

OFFICIAL COUNCIL PROCEEDINGS

February 20, 2007
7:00 P.M.

ROLL CALL

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

Absent: -0-

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 Hull led the Pledge of Allegiance to the Flag.

APPROVAL OF MINUTES Regular Council Meeting of February 6, 2007

Motion was made by Council Member Hatton to approve the minutes of the last regular Council meeting that was held on February 6, 2007. Motion was seconded by Council Member Wilson.

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS First Half of February 2007

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

Motion carried.

MIKE BAXTER, PRESIDENT – HANNIBAL JAYCEES
Re: Proposed Location of 52nd Annual National Tom Sawyer Days

Mayor Hark recognized Mike Baxter, who was next on the agenda, and asked him to come to the podium. Mr. Baxter introduced himself and stated that he was representing the Hannibal Jaycees, regarding the location of the upcoming National Tom Sawyer Days to be held in July. He explained how the Hannibal Jaycees impact the community throughout the year by donating to various charitable organizations and programs; National Tom Sawyer Days makes many of these contributions possible.

Recently, with the current construction at the Mark Twain Hotel and the unknown ownership of the properties used in recent years, the Jaycees have concluded that it is necessary to make different arrangements for this upcoming event. The new parking lot decreases the area of use by 50% as well as dividing the food vendors and Tanyard Gardens from the Kiddie Carnival.

After extensive research, Baxter stated that the Jaycees have four options to consider:

1. The Current Broadway and Main location, with associated changes that need to be made
2. Three and one half blocks of South Main flood buyout area – the most desirable option, according to Baxter and the Jaycees
3. Clemens Field
4. The Soccer Park

He said the Jaycees were concerned about the first option, mostly because of the uncertainty of the status of the Broadway and Main lot. According to Baxter, even if they are able to use the lot, they would need additional area for the carnival. This would require additional street closures, and was not pursued because of possible problems. The fourth option, Norfolk Southern Park, the soccer park, is not big enough for the event. He noted several reasons why other options were not feasible.

The most desirable location, according to Baxter and the Jaycees, appears to be Option Number 2. He stated, by making use of the three and one half blocks in that area, closing only one block of Monroe, Jefferson, Washington and Sycamore Streets, they would have one contiguous area for pedestrian traffic to move without the concern for vehicular traffic. The Jaycees could conduct their events on the closed portion of Monroe Street and damage to the grounds would be kept to a minimum by using the surrounding streets for access. Baxter said the impact for surrounding residents would be reduced by facing the entertainment stage away from these buildings. The surrounding businesses would still have access to Main Street that would remain open during the event. If the Main Street/Bear Creek Bridge is not yet open, Monroe Street would be left open for through traffic when not in use for events. This option requires no out of pocket expense by the City.

Baxter recognized the fact that significant opposition to this option was present; however, he assured Council that this decision had not been reached haphazardly or without due consideration of all options. He pointed out that this event reaches a tremendous audience and the surrounding community benefits from the revenues brought in by it. Baxter then called on Beau Hicks from the Tourism Department to speak.

Mr. Hicks reiterated the economic impact of National Tom Sawyer Days and the related events. He also recognized the Jaycees for the countless hours they dedicated to make this possible. He stated that wherever the event takes place his board will give 100% support and do their best to promote it. Hicks said that Hotel Tax during that weekend rises by about 30% and a traffic count done by MoDot for this four day weekend several years ago showed approximately 100,000 cars traveling on Mark Twain Avenue. Hicks saluted the Jaycees because, according to him, thirty thousand dollars are invested by their organization annually along with thousands of volunteer hours to make this event a success.

In conclusion, Mr. Baxter thanked Council for allowing him to make this presentation and for considering their recommendation to use South Main and the surrounding area as presented; however, if this option is not acceptable, he asked that the Mayor appoint a committee to research other options and make a recommendation at the next Council Meeting.

Mayor Hark stated that he would do as Mr. Baxter recommended and appoint a committee for this purpose. He stated members would be: Council Member Terry Hull, Council Member Kyle Wilson, Parks Superintendent Chris Atkinson, City Manager Jeffrey LaGarce, and two Jaycees of the organization's choosing. He directed the committee to meet, saying that all understood the urgency of arriving at a decision quickly. He concluded by commending the Jaycees for all of their contributions to the community.

