loafers Annual Car Show, as they have done in the past. Council Member Wilson made a motion to approve Mr. Raney's request. Council Member Knickerbocker seconded the motion.

Motion carried.

ANGELICA ZERBONIA – CITY CLERK
Re: Amendment to Payroll Ordinance for City Manager's Salary
(Bill No. 06-050, to follow)

City Clerk Zerbonia requested that Council approve Bill No. 06-050 that would be presented later during this meeting. This Bill concerned the new City Manager's salary amount.

Re: Amendment to Payroll Ordinance for City Clerk's Salary
(Bill No. 06-051, to follow)

City Clerk Zerbonia requested that Council approve Bill No. 06-051 that would be presented later during this meeting. This Bill concerned the new City Clerk's salary amount.

CONNIE QUINN – ASSISTANT BUILDING INSPECTOR
Re: Sale of City Owned Property – 1712-14 Chestnut

Assistant Building Inspector Connie Quinn informed Council that an offer of \$100.00 had been submitted for the purchase of 1712-14 Chestnut. (This offer was made by Tracy O'Brien) Motion was made by Council Member Wilson to approve this request. Motion was seconded by Council Member Hull.

Motion carried.

DON WILLIS – BOARD OF PUBLIC WORKS DIRECTOR OF OPERATIONS

Re: Contract with Lutz, Daily and Brain, LLC

(Resolution No. 1325-06, to follow)

Mr. Don Willis, Director of Operations with the Board of Public Works, stated that the Board is in the process of upgrading their electrical system. In this process, they will bring in a 161 line from the west to a new substation in the industrial park. After interviewing four firms, the Board has now selected an engineering firm for this purpose. He asked Council approval of Resolution No. 13252-06, in which the Mayor would be given permission to sign a contract with Lutz, Daily and Brain, LLC, the firm that the Board is recommending. This Bill will be introduced for approval at a later time during the meeting.

RESOLUTION NO. 1324-06

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT WITH JEFF LAGARCE FOR THE POSITION OF CITY MANAGER

Motion was made by Council Member Wilson to have the City Clerk read Resolution No. 1324-06 and call the roll for adoption. Motion was seconded by Council Member Hull.

Motion carried.

Roll Call

Yes: Council Members Hull, Knickerbocker, Green, Wilson, Mayor Hark and Council Member Hatton – 6

No: -0-

Absent: Mayor Pro Tem Dexheimer – 1

Mayor Hark declared Resolution No. 1324-06 approved and adopted on this date.

RESOLUTION NO. 1325-06

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT, ON BEHALF OF THE HANNIBAL BOARD OF PUBLIC WORKS, WITH LUTZ, DAILY AND BRAIN, LLC

Motion was made by Council Member Wilson to have the City Clerk read Resolution No. 1325-06 and call the roll for adoption. Motion was seconded by Mayor Hark.

Motion carried.

Roll Call

Yes: Council Members Hull, Knickerbocker, Green, Wilson, Mayor Hark and Council Member Hatton – 6

No: -0-

Absent: Mayor Pro Tem Dexheimer – 1

Mayor Hark declared Resolution No. 1325-06 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

SECOND AND FINAL READING

Motion was made by Council Member Knickerbocker to have the City Clerk give Bill No. 06-046 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Green.

Motion carried.

Roll Call

Yes: Council Members Hull, Knickerbocker, Green, Wilson, Mayor Hark and Council Member Hatton – 6

No: -0-

Absent: Mayor Pro Tem Dexheimer – 1

Mayor Hark declared Bill No. 06-046 approved and adopted on this date.

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

SECOND AND FINAL READING

Motion was made by Council Member Wilson to have the City Clerk give Bill No. 06-047 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Hull.

Motion carried.

Roll Call

Yes: Council Members Hull, Knickerbocker, Green, Wilson, Mayor Hark and Council Member Hatton – 6

No: -0-

Absent: Mayor Pro Tem Dexheimer – 1

Mayor Hark declared Bill No. 06-047 approved and adopted on this date.

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

SECOND AND FINAL READING

Motion was made by Council Member Wilson to have the City Clerk give Bill No. 06-048 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Hull.

Motion carried.

Roll Call

Yes: Council Members Hull, Knickerbocker, Green, Wilson, Mayor Hark and Council Member Hatton – 6

No: -0-

Absent: Mayor Pro Tem Dexheimer – 1

Mayor Hark declared Bill No. 06-048 approved and adopted on this date.

BILL NO. 06-049

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

SECOND AND FINAL READING

Motion was made by Council Member Hull to have the City Clerk give Bill No. 06-049 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, Knickerbocker, Green, Wilson, Mayor Hark
and Council Member Hatton – 6

No: -0-

Absent: Mayor Pro Tem Dexheimer – 1

Mayor Hark declared Bill No. 06-049 approved and adopted on this date.

BILL NO. 06-050

**AN ORDINANCE AMENDING THE PAYROLL ORDINANCE OF THE CITY OF
HANNIBAL PERTAINING TO THE CITY MANAGER**

(FIRST READING)

Council Member Knickerbocker brought to Council's attention that this position was taking effect prior to Bill No. 06-050 receiving a second and final reading; therefore the Bill should be amended to get an emergency reading now.

EMERGENCY READING

Motion was made by Council Member Knickerbocker to have the City Clerk give Bill No. 06-050, as amended, an emergency reading and call the roll for adoption. Motion was seconded by Council Member Hull.

Motion carried.

Roll Call

Yes: Council Members Hull, Knickerbocker, Green, Wilson, Mayor Hark and Council Member Hatton – 6

No: -0-

Absent: Mayor Pro Tem Dexheimer – 1

Mayor Hark declared Bill No. 06-050, as amended, approved and adopted on this date.

BILL NO. 06-051

AN ORDINANCE AMENDING THE PAYROLL ORDINANCE OF THE CITY OF HANNIBAL PERTAINING TO THE CITY CLERK

(FIRST READING)

Council Member Knickerbocker brought to Council's attention that this position was taking effect prior to Bill No. 06-051 receiving a second and final reading; therefore the Bill should be amended to get an emergency reading now.

EMERGENCY READING

Motion was made by Council Member Knickerbocker to have the City Clerk give Bill No. 06-051, as amended, an emergency reading and call the roll for adoption. Motion was seconded by Council Member Wilson.

Motion carried.

Roll Call

Yes: Council Members Hull, Knickerbocker, Green, Wilson, Mayor Hark and Council Member Hatton – 6

No: -0-

Absent: Mayor Pro Tem Dexheimer – 1

Mayor Hark declared Bill No. 06-051, as amended, approved and adopted on this date.

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

At this time, motion was made by Council Member Knickerbocker to go into closed session in accordance with RSMo 610-021, subparagraph 3, admitting Mayor Hark, Council, Interim City Manager Jamie Page, City Attorney Todd Ahrens, Prosecutor James Lemon and City Clerk Zerbonia. Motion was seconded by Mayor Hark.

Roll Call

Yes: Council Members Hull, Knickerbocker, Green, Wilson, Mayor Hark and Council Member Hatton – 6

No: -0-

Absent: Mayor Pro Tem Dexheimer – 1

Motion carried.

No official action was taken during the closed session.

OPEN SESSION

Motion was made by Council Member Wilson to return to 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.

