

OFFICIAL COUNCIL MINUTES

December 18, 2007
7:00 p.m.

ROLL CALL

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

Absent: -0-

CALL TO ORDER

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

INVOCATION

At this time, Council Member Wilson gave the invocation.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Council Member Hull.

APPROVAL OF MINUTES Regular Council Meeting – December 4, 2007

Motion was made by Council Member Hull to approve the Council minutes of the regular Council Meeting held on December 4, 2007. Motion was seconded by Council Member Hatton.

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS First Half – December, 2007

Motion was made by Council Member Wilson to approve the payroll and claims for the first half of December, 2007. Motion was seconded by Council Member Janes.

Motion carried.

LINDSAY WISKIRCHEN – DIRECTOR OF FINANCE

Re: Audit Report, Fiscal Year 2006-07

Lindsay Wiskirchen, Director of Finance, came before Council seeking approval of the Fiscal Year 2006-07 audit report, as prepared by Wade Stables and presented earlier in the year. At this time, she introduced Mike Mudd of Wade Stables to give a brief overview of the audit and answer any questions that may arise. After Mr. Mudd gave a short page-by-page explanation of the components of the budget, as presented, he asked for questions or comments. There being none, Mayor Hark entertained a motion to approve the audit report for fiscal year 2006-07. Motion was made by Mayor Pro Tem Dexheimer to make this approval. Motion was seconded by Council Member Hull.

Motion carried.

JEFFREY LAGARCE – CITY MANAGER

Re: Funding Approval & Grant Agreement, CDBG – Downtown Development Director

(Resolution No. 1422-07, to follow)

City Manager Jeffery LaGarce asked Council approval of Resolution No.1422-07, later during the proceedings. LaGarce explained that the City was awarded a \$100,000 CDBG grant for the DREAM Initiative earlier this year. The Resolution presented here is merely a formality for acceptance and administration of this grant. Approval of this Resolution would allow the Mayor to sign the agreement and continue necessary procedures so that these funds can ultimately be available for use by the City.

Re: Amendment to Chapter 100 Agreement

(Resolution No. 1425-07, to follow)

City Manager LaGarce introduced the next order of business, an amendment to the Chapter 100 agreement and asked that Council approve the passage of the related Resolution No. 1425-07, to follow. He explained that this Resolution was in reference to the distribution of the PILOT payment the City receives from General Mills each December, as terms of a grant agreement, wherein the City issued approximately \$85 million in taxable industrial revenue bonds for General Mills expansion in 2003. He continued that the Ralls County Assessor has expressed displeasure with the distribution formula and has requested modification of the agreement. A more equitable formula will be approved with the approval of Resolution No. 1425-07, according to LaGarce.

Re: Amendment to City Code Chapter 28, Change Orders

(Bill No. 07-044, to follow)

Next, the City Manager introduced Bill No. 07-044, at this time, which would allow an amendment to the City Code, Chapter 28, addressing Change Orders. According to LaGarce, the City Manager, at the present time, all change orders are executed in the same way, whether for \$600 or for \$10,000, regardless of the cost. The intent of this amendment would be to prevent relatively small matters from unnecessarily delaying projects by allowing the Mayor to execute a change order without Council approval. Criteria that would apply in order for this to happen, if passed, would be:

- 1) Both the department head administering the contract and the City Manager justify the need for the change order and recommend approval.
- 2) The change order would not exceed \$4,600 (our bidding limit).

- 3) The change order would not exceed 5% of the current contract amount.

Approval this evening would give Bill No. 07-044, regarding this amendment, a first reading.

Re: Amendment to City Code Chapter 3, *Enforcement Provisions Involving the Sale of Intoxicating Liquor to Minors*
(Bill No. 07-045, to follow)

Mr. LaGarce's next order of business on the agenda was an amendment to Chapter 3 of the City Code, *Enforcement Provisions Involving the Sale of Intoxicating Liquor to Minors*. This amendment would be enacted with the approval of Bill No. 07-045 that was on the agenda for a first reading later during the meeting, according to LaGarce. He stated that liquor sales to minors has been a continuous problem in the City and added that the Police Department continues to perform compliance checks throughout the community but the results remain discouraging.

