

OFFICIAL COUNCIL PROCEEDINGS

**July 3, 2007
7:00 P.M.**

ROLL CALL

Present: Council Members Janes, Wilson, Mayor Pro Tem Dexheimer and Council Member Hull – 4

Absent: Council Member Knickerbocker, Mayor Hark and Council Member Hatton - 3

CALL TO ORDER

There being a quorum present, Mayor Pro Tem Dexheimer called the meeting to order.

INVOCATION

Council Member Janes gave the invocation.

PLEDGE OF ALLEGIANCE

Council Member Wilson led the Pledge of Allegiance to the Flag. At this time Mayor Pro Tem Dexheimer entertained a motion to excuse Council Members Knickerbocker, Hatton and Mayor Hark. Motion was made by Council Member Wilson and seconded by Council Member Janes.

Motion carried.

APPROVAL OF MINUTES Regular Council Meeting of June 19, 2007

Motion was made by Council Member Wilson to approve the minutes of the last regular Council meeting held on June 19, 2007. Motion was seconded by Council Member Hull.

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS Second Half of June, 2007

Motion was made by Council Member Hull to approve the payroll and claims for the second half of June, 2007. Motion was seconded by Council Member Janes.

Motion carried.

JOHN LYNG – JACOBS LEASING & INVESTMENT, LLC
Re: Proposed Sidewalk Improvements

Mr. John Lyng of Jacobs Leasing and Investment, LLC was recognized and came forward to speak regarding a piece of property that this company owns at 200 Lyon Street. The east side of this property borders Main Street, and according to Mr. Lyng, would be a part of a project in which the City has applied for Safe Tea Lu funds (surface transportation program funds). Mr. Lyng added that the application for this enhancement funding was submitted on May 14, 2007 and calls for the replacement of fourteen blocks of sidewalk on both sides of Main Street from North Street to Collier Street.

Lyng stated that the local match for this project, according to the application would be \$143,600 or approximately 40%; however, the cash match, according to the application is slightly less than \$95,000, which upon review of the City's budget Lyng noted would be taken from the General Revenue Fund. The budget also states that the local match could be as much as \$199,000 and is an 80/20 match, wherein \$175,000 will come from the federal government and \$199,000 in local match from the City (Lyng asked for review of the percentages).

The reason for Lyng's appearance was to inform Council that the interest holders in Jacobs Leasing do not believe this is a subject for the taxpayer's subsidy. They take the position that as far as Jacobs is concerned, it does not want to be counted among those individuals and businesses that are perfectly capable of financing their own infrastructure and development costs, but expect the taxpayers to bear those costs.

He suggested, on behalf of his company, that a feasible solution might be to have the abutting property owners, including Jacobs Leasing, pay the local share of \$95,000-\$199,000. This would be done on a 'running foot' basis, as set forth in *Chapter 28* of the Hannibal City Code. This references Section 88.777 of the Revised Statutes which provides that the City Council can develop a formula in which this type of improvements can be financed over a period of time with the length of time and interest, if any, negotiable. If the City elected to recover that local cost, possibly over a 10-year period, the amount would total approximately \$2.50/running foot, for the lowest figure.

Lyng pointed that he thought this would be acceptable for the property/business owners in the area, and stated that he had personally talked to several Main Street property owners who did not think this would be burdensome for the City to recover the local share in the method that is prescribed in the City Code for financing these improvements. Two main benefits that could result would be:

1. If there were actual cost-sharing of the adjoining property owners, the overall cost of the project may be reduced, because there is no incentive for cost reduction if no one is responsible for payment. (Cost of engineering and design for 14 blocks of sidewalk exceeds \$58,000 in the application. This number is higher than the amount that MECO Engineering, the preparer of the grant, included for the Street Department to remove the 14 blocks of sidewalk).
2. The City could establish a revolving fund where, every year, \$10,000-\$12,000 could be used to replace additional deteriorating sidewalks in the downtown area.

Lyng concluded that maybe the City could review other City sidewalks, stating that other areas needed more attention than the proposed sidewalks.

City Manager LaGarce clarified some items that Mr. Lyng had addressed. He stated that Mr. Lyng was correct about the budget items. This had been discussed in the budget workshop and they decided to go ahead and include it in the year's budget. According to LaGarce, this program was originally an 80/20 grant; the preliminary cost came back much higher. Council had asked him to work with the downtown business owners and look at cost recovery.