Council Member Dexheimer pointed out the need to have these meetings open to the public. He stated that they should be publicized so that all who had an interest in the outcome could attend. Dexheimer expressed his displeasure in the choice recommended by the Jaycees because he felt that it was not in the best interest of the people who lived in this area. He suggested that the residents be contacted so that their interests could also be considered in the final decision.

It was suggested that the City Clerk be enlisted to help in the meeting plans so that all be done according to the Sunshine Law. It was decided that Mr. LaGarce would contact Mike Baxter in order to set up the first meeting.

Council Member Knickerbocker stated that, as a Jaycee, this issue had resurfaced many times throughout the years. He added that it seems there has never been a good and permanent location that everyone agreed upon in the past. He suggested that this is now a very good opportunity for the Jaycees and the City to join in partnership to find a permanent location for National Tom Sawyer Days that is acceptable to everyone. He concluded by saying that all agree this is a good event that is beneficial to the City, the Jaycees and all the people who are served.

DANNY HOLLAND, PRESIDENT – PYRFEECT
Re: Juneteenth Celebration

Ms. Charlene Williams appeared before Council on behalf of Mr. Danny Holland and Pyrfeect at this time in order to request the use of Central Park on June 16th from 7:00 a.m. until 10:00 p.m.,

for the Juneteenth Celebration. On June 15th the organization would be setting up the booths. She also stated that it was their desire to have a parade on Broadway from 10th Street to the River and returning to Washington Park. In Mr. Holland's absence, Ms. Williams was unclear on some aspects of the Celebration.

Council Member Dexheimer asked Chief Lyndell Davis to come forward to present a letter stating some conditions of holding the event. Davis said he would need a clear description of the parade details so he could provide coverage. He added that he had been in contact with Mr. Holland and had gone over some items with him. Although Mr. Holland had been agreeable to all of these items, according to Davis, he had not yet given a copy of the letter to Mr. Holland pending Council approval. Council Member Dexheimer made a motion to grant the request of Ms. Williams and Pyrfeect to hold this event. Motion was seconded by Council Member Knickerbocker.

Motion carried.

**JERRY TROWER, BOARD PRESIDENT – WOW (WORLDS OF WONDER)
Re: NAP Credits Certification**

Mayor Hark asked Jerry Trower, Board President of W.O.W. to come forward. Mr. Trower introduced himself and stated that he represented this organization, formed several years ago with the intent of having a children's museum in Hannibal. They have been given some property and now are interested in developing this property into a museum. He requested that the City approve a resolution that will allow them to apply for the Neighborhood Assistance Program credits. This resolution will be presented later during the meeting for approval by Council.

**REGINA FADEN – MARK TWAIN HOME FOUNDATION
Re: NAP Credits Certification**

Regina Faden, of the Mark Twain Home Foundation, came before Council with a request similar to Mr. Trower's. Faden stated that the Foundation is preparing to preserve and restore three buildings on the south side of the mall area. They would also like to apply for N.A.P credits to help fundraise in the community.

**JEFFREY LAGARCE – CITY MANAGER
Re: Nap Credits – Affordable Community Education (ACE)
WOW Organization
Mark Twain Home Foundation
(Resolutions 1345-07, 1346-07 and 1347-07, to follow)**

Mr. Jeffrey LaGarce, the City Manager, asked Ms. Sally Poole to address Council regarding her organization, Affordable Community Education, and their request that is similar to the two previous requests.

Ms. Poole stepped to the podium and introduced herself, stating that she would also like to request approval for N.A.P. credits, as well as the other two organizations.

(Each of these will be approved through the approval of Resolutions 1345-07, 1346-07 and 1347-07, to follow)

JAMIE PAGE – CITY ENGINEER

Re: Garth Street Vacation

(Bill No. 07-004, to follow)

City Engineer Jamie Page stated that he had only one order of business, being Bill No. 07-004. Mr. Page explained the purpose of this bill was for vacating Garth Street, which is a section of street that can not be used and should revert back to the adjacent property owners. He asked Council to give this bill a first reading later during the meeting.

TIM CARTER – FIRE CHIEF

Re: Budget Amendment for the Purchase of New Rescue Vehicle

(Resolution No. 1348-07, to follow)

Fire Chief Tim Carter came before Council requesting a budget amendment of \$90,000 for the purchase of a new rescue vehicle. This would be accomplished with the approval of Resolution No. 1348-07, to follow.