City Manager LaGarce explained that currently, the liability for making an underage liquor sale lies with the individual or employee; however, if passed, this bill would place a business owner's liquor license at risk, increasingly at-risk for each new violation of sales-to-minor. He said that proposed Bill No. 07-045 is similar to the 'nuisance business' legislation adopted in October, holding both the violator and the business owner accountable.

LaGarce informed Council of the penalties set forth in this Bill, which included a fine to the business owner, as well as, the seller for the first offense. Second offence would result in the loss of the liquor license for thirty days. The loss of the business' liquor license for sixty days would be the result of a third offense. Any additional violations would result in the business losing their liquor license for ninety days. The Bill would have an appeals process included as an assurance against capricious decisions by the City staff to unnecessarily revoke a liquor license.

Re: Approval, Nuisance Abatement on Properties Controlled by Marion County Trustee

The final item that was presented by City Manager LaGarce was Council approval of nuisance abatement on properties controlled by the Marion County Trustee. He explained that when properties were forfeited by private citizens for non-payment of taxes, they then come under the control of the Marion County Trustee (from a legal state, they are not the owner of the property, but merely the caretaker).

The purpose of abating properties, according to LaGarce is twofold. The first purpose is to remove such nuisances and the second is to pinpoint accountability. As it stands the cost for this procedure will not be recovered because the Trustee is not required to reimburse the City and the forfeiting owner will not pay.

The City Manager stated that he had contacted County Counselor Tom Redington, at the request of Mayor Pro Tem Dexheimer, to permanently adopt an agreement, similar to the one-time agreements made in 1987 and again in 2000 to alleviate this same type of problem, whereas the abatement costs would be divided 50-50 between the City and the County.

LaGarce concluded that, with Council's support, he would like to approach the Marion County Commission with this agreement (concept only, not content). Motion was made by Mayor Pro

Tem Dexheimer to approve LaGarce's request to take this to the County for negotiations. Motion was seconded by Council Member Janes.

Motion carried. At this time, Council Member Knickerbocker requested a discussion concerning the enforcement provisions involving the sale of intoxicating liquor to minors. He stated that, after reading this bill, he had some issues with it because it presented only an enforcement and penalty when there was possibly an opportunity to do something proactive to deal with a serious problem. Knickerbocker added that the only time this would be addressed, according to the proposed bill, would be when a business/person is caught selling liquor to a minor. He suggested that legislation could be enacted where businesses would be required to proactively deal with these situations on a regular basis by working with liquor control and mandatory training or education. Possibly, business could do compliance checks of their own, since the Police Department can only do these on an irregular basis, with the funding and manpower available.

He explained that penalties included here, such as the thirty day liquor license suspension, would amount to a huge monetary loss to a business. A bigger penalty for some businesses than for others. He concluded by saying that the City Council has the opportunity to gather additional input from the community-at-large, the Police Department, the business owners that are affected and Council so we can to the ordinance to make it better.

Mayor Pro Tem Dexheimer referenced a letter from the Director of the Department of Public Safety, commending the Hannibal Police Department for its efforts regarding the problem at hand. He stated that if the Department of Public Safety was behind this bill, how could the City not move forward with it? He reminded those in attendance of the seriousness of this issue. Dexheimer also questioned how we could require a business to require additional training and education.

City Attorney James Lemon stated that, within some reasonable guidelines, the City could place this requirement on a business; however, he was not clear what Council Member Knickerbocker was suggesting. He added that he could answer more definitely, if he had a concise plan of action in mind. He said that he did have some concerns because someone would have to check for compliance, and this possibly would place added responsibility on the Police Department. Additionally, what guidelines would be required and would these be written into the proposed bill? The City Attorney concluded by saying that this would be possible, but he was hesitant to say the City could do it without something more specific.

Mayor Hark referenced an e-mail that he had received, stating, 'from January 1, 2007 until October 31, 2007 there were 49% noncompliance in Missouri for alcohol sales, which means that retailers mistakenly sold alcohol to minors, under the age of 21, 49% of the time', adding that this was approximately the City's average, too. He said that, if this has been happening for nearly a year, why is this issue coming before Council this evening? It seems that someone should have already taken initiative to do something without the City making an ordinance in an effort to alleviate this problem. He assured the business owners in attendance that it was not Council's intent to put anyone out of business, only to address a serious ongoing problem. (It was noted that, currently, the only one held accountable for illegal liquor sales is the seller, there is no provision to place a penalty on the business/owner for the illegal sale.)