LaGarce stated that there were a couple of options, one being the procedure in *Chapter 28* of the City Code as Mr. Lyng had pointed out. Another option is establishing a neighborhood improvement district, perhaps synonymous with sidewalk frontage. The flood wall levee is expiring soon; it will reduce approximately 90%. Council did ask him to pursue private financing, in the meantime, he also had been approached by some downtown business owners expressed interest, since the City is going to take care of the Main Street area, in cost share so the City could expand the cross streets from Third Street to the levee and maybe capture the whole thing. This would be quite expensive and would involve a lot of private financing. No decisions have been made at this time, however.

MICHAEL POLSTER – BUSINESS OWNER

(204 Bird Street)

Re: Request to Place Canopy

Mr. Michael Polster, a business owner at 204 Bird Street, expressed his desire to place a canopy at his business location. The canopy that Mr. Polster is wishing to place was designed by American Décor who has done similar work for several other businesses on Main Street.

City Engineer Jamie Page came forward and stated that the issue at hand concerned columns that extend down from the canopy, which create an obstruction in the sidewalk. For this reason, the item must come to Council for approval. Page stated that according to law, there must be 33% of the entire width of the sidewalk, with a minimum of 36 inches (ADA requirements). Council Member Wilson requested actual specs be brought to Council before this item could be considered.

No action was taken at this time. Mr. Polster also had a question concerning the condition of a building located at 206 Bird Street. It was suggested that this item be presented at a Building Commission meeting.

JEFFREY LAGARCE – CITY MANAGER

Re: Recommendation and Approval of Appointments

City Manager LaGarce had made the following recommendations for approval at the last regular Council meeting:

PARKS AND RECREATION BOARD

Martin Meyer – Appointment for a term to expire July, 2010

Gayle Viorel – Appointment for a term to expire July, 2010

Wells Pettibone – Appointment for a term to expire July, 2010

LaGarce asked approval of Parks and Recreation Board recommendations at this time. Council Member Wilson made a motion to approve these recommendations. Motion was seconded by Council Member Janes.

Motion carried.

BOARD OF PUBLIC WORKS

George Danforth – Appointment for a term to expire July, 2011

He asked approval of Board of Public Works Board Member recommendation at this time. Council Member Wilson made a motion to approve these recommendations. Motion was seconded by Council Member Janes.

Motion carried.

PLANNING & ZONING COMMISSION

Mike Constable – Appointment for a term to expire June, 2011

He asked approval of Planning & Zoning Commission recommendations at this time. Council Member Janes made a motion to approve this recommendation. Motion was seconded by Council Member Hull.

Motion carried.

Mr. LaGarce made the following recommendations to be approved at the next regular Council meeting. These were:

LIBRARY BOARD

Vanu Bagehi – Appointment for a term to expire June, 2010

Janet Kluepel – Appointment for a term to expire June, 2010

City Manager LaGarce concluded his agenda items, noting that Council will have a work session (CWC Meeting) on Tuesday, July 10, 2007. He said that he would have the work session reports/agenda available on Friday, July 6, 2007.

Re: July Work Session (CWC)

(July 10, 2007, 6:00 p.m.)

City Manager LaGarce requested that Council set a work session on July 10, 2007, which is the second Tuesday in July, at 6:15 P.M. The purpose of this meeting would be to discuss the City wide cleanup issue, the liquor license situation, street proposal and the Humane Society. He suggested that he could send an agenda out on July 6 that would specify the items to be discussed at the session. Motion was made by Council Member Hull to approve the City Manager's request. Motion was seconded by Council Member Knickerbocker.

Motion carried.

CHRIS ATKINSON – DIRECTOR, PARKS AND RECREATION

Re: Commerce Bank Lease/Purchase Agreement

(Resolution No, 1386-07, to follow)

Mr. Chris Atkinson, Director of Parks and Recreation came before Council to introduce Resolution No. 1386-07, to follow, that would approve a lease/purchase agreement with

Commerce Bank. Mr. Atkinson stated that, at the June 5th meeting, Council approved the purchase of four John Deere 797 Z-Trak mowers and a backhoe attachment for the Parks Department. After this, local financing institutions were contacted to finance the total bid amount of these items. According to Atkinson, Commerce Bank was the lowest cost option of the total combined rates & fees, with a bid amount of \$28,507.47 (That is the cost of equipment totaling \$27,176.52 + \$1,330.95 in interest and fees)

Mr. Atkinson requested Council approval of this resolution that would also approve this financing agreement with Commerce Bank later during the meeting.