Mayor Pro Tem Jim Dexheimer asked the Mayor to allow him to recognize Chief Carter, at this time, in regard to the City's ISO rating. He made a motion to add this item to the agenda. Council Member Wilson seconded the motion.

Motion carried. Chief Carter stated that the Department made a press release the previous week, concerning the ISO rating. He added that they have upgraded the rating from a Class Four to a Class Three, a pretty significant accomplishment, according to Carter. He thanked the Fire Board Members and Council, on behalf of the Fire Department, for their support and also the support of the community without whom they could not have achieved the rating. Carter also thanked the members of the Fire Department and the efforts and contributions that went into this accomplishment. He stated that there is not a community within 100 miles that exceeds the rating that their Department has achieved.

Mayor Pro Tem Dexheimer stated, as Chairman of the Fire Board, this achievement is not something that happened over night but through a cycle of ten years. This is an ongoing program within the Department in conjunction with the City. It was a team effort of many individuals, including Former Council Members, Mayors and City Administrators; people who are no longer with the City or the Fire Department were also instrumental in obtaining this level of success. He thanked the Department, on behalf of the City, because without their effort and recommendations to the Board, none of this would have happened.

LYNDELL DAVIS – POLICE CHIEF

Re: Missouri Highway Safety Division Traffic Enforcement Grant Request

(Resolution No. 1349-07, to follow)

Chief Lyndell Davis addressed Council concerning the availability of a Missouri Division of Highway Safety grant that the Police Department may be able to obtain. He said that this grant would provide for the hiring of two officers, as well as the purchase of a fully equipped patrol

car. Davis had previously brought this item to Council and had gotten the approval to pursue the grant. He has done this and now is ready to make application. In order to do this, he will need the signature of the Mayor, through the approval of Resolution No. 1349-07, to follow. The application will be completed in March, according to Chief Davis and he will probably get verbal notification of the outcome some time in June or July and written notification some time in August. Funds would probably be available in October. He added that this is a competitive grant, but he felt that it was worthwhile to put forth the effort to become a recipient.

CHRIS ATKINSON – DIRECTOR OF PARKS AND RECREATION

Re: Mark Twain Solid Waste District Grant Award

(Resolution 1350-07, to follow)

Mr. Chris Atkinson, Director of Parks and Recreation, informed Council that the Mark Twain Solid Waste District grant, the application of which they approved recently has been successful. The amount of this grant award is \$45,000.00 to put towards the project. He is asking that Council approve Resolution 1350-07 later in the meeting in order to receive these funds and to execute this project.

LINDSAY WISKIRCHEN – DIRECTOR OF FINANCE

Re: Bid Limits

(Bill No. 07-005, to follow)

Lindsay Wiskirchen, Director of Finance, stated that it is now time to amend bid limits, just as is done each year. Due to the rate of inflation, Ms. Wiskirchen recommended the bid limits be increased by 2.16% which is a direct result of the national inflation rate, according to the consumer price index. She asked Council approval of a first reading for Bill No. 07-005 that reflects this change.

RESOLUTION NO. 1345-07

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE MISSOURI DEPARTMENT OF ECONOMIC DEVELOPMENT LOCAL GOVERNMENT CERTIFICATION OF WOW, WORLDS OF WONDER CHILDREN’S MUSEUM’S APPLICATION TO THE NEIGHBORHOOD ASSISTANCE PROGRAM

Motion was made by Council Member Wilson to have the Clerk read Resolution No. 1345-07 and call the roll for adoption. Motion was seconded by Council Member Hull.

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 Resolution No. 1345-07 duly approved and adopted on this date

RESOLUTION NO. 1346-07

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE MISSOURI DEPARTMENT OF ECONOMIC DEVELOPMENT LOCAL GOVERNMENT CERTIFICATION OF THE MARK TWAIN HOME FOUNDATION'S APPLICATION TO THE NEIGHBORHOOD ASSISTANCE PROGRAM

Motion was made by Council Member Hatton to have the Clerk read Resolution No. 1346-07 and call the roll for adoption. Motion was seconded by Council Member Hull.

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 Resolution No. 1346-07 duly approved and adopted on this date.