Mr. Stewart McIntyre of Big River Oil came forward and addressed Council on behalf of the business owners. He stated that first and foremost, they acknowledged the seriousness of this problem, adding that, from his company's standpoint, if they could not sell liquor legally and ethically they would not sell it at all. McIntyre said that, in listening to the conversations, it

seemed that the general opinion was that business owners were turning a ‘blind-eye’ to the problem because of the almighty dollar, adding that this could not be further from the truth. He informed Council that his company, as well as other local business owners, has a zero tolerance for this violation. He asked that the proposed bill be revisited, suggesting that he be given the opportunity work with the local law enforcement, City Manager, Mayor and Council Members to arrive at a solution that will work and solve this issue. He requested that Council table the proposed bill for a minimum of thirty days in order to accomplish the task at hand.

After a lengthy discussion, addressing issues such as the length of the suspension, how long is reasonable and the fact that it is not the City’s place to decide how a business is conducted but to make sure laws are obeyed, Council decided to move forward with a first reading for this bill, emphasizing that it could be amended before the second and final reading, if the need arose. Mayor Pro Tem Dexheimer said he valued the Chief’s opinion and asked for his recommendation. Chief of Police Lyndell Davis said that his only request was that Council stand behind him and give him something with some ‘teeth’, because he is doing all that the current law allowed to alleviate this serious problem. He added that he would be willing to meet with business owners to reach some conclusions regarding penalties and other related issues of the proposed bill; saying that this needed to be done immediately, since the second and final reading would be on the next Council agenda. Davis made a list of names and phone numbers for all business owners in attendance and agreed to make calls in order to set up a work session to come to a conclusion that would be agreeable to all involved parties.

At the conclusion of the discussion, Council Member Janes stated that he was in agreement with a statement previously made, which concerned the amount of the current fines for a violation of selling liquor to a minor. Currently, \$250-\$500 is the maximum fine allowable, according to the City Charter. Motion was made by Council Member Janes to direct the City Attorney to research possible Charter change relative to an increase in the amount of City fines. Motion was seconded by Council Member Knickerbocker.

Motion carried.

REBECCA GRAVES – DEPUTY CITY CLERK

Re: Amendment to City Code Chapter 2, *Municipal Court Judge Credit Card*
(Bill No. 07-043, to follow – Emergency Reading)

Rebecca Graves, Deputy City Clerk presented Bill No. 07-043, which would follow, and asked Council to approve this Bill by giving it an emergency reading. Its approval would approve an amendment to Chapter 2 of the City Code, granting permission to the Municipal Judge to obtain a City issued credit card, and include him in the list of City Department Heads who are authorized to have a City issued card. The recommendation for an emergency reading was given by Mayor Pro Tem Dexheimer at the previous meeting because of eminent need by Municipal Court employees to attend an upcoming educational program, according to the Deputy City Clerk.

In light of further research by the City Attorney, he made the recommendation to pass this by the usual method of giving it a first reading later in the meeting and a second and final reading at the next regular Council meeting.

JAMIE PAGE – CITY ENGINEER

Re: South Main Street Bridge Reconstruction Bid/Contract Approval

(Resolution No. 1421-07, to follow)

City Engineer Jamie Page introduced the first of two issues that he had placed before Council on the evening's agenda. This was the Bid and Contract approval of the South Main Street Bridge reconstruction which would be done later in the meeting by approving Resolution No. 1421-07. He added that it was the recommendation of his department to award the bid and contract to Bross Construction in the amount of \$324,946, stating that bids were solicited with Bross submitting the sole bid. He concluded by saying that the cost was under the engineer's estimate; therefore, he thought this amount was reasonable.

Re: Spruce Street Restabilization Project

(Resolution No. 1423-07, to follow)

Page's second order of business was a request for approval of Resolution No. 1423-07, to follow, concerning the Spruce Street Restabilization project. Klingner & Associates have made a request for an additional \$7,500 to cover necessary surveying procedures in order to develop the easement plats and legal descriptions that are needed to complete this project.

He concluded his presentation by pointing out that brochures were now available and were located on the Council table. These were necessary in order to meet certain Missouri DNR requirements for the storm water plan. The requirement was to have these brochures available by the end of December, according to Page.

