

OFFICIAL COUNCIL PROCEEDINGS

September 5, 2006

7:00 P.M.

ROLL CALL

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

Absent: Mayor Pro Tem Dexheimer - 1

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.

Motion was made by Council Member Wilson to excuse Mayor Pro Tem Dexheimer.
Motion was seconded by Council Member Green.

Motion carried.

APPROVAL OF MINUTES

Regular Meeting – August 15, 2006

Special Call Council Meeting of August 23, 2006

Council Member Wilson made a motion to approve the Council Minutes for the Regular Meeting held on August 15, 2006 and the Special Call Council Meeting held on August 23, 2006. Motion was seconded by Council Member Hull.

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS
August 2006 – Second Half

Motion to approve claims for the second half of August 2006 was made by Council Member Hatton. Motion was seconded by Council Member Hull.

Motion carried.

FREDRICH CRUSE – MUNICIPAL JUDGE
Re: Oath of Office for New Police Chief

Judge Fredrich Cruse administered the Oath of Office to the new Police Chief, Lyndell Davis.

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

TREE BOARD

Kristy Trevathan – Appointment for term to expire September 2009

AIRPORT COMMISSION

W.J. Schneider, Jr. – Reappointment for a term to expire September 2009

Terrell Dempsey – Reappointment for a term to expire September 2009

HANNIBAL CONVENTION AND VISITOR'S BUREAU BOARD

Richard Garey – Appointment for a term to expire September 2011

Jamie Page, Interim City Manager presented these board appointments to be approved by Council. Motion was made by Council Member Wilson to approve these appointments. Motion was seconded by Council Member Green.

Motion carried.

Re: Lease Assignment by Bick Broadcasting, Inc.
(Resolution No. 1312-06, as amended, to follow)

Mr. Page explained the purpose of Resolution No. 1312-06, to follow, and stated the need to have Council approval of this Resolution.

RICK ROSE - CITIZEN
Re: Special Tax Bill

Mr. Rick Rose brought to the attention of Council a tax assessment of \$280.00 from the City Collector's Office for mowing of property located at 1000 Bird Street. Mr. Rose asked that this assessment be waived. Council took no action.

CHARLOTTE O'BANNON – CITIZEN
Re: Special Tax Bill

Ms. Charlotte O'Bannon also brought to the attention of Council a tax assessment for mowing of her property located at 112 Collins Street which she had received at her legal address, instead of her current residence. Since she stated that she had received this notice two weeks after the weeds had been cut, she was asking that this assessment be waived. Council took no action in response to Ms. O'Bannon's request.

JACK MOORE – HANNIBAL COMMUNITY & BUSINESS DEVELOPMENT
CORP.

Re: Use of City Street for “The Fall Wine & Blues Fest”

Mr. Jack Moore, speaking on behalf of the Hannibal Community & Business Development Corporation, requested permission for the use of the street in front of the Y-Men's Pavilion, 100 Hill Street, and also for the alley at the same location. This request was made in order to hold an event, “The Fall Wine and Blues Fest”, on Sunday, October 1, 2006 from 11:00 a.m. until 6:00 p.m. After a brief discussion and instructions concerning his responsibility in notifying the Police Department of this event, a motion was made by Council Member Wilson to approve his request. Motion was seconded by Council Member Green.

Motion carried.

ANGELICA ZERBONIA – INTERIM CITY CLERK
Re: Certification of August 8, 2006 Election

Mayor Hark recognized Interim City Clerk Angelica Zerbonia, and instructed her to present the Certification of Election from August 8, 2006. Ms. Zerbonia read:

The following are the results of the August 8, 2006 General Municipal Election:

Proposition 1

Shall Section 7.11 of the Hannibal City Charter, stating that the Board of Public Works pays one-half of the expenses of the City Collector's Office, be abolished in its entirety?

	Ralls	Marion	Total
Yes	10	878	888
No	4	741	745

Declaring Proposition 1 was passed.