RESOLUTION NO. 1347-07

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE MISSOURI DEPARTMENT OF ECONOMIC DEVELOPMENT LOCAL GOVERNMENT CERTIFICATION OF THE AFFORDABLE COMMUNITY EDUCATION ORGANIZATION'S APPLICATION TO THE NEIGHBORHOOD ASSISTANCE PROGRAM

Motion was made by Council Member Wilson to have the Clerk read Resolution No. 1347-07 and call the roll for adoption. Motion was seconded by Council Member Green.

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 Resolution No. 1347-07 duly approved and adopted on this date

RESOLUTION NO. 1348-07

A RESOLUTION AMENDING THE FISCAL YEAR 2006-2007 BUDGET RELATIVE TO THE PURCHASE OF A MIDSIZE RESCUE VEHICLE FOR THE FIRE DEPARTMENT

Motion was made by Council Member Hatton to have the Clerk read Resolution No. 1348-07 and call the roll for adoption. Motion was seconded by Council Member Green.

Motion carried. Council Member Knickerbocker stated that he wished to clarify what City Manager LaGarce had stated during the previous Council meeting, paying for this with a lump sum was the most financially beneficial idea. LaGarce agreed that, since the amount was under \$100,000, paying for it with the lump sum was the most beneficial decision for the City.

Roll Call

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

No: -0-

Mayor Hark declared Resolution No. 1348-07 duly approved and adopted on this date.

RESOLUTION NO. 1349-07

A RESOLUTION AUTHORIZING THE CITY OF HANNIBAL, POLICE DEPARTMENT, PARTICIPATION AND APPLICATION IN THE MISSOURI HIGHWAY SAFETY DIVISION, TRAFFIC ENFORCEMENT GRANT PROGRAM

Motion was made by Council Member Wilson to have the Clerk read Resolution No. 1349-07 and call the roll for adoption. Motion was seconded by Council Member Hatton.

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 Resolution No. 1349-07 duly approved and adopted on this date

RESOLUTION NO. 1350-07

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A FINANCIAL ASSISTANCE AGREEMENT BETWEEN THE CITY OF HANNIBAL AND MARK TWAIN SOLID WASTE DISTRICT FOR THE PURPOSE OF RECEIVING AWARDED GRANT FUNDS

Motion was made by Mayor Pro Tem Dexheimer to have the Clerk read Resolution No. 1350-07 and call the roll for adoption. Motion was seconded by Council Member Hatton.

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 Resolution No. 1350-07 duly approved and adopted on this date.

BILL NO. 07-004

AN ORDINANCE OF THE CITY OF HANNIBAL, MISSOURI, VACATING A DEDICATION TO THE PUBLIC USE OF A PORTION OF UNDEVELOPED GARTH STREET IN THE CITY LIMITS OF HANNIBAL, MARION COUNTY, MISSOURI

FIRST READING

Council Member Hull made the motion to have the Clerk give Bill No. 07-004 a first reading. Motion was seconded by Council Member Knickerbocker.

Motion carried.

BILL NO. 07-005

AN ORDINANCE AMENDING SECTION 9.13 OF THE CODE OF THE CITY OF HANNIBAL PERTAINING TO BID LIMITS

FIRST READING

Council Member Wilson made the motion to have the Clerk give Bill No. 07-004 a first reading. Motion was seconded by Mayor Hark.

Motion carried.

BILL NO. 07-002

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT #1 OF THE STATE BLOCK GRANT AGREEMENT BETWEEN THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION AND THE CITY OF HANNIBAL, MISSOURI RELATIVE TO THE AIRPORT JET FUEL SYSTEM

SECOND AND FINAL READING

Motion was made by Council Member Wilson to have the Clerk give Bill No. 07-002 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Knickerbocker.

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. 07-002 duly approved and adopted on this date.

CLOSED SESSION

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

At this time, motion was made by Mayor Pro Tem Dexheimer to go into Closed session in accordance with RSMo 610-021, subparagraphs one (1) and three (3), admitting Mayor Hark, Council, City Manager LaGarce, City Attorney Lemon, City Clerk Zerbonia and City Engineer Page. Motion was seconded by Council Member Hull.

Roll Call

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

No: -0-

Motion carried.

OPEN SESSION

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

Motion carried.

ADJOURNMENT

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

Motion carried.