CHRIS ATKINSON – PARKS & RECREATION DIRECTOR

Re: Riverview Park Tree Removal/Pruning Bid/Contract Approval

(Resolution No. 1424-07, to follow)

Chris Atkinson, Director of Parks and Recreation Department, explained that the Parks and Recreation Department had recently opened bids for pruning and removal of twenty-one hazardous trees at Riverview Park. He added that there are many trees in need of pruning or removal in the Park, noting that several hundred have been identified. Atkinson stated that approval of Resolution No. 1424-07 is the first step in this project, since the Department has received a grant for funding. Three bids were received, with Wilson Tree Service being the lowest bidder with a bid amount totaling \$10,250. Atkinson requested approval of this Bill which will also approve the bid and contract submitted by Wilson Tree Service to remove or prune the specified twenty-one trees that were included in this bid.

LYNDELL DAVIS – CHIEF OF POLICE

Re: Amendment to City Code Chapter 16, *Places Used for Illegal Sale and Use of Controlled Substances*

(Bill No. 07-046, to follow)

Chief of Police Lyndell Davis came before Council to request a first reading for Bill No. 07-046, to follow, which concerned an amendment to Chapter 16 of the Hannibal City Code, *Places Used for Illegal Sale and Use of Controlled Substances*. He informed Council that, in an attempt to combat illegal drug activity in the community, he had approached the City Attorney and the City Manager recently asking for help to create a bill designed to rid the City's neighborhoods of residences that are habitually used for illegal drug activities. Davis

also explained that his Department has actively tackled the illegal drug issues facing the community by forming a full-time investigation detective unit that has proven to be very successful; however, this unit has witnessed a continuing cycle of drug offenders occupying these residences - after law enforcement arrests one group of offenders, another group will move in to occupy the same residence.

The proposed Bill No. 07-046, to follow, would allow the City Manager, upon being supplied with the necessary and supporting documentation, the authority to declare a residence to be unoccupied for a specified period of time. This would happen if drug offenses had occurred on the property with the previous knowledge of the owner. Chief Davis stated that a similar ordinance was adopted some time ago by University City, MO. Bowling Green, MO, as well as, Louisiana, MO are now in the process of taking similar measures to address this serious issue.

RESOLUTION NO. 1421-07

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF HANNIBAL AND BROSS CONSTRUCTION FOR THE SITE WORK AND RECONSTRUCTION OF THE SOUTH MAIN STREET BRIDGE IN THE AMOUNT OF \$324,946

Motion was made by Council Member Wilson to have the Deputy City Clerk read Resolution No. 1421-07 and call the roll for adoption. Motion was seconded by Mayor Pro Tem Dexheimer.

Motion carried.

Roll Call

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

No: -0-

Absent: -0-

Mayor Hark declared Resolution No. 1421-07 duly approved and adopted on this date.

RESOLUTION NO. 1422-07

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE FUNDING APPROVAL AND GRANT AGREEMENT RELATIVE TO THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FOR DOWNTOWN DEVELOPMENT DIRECTION

Motion was made by Council Member Hatton to have the Deputy City Clerk read Resolution No. 1422-07 and call the roll for adoption. Motion was seconded by Council Member Hull.

Motion carried.

Roll Call

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

No: -0-

Absent: -0-

Mayor Hark declared Resolution No. 1422-07 duly approved and adopted on this date.

RESOLUTION NO. 1423-07

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH KLINGNER & ASSOCIATES FOR SURVEYING SERVICES, DEVELOPING EASEMENT PLATS AND LEGAL DESCRIPTIONS, RELATIVE TO THE SPRUCE STREET RESTABILIZATION PROJECT, IN THE AMOUNT OF \$7,500

Motion was made by Council Member Wilson to have the Deputy City Clerk read Resolution No. 1423-07 and call the roll for adoption. Motion was seconded by Council Member Hull.

Motion carried.

Roll Call

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

No: -0-

Absent: -0-

Mayor Hark declared Resolution No. 1423-07 duly approved and adopted on this date.

RESOLUTION NO. 1424-07

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH WILSON TREE SERVICE IN THE AMOUNT

**OF \$10,250 FOR THE RIVERVIEW PARK TREE
REMOVAL/PRUNING PROJECT NO. PR-07-06**

Motion was made by Mayor Pro Tem Dexheimer to have the Deputy City Clerk read Resolution No. 1424-07 and call the roll for adoption. Motion was seconded by Council Member Hull. Council Member Wilson stated that he would be abstaining from the vote.