CONNIE QUINN – ASSISTANT BUILDING INSPECTOR
Re: Don Martin Construction Contract, Demolition of 1415-17 Market Street
(Resolution No. 1385-07, to follow)

Assistant Building Inspector Connie Quinn stated that a bid for the demolition of 1415-1417 Market Street had been awarded to Don Martin Construction on June 19, 2007. Quinn now came before Council requesting their approval for the execution of this contract with Resolution No.1385-07, to follow.

Re: Demolition 1216 Center Street, Bid Award Approval

Quinn also asked Council approval of a recommendation to award the demolition bid for 1216 Center Street to Greg Sutton of Sutton Enterprises, who had the low bid of \$5,890 for this project. Council Member Wilson made a motion to approve the bid recommendation of the Building Inspection Department. Motion was seconded by Council Member Janes.

Motion carried.

BEAU HICKS – DIRECTOR, HANNIBAL CONVENTION & VISITORS BUREAU
Re: Visitor Guide & Group Tour Planner, Bid Award Approval

Mr. Beau Hicks, the Director of the Hannibal Convention & Visitors Bureau, came to Council with a bid approval request for the Hannibal Visitor Guide & Group Tour Planner. Mr. Hicks added that bids had been opened for this project on June 20, 2007 and two bids were received. One bid was from C.L. Downey with a total amount of \$45,512.00. The other bid was from BFM Graphics, Lake St. Louis, Mo. with a total bid amount of \$44,869.00. The difference between these two bids was \$643, making C.L. Downey the higher of the two bids; however, Hicks asked Council approval for the bid to be awarded to C.L. Downey,

Mr. Hicks stated that C.L. Downey's bid was firm with no hidden charges. BFM included a 2% overrun charge and an additional \$45/hour for changes. The difference in the bid amounts will be well over the bid difference with travel costs of HCVB personnel to Lake St. Louis for finalization of these publications. Hicks concluded by saying that HCVB had worked with C.L. Downey for a number of years and they have delivered exceptional and timely materials. Motion was made by Council Member Wilson to approve Mr. Hicks' recommendation. Motion was seconded by Council Member Hull.

Motion carried.

RESOLUTION NO. 1385-07

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR BUILDING INSPECTION DEMOLITION PROJECT 07-01, BETWEEN THE CITY OF HANNIBAL AND DON MARTIN CONSTRUCTION IN THE AMOUNT OF \$28,420

Motion was made by Council Member Wilson to have the City Clerk read Resolution No. 1385-07 and call the roll for adoption. Motion was seconded by Council Member Janes.

Motion carried.

Roll Call

Yes: Council Members Janes, Wilson, Mayor Pro Tem Dexheimer and Council Member Hull – 4

No: -0-

Absent: Council Member Knickerbocker, Mayor Hark and Council Member Hatton - 3

Mayor Hark declared Resolution No. 1385-07 duly approved and adopted on this date.

RESOLUTION NO. 1386-07

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A STATE & MUNICIPAL LEASE/PURCHASE AGREEMENT BETWEEN THE CITY OF HANNIBAL, PARKS & RECREATION AND COMMERCE BANK, N.A. IN THE AMOUNT OF \$28,507.47

Motion was made by Council Member Wilson to have the City Clerk read Resolution No. 1386-07 and call the roll for adoption. Motion was seconded by Council Member Hatton.

Motion carried.

Roll Call

Yes: Council Members Janes, Wilson, Mayor Pro Tem Dexheimer and Council Member Hull – 4

No: -0-

Absent: Council Member Knickerbocker, Mayor Hark and Council Member Hatton - 3

Mayor Hark declared Resolution No. 1386-07 duly approved and adopted on this date.

CLOSED SESSION
In Accordance with RSMo 610-021 (1)

At this time, Mayor Pro Tem Dexheimer asked for a motion to go into closed session in accordance with RSMo 610-021, sub-paragraph 1, admitting himself, rest of Council, City Manager LaGarce, City Attorney Lemon, City Clerk Zerbonia and City Engineer Jamie Page. Motion was made by Council Member Wilson to go into closed session, admitting those that Mayor Pro Tem Dexheimer named. Motion was seconded by Council Member Hull.

Roll Call

Yes: Council Members Janes, Wilson, Mayor Pro Tem Dexheimer and Council Member Hull – 4

No: -0-

Absent: Council Member Knickerbocker, Mayor Hark and Council Member Hatton - 3

Motion carried. No official action was taken in the closed session.

OPEN SESSION

Motion was made by Council Member Wilson to return to open session at this time. Motion was seconded by Council Member Hull.

Motion carried.

ADJOURNMENT

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

Motion carried.