I, Angelica Zerbonia, Interim City Clerk of Hannibal, Missouri, do hereby certify the attached to be a complete and true copy of the Certification of Election, held on August 8, 2006, a General Municipal Election as certified to me by Marion County Clerk, Robert Ravenscraft and Ralls County Clerk, Ernie Duckworth.

Witness my Hand and the Seal of
The City of Hannibal, Missouri,
Done in my office this 5th day of
September, 2006.

Angelica Zerbonia, Interim City Clerk

A motion was made by Council Member Wilson and seconded by Council Member Knickerbocker to approve this Certification of Election.

Motion Carried.

At this time Interim City Clerk Zerbonia made a request to add Bill No. 06-040 to the agenda and to give it an emergency reading, due to the timeliness of this issue. Motion was made by Council Member Wilson to give Bill No. 06-040 an emergency reading. Motion was seconded by Mayor Hark.

Motion carried.

BILL NO. 06-040

**AN ORDINANCE RATIFYING AND REAFFIRMING ORDINANCE NO. 4305
OF THE CODE OF ORDINANCES OF THE CITY OF HANNIBAL
PERTAINING TO THE CODE OF ETHICS**

EMERGENCY READING

Council Member Wilson made motion to have the Clerk give Bill 06-040 an emergency reading and call the roll for adoption. Council Member Hatton seconded motion.

Motion carried.

Roll Call

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

No: -0-

Absent: Mayor Pro Tem Dexheimer - 1

Mayor Hark declared Bill No. 06-040 duly approved and adopted on this date.

JAMIE PAGE – CITY ENGINEER Re: Grand Avenue Project Change Order #4 and Amendment

Mr. Page presented information to Council and requested approval of Change Order #4 and the related amendment. Page stated the reason for this change order was an increase in the project by \$171,717.34 for the addition of a retaining wall and additional sewer service relocations. Motion was made by Council Member Hull, seconded by Mayor Hark.

Council Member Green addressed questions concerning, inspections and the time element involved to Mr. Michael Purol, the E.I.T. from Great River Engineering who was in attendance. He responded that most of the additional days that had been requested were for the construction of the retaining wall.

At the end of this discussion, the motion carried.

Re: Contract with Ronnie Brown Trash Hauler for Municipal Refuse Collection (Resolution No. 1310-06, to follow)

City Engineer Jamie Page requested a motion to remove the contract with Ronnie Brown Trash Hauler for the municipal refuse collection. Motion to this effect was made by Council Member Wilson. Motion was seconded by Mayor Hark.

Motion carried.

Re: Contract with Missouri Petroleum for 2006 Micro-Surfacing Project (Resolution No. 1311-06, to follow)

Mr. Page requested the approval for Resolution No. 1311-06, to follow, for the 2006 micro-surfacing project. He further stated that Missouri Petroleum has agreed to provide micro-surfacing of sections of Chestnut, Surrey Hills and Lindell Avenue for the sum of \$116,536.35.

Re: Street Vacations – a Portion of Missouri Street

(Bill No. 06-028, to follow)

City Engineer Page stated that this bill and the following one were inadvertently left out of a previous Council agenda and meeting. This was a request from the Missouri Department of Transportation that the City vacate certain streets in accordance with an Urban Agreement executed on May 6, 1996 between the City of Hannibal and MoDOT pertaining to their existing right-of-way on Highway 36 and involving a portion of Missouri Street. He asked for Council approval later in the meeting.

Re: Street Vacations – a Portion of 18th Street (Richmond Street)

(Bill No. 06-029, to follow)

This, too, was a bill that was left out of a previous Council agenda at a meeting pertaining to the MoDOT right-of-way, involving 18th Street (Richmond Street). Page also asked for approval of this bill.

Re: Street Vacations – a Portion of Ledford Drive

(Bill No. 06-035, to follow)

Page asked for approval of this and the following bill that concerns vacating a portion of Ledford Drive and the alley connected to Ledford Drive. These will be presented later during this meeting.

Re: Street Vacations – an Alley Connected to Ledford Drive

(Bill No. 06-036, to follow)

As previously stated, Mr. Page requested Council approval of this bill concerning an alley vacation later during the meeting.