Roll Call (to read)

Yes: Mayor Pro Tem Dexheimer, Council Members Hatton, Hull, Knickerbocker, Janes and Mayor Hark – 6

No: -0-

Abstain: Council Member Wilson - 1

Absent: -0-

Motion carried.

Roll Call (to approve)

Yes: Mayor Pro Tem Dexheimer, Council Members Hatton, Hull, Knickerbocker, Janes and Mayor Hark – 6

No: -0-

Abstain: Council Member Wilson - 1

Absent: -0-

Mayor Hark declared Resolution No. 1424-07 duly approved and adopted on this date.

RESOLUTION NO. 1425-07

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN
AMENDED GRANT AGREEMENT WITH THE HANNIBAL
SCHOOL DISTRICT AND THE GENERAL MILLS COMPANY
FOR THE DISTRIBUTION OF PILOT PAYMENTS RELATIVE TO
INDUSTRIAL REVENUE BONDS ISSUED IN 2003**

Motion was made by Council Member Wilson to have the Deputy City Clerk read Resolution No. 1425-07 and call the roll for adoption. Motion was seconded by Council Member Hatton.

Motion carried.

Roll Call

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

No: -0-

Absent: -0-

Mayor Hark declared Resolution No. 1425-07 duly approved and adopted on this date.

BILL NO. 07-043

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE III, OFFICERS AND EMPLOYEES, DIVISION I, GENERALLY, SECTION 2-80(a), USE OF CITY CREDIT CARDS TO INCLUDE THE MUNICIPAL COURT JUDGE

FIRST READING

Motion was made by Council Member Wilson to give Bill No. 07-043 a first reading, instead of an emergency reading, as previously stated. Motion was seconded by Mayor Hark.

Motion carried.

BILL NO. 07-044

AN ORDINANCE AMENDING CHAPTER 28, DIVISION 3 OF THE MUNICIPAL CODE OF THE CITY OF HANNIBAL RELATIVE TO THE ADMINISTRATION OF CONTRACTS AND CHANGE ORDERS FOR PUBLIC IMPROVEMENT PROJECTS

FIRST READING

Motion was made by Council Member Janes to give Bill No. 07-044 a first reading. Motion was seconded by Council Member Hull.

Motion carried.

BILL NO. 07-045

AN ORDINANCE AMENDING CHAPTER 3, ARTICLE III OF THE MUNICIPAL CODE OF THE CITY OF HANNIBAL RELATIVE TO ENFORCEMENT PROVISIONS INVOLVING THE SALE OF INTOXICATING LIQUOR TO MINORS

FIRST READING

Motion was made by Mayor Pro Tem Dexheimer to give Bill No. 07-045 a first reading.
Motion was seconded by Council Member Wilson.

Motion carried.

BILL NO. 07-046

AN ORDINANCE AMENDING CHAPTER 16, ARTICLES V AND VII, OF THE CODE OF THE CITY OF HANNIBAL RELATIVE TO PLACES USED FOR ILLEGAL SALE AND USE OF CONTROLLED SUBSTANCES

FIRST READING

Motion was made by Council Member Janes to give Bill No. 07-046 a first reading.. Motion was seconded by Council Member Hull.

Motion carried.

BILL NO. 07-036

AN ORDINANCE APPROVING AND ACCEPTING THE PLAT OF LOWE'S ADDITION, A SUBDIVISION LYING IN THE EAST HALF (E 1/2) OF SECTION 24, TOWNSHIP 57 NORTH, RANGE 5 WEST, IN THE CITY OF HANNIBAL, MARION COUNTY, MISSOURI

SECOND AND FINAL READING

Motion was made by Council Member Janes to have the Deputy City Clerk give Bill No. 07-036 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Hatton.

Motion carried.

Roll Call

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

No: -0-

Absent: -0-

Mayor Hark declared Bill No. 07-036 duly approved and adopted on this date.

BILL NO. 07-037

AN ORDINANCE REZONING 7.0 ACRES OF PROPERTY, MORE OR LESS, LOCATED AT 4304 WEST ELY ROAD IN MARION COUNTY, MISSOURI FROM A-ONE & TWO FAMILY TO PDR-PLANNED DENSITY RESIDENTIAL AND AMENDING THE CITY'S ZONING MAP ACCORDINGLY

SECOND AND FINAL READING

Motion was made by Council Member Wilson to have the Deputy City Clerk give Bill No. 07-037 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Hull. Council Member Janes stated that he would be abstaining from the vote.

Roll Call (to read)

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

No: -0-

Abstain: Council Member Janes - 1

Absent: -0-

Motion carried.

Roll Call (to approve)

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

No: -0-

Abstain: Council Member Janes - 1

Absent: -0-

Mayor Hark declared Bill No. 07-037 duly approved and adopted on this date.

BILL NO. 07-038

**AN ORDINANCE BINDING THE CITY OF HANNIBAL TO
ACCEPT AND BE BOUND BY THE TERMS OF A CERTAIN
SETTLEMENT AGREEMENT ENTERED INTO BETWEEN THE
CITY OF UNIVERSITY, MISSOURI, etal vs. UNITED STATES
CELLULAR CORPORATION**

SECOND AND FINAL READING

Motion was made by Mayor Pro Tem Dexheimer to have the Deputy City Clerk give Bill No. 07-038 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Wilson.

Motion carried.

Roll Call

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

No: -0-

Absent: -0-

Mayor Hark declared Bill No. 07-038 duly approved and adopted on this date.

BILL NO. 07-039

**AN ORDINANCE REZONING SIXTEEN BLOCKS OF PROPERTY,
MORE OR LESS, LOCATED ALONG FIFTH STREET, CURCH
STREET, LYON STREET, LEMON STREET, BROADWAY AND
WARREN BARRETT DRIVE IN HANNIBAL, MISSOURI FROM E-
COMMERCIAL TO A-ONE & TWO FAMILY ZONING DISTRICT,
AND B-MULTIPLE FAMILY ZONING DISTRICT, AND
AMENDING THE CITY'S ZONING MAP ACCORDINGLY**

SECOND AND FINAL READING

Motion was made by Council Member Wilson to have the Deputy City Clerk give Bill No. 07-039 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Janes.

Motion carried.

Roll Call

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

No: -0-

Absent: -0-

Mayor Hark declared Bill No. 07-039 duly approved and adopted on this date.

BILL NO. 07-041

AN ORDINANCE PROVIDING FOR A MUNICIPAL ELECTION TO BE HELD, TUESDAY, APRIL 8, 2008 TO ALLOW HANNIBAL VOTERS IN THE FIFTH AND SIXTH WARDS TO ELECT COUNCIL MEMBERS

SECOND AND FINAL READING

Motion was made by Council Member Hull to have the Deputy City Clerk give Bill No. 07-041 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Hatton.

Motion carried.

Roll Call

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

No: -0-

Absent: -0-

Mayor Hark declared Bill No. 07-041 duly approved and adopted on this date.

BILL NO. 07-042

AN ORDINANCE AMENDING CHAPTER 29, SECTION 29-6 OF THE HANNIBAL MUNICIPAL CODE RELATIVE TO SUBDIVISION PLATS AND MINOR SUBDIVISION APPROVALS

SECOND AND FINAL READING

Motion was made by Council Member Hatton to have the Deputy City Clerk give Bill No. 07-042 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Hull.

Motion carried.

Roll Call

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

No: -0-

Absent: -0-

Mayor Hark declared Bill No. 07-042 duly approved and adopted on this date.

CLOSED SESSION

In Accordance with RSMo 610-021 (1)

At this time, Mayor Hark entertained a motion to go into closed session, in accordance with RSMo 610-021, subparagraph one, admitting himself, the rest of Council, Deputy City Clerk Rebecca Graves, City Manager Jeffrey LaGarce, City Attorney James Lemon and City Engineer Jamie Page. Motion was made to go into closed session as Mayor Hark directed by Mayor Pro Tem Dexheimer. Motion was seconded by Council Member Hatton.

Roll Call

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

No: -0-

Absent: -0-

Motion carried.

OPEN SESSION

Motion was made by Council Member Wilson to return to open session. Motion was seconded by Council Member Knickerbocker.

Motion carried.

ADJOURNMENT

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

Motion carried.