Re: Rezoning of Abright Property

(Bill No. 06-037, to follow)

Lastly, City Engineer Page requested Council approval for Bill Nos. 06-037, 06-038 and 06-039 to follow later during the meeting. These bills were needed to rezone property owned by Connie Abright.

Re: Rezoning of Abright Property

(Bill No. 06-038, to follow)

(Already brought before Council with previous Bill No. 06-037.)

Re: Rezoning of Abright Property

(Bill No. 06-039, to follow)

(Already brought before Council with previous Bill No. 06-037.)

CHRIS ATKINSON – DIRECTOR OF PARKS & RECREATION

Re: Bid Recommendation for Refuse Collection

Mr. Atkinson came before Council seeking approval for a refuse collection bid that was opened on September 1, 2006. He requested that Wamsley Disposal to be awarded the bid for the Parks Department. It was noted that this was not the same Wamsley who had formerly defaulted on the City bid for trash collection.

Motion was made by Council Member Wilson to award this bid to Wamsley Disposal. Motion was seconded by Council Member Hull.

Motion carried.

Re: Bid Recommendation for Exmark Mowers

The second bid recommendation, presented by Atkinson, was for two mowers that would replace two aging ones that are in the Parks & Recreation fleet. He requested Council approval to award this bid to Bowling Green Equipment who was the only bidder to meet all specifications.

Motion was made by Council Member Wilson to approve awarding this bid to Bowling Green Equipment. Motion was seconded by Council Member Hull.

Motion carried.

KYLE WILSON – FIREBOARD VICE CHAIRMAN

Re: Fireboard Recommendations

Vice Chairman Wilson presented a recommendation that was approved by the Fireboard during their August 22, 2006 meeting. This was to sell a 1980 Ford Pierce Pumper to Ewing/Maywood R4 Fire Protection District for \$6,000. He asked for Council approval of this transaction.

Wilson also asked, on behalf of the Fireboard, Council approval to donate a 1967 International Snorkel to the City of Louisiana, Missouri. He then made a motion to approve these requests by the Fireboard. Council Member Hatton seconded the motion.

Motion carried.

RESOLUTION NO. 1310-06

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A ONE YEAR AGREEMENT WITH RONNIE BROWN'S TRASH HAULER FOR PROVIDING MUNICIPAL REFUSE COLLECTION SERVICES

As per an earlier motion made by Council Member Wilson and seconded by Mayor Hark, Resolution No. 1310-06 was withdrawn along with the related contract.

RESOLUTION NO. 1311-06

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CONTRACT WITH MISSOURI PETROLEUM PRODUCTS COMPANY, LLC TO FURNISH ALL LABOR, EQUIPMENT AND MACHINERY AND TO PERFORM ALL WORK NECESSARY TO COMPLETE THE 2006 MICRO-SURFACING

Motion was made by Council Member Wilson to have the Clerk read Resolution No. 1311-06 and call the roll for adoption. Motion was seconded by Council Member Knickerbocker.

Motion carried.

Roll Call

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

No: -0-

Absent: Mayor Pro Tem Dexheimer - 1

Mayor Hark declared Resolution No 1311-06 duly approved and adopted on this date.

**RESOLUTION NO. 1312-06
(As amended)**

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A LEASE ESTOPPEL, CONSENT AND ATTACHED DOCUMENTS WITH DOUBLE O MISSOURI CORPORATION FOR CERTAIN REAL PROPERTY

Motion was made by Council Member Hatton to have the Clerk read Resolution No. 1312-06, as amended, and call the roll for adoption. Motion was seconded by Council Member Wilson.

Motion carried.

Roll Call

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

No: -0-

Absent: Mayor Pro Tem Dexheimer - 1

Mayor Hark declared Resolution No 1312-06, as amended, duly approved and adopted on this date.

BILL NO. 06-028

AN ORDINANCE VACATING A PORTION OF MISSOURI STREET IN THE CITY OF HANNIBAL, MARION COUNTY, MISSOURI

FIRST READING

Motion was made by Council Member Hull to have the Clerk give Bill No. 06-028 a first reading. Motion was seconded by Council Member Hatton.

Motion carried.

BILL NO. 06-029

AN ORDINANCE VACATING A PORTION OF 18TH STREET (RICHMOND STREET) IN THE CITY OF HANNIBAL, MARION COUNTY, MISSOURI

FIRST READING

Motion was made by Council Member Wilson to have the Clerk give Bill No. 06-029 a first reading. Motion was seconded by Council Member Hull.

Motion carried.

BILL NO. 06-035

AN ORDINANCE VACATING A SMALL UNDEVELOPED PORTION OF LEDFORD DRIVE IN THE CITY LIMITS OF HANNIBAL, MARION COUNTY, MISSOURI

FIRST READING

Motion was made by Council Member Wilson to have the Clerk give Bill No. 06-035 a first reading. Motion was seconded by Mayor Hark.

Motion carried.

BILL NO. 06-036

**AN ORDINANCE VACATING A TWENTY (20) FOOT ALLEY LYING IN
OUTLOTS 99 AND 100 OF DRAPER'S SUBDIVISION IN THE CITY OF
HANNIBAL, MARION COUNTY, MISSOURI**

FIRST READING

Motion was made by Council Member Knickerbocker to have the Clerk give Bill No. 06-036 a first reading. Motion was seconded by Council Member Hatton.

Motion carried.

BILL NO. 06-037

**AN ORDINANCE AMENDING THE BOUNDARIES OF THE ZONING
DISTRICTS TO RECLASSIFY A TRACT OF LAND BEING PART OF THE
EAST HALF OF THE NORTHEAST QUARTER OF SECTION 34 AND THE
NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 35, ALL IN
TOWNSHIP 57 NORTH, RANGE 5 WEST, IN THE CITY OF HANNIBAL,
MARION COUNTY, MISSOURI FROM F-INDUSTRIAL TO A-ONE AND TWO
FAMILY DWELLING DISTRICT**

FIRST READING

Motion was made by Council Member Wilson to have the Clerk give Bill No. 06-037 a first reading. Motion was seconded by Council Member Hull.

Motion carried.

BILL NO. 06-038

**AN ORDINANCE AMENDING THE BOUNDARIES OF THE ZONING
DISTRICTS TO RECLASSIFY A TRACT OF LAND BEING PART OF THE
SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 27,
THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 35, ALL IN
TOWNSHIP 57 NORTH, RANGE 5 WEST, IN THE CITY OF HANNIBAL,
MARION COUNTY, MISSOURI FROM F-INDUSTRIAL TO RD-RURAL
ZONING DISTRICT**

FIRST READING

Motion was made by Council Member Wilson to have the Clerk give Bill No. 06-038 a first reading. Motion was seconded by Council Member Hatton.

Motion carried.

BILL NO. 06-039

AN ORDINANCE AMENDING THE BOUNDARIES OF THE ZONING DISTRICTS TO RECLASSIFY A TRACT OF LAND BEING PART OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 57 NORTH, RANGE 5 WEST, IN THE CITY OF HANNIBAL, MARION COUNTY, MISSOURI FROM F-INDUSTRIAL TO RD-RURAL ZONING DISTRICT

FIRST READING

Motion was made by Council Member Hatton to have the Clerk give Bill No. 06-039 a first reading. Motion was seconded by Council Member Hull.

Motion carried.

CLOSED SESSION

In Accordance with RSMo 610-021 (1 & 3)

A motion was made by Council Member Wilson to go into closed session, in accordance with RSMo 610-021, subparagraphs one (1) and three (3), admitting Mayor Hark, Council, Interim City Manager Jamie Page, City Attorney Todd Ahrens, Interim City Clerk Angelica Zerbonia and Beau Hicks. Motion was seconded by Mayor Hark.

Roll Call

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

No: -0-

Absent: Mayor Pro Tem Dexheimer – 1

Motion carried.

No official action was taken during closed session.

OPEN SESSION

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

Motion carried.

ADJOURNMENT

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

Motion carried.