

OFFICIAL COUNCIL PROCEEDINGS

**July 17, 2007
7:00 P.M.**

ROLL CALL

Present: Council Members Janes, Wilson, Mayor Hark, Council Members Hull and Knickerbocker – 5

Absent: Mayor Pro Tem Dexheimer and Council Member Hatton - 2

CALL TO ORDER

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

INVOCATION

Council Member Janes gave the invocation.

PLEDGE OF ALLEGIANCE

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

Motion carried.

APPROVAL OF MINUTES Regular Council Meeting - July 3, 2007 CWC – July 10, 2007

Motion was made by Council Member Wilson to approve the minutes of the last regular Council meeting held on July 3, 2007 and the CWC meeting held on July 10, 2007. Motion was seconded by Council Member Janes.

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS First Half - July, 2007

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

Motion carried.

ANTHONY MCREYNOLDS – SOUTH SIDE PROPERTY OWNER

Re: Request, Use of Alleyway

Mr. Anthony McReynolds appeared before Council requesting acquisition of an alleyway that adjoins property which he leases. He referred to a letter that had been included in the Council packet, describing his request/complaint.

Jamie Page, City Engineer, was asked to come forward and give a brief overview of the situation. At this time, Mayor Pro Tem Dexheimer arrived and Mayor Hark made a motion to admit him to the meeting. Council Member Knickerbocker seconded the motion.

Motion carried. Mr. Page continued his explanation, stating the City had been contacted concerning blockage of the alley in question. Cable, with reflectors, had been placed across one end of it; bushes had been planted at the opposite end. According to Page, these situations are dealt with when they are discovered as City workers are driving around or when a complaint is waged. He added that the City encompasses 170 miles of roadway and employees do not have much opportunity to go and search out specific problems.

Page continued that the Board of Public Works called about this particular alleyway, because utilities run through it. This is not an abandoned alley, but a live one. His department removed the cable, at this time leaving it on the property and notifying the owner that this had been taken down and the shrubs on the other end would have to be removed, in accordance with Section 27-28 of the Hannibal City Code – *Obstructions of Alleys and Streets*. Page indicated that the alley could be abandoned; however; it would not be a recommendation of the Department of Public Works since there are utilities running through it. If it is abandoned, Page pointed out, ownership would revert back to the City.

Knickerbocker inquired about the shrubs blocking one end and asked if the Board could still get to the utilities. Page explained that, according to MIRMA the City's insurance company, live alleyways, can not be blocked.

McReynolds stated that they had lived in this place for 23 years this month, leasing the property for the past seven years. Most of the driving through this alleyway is done at night. He stated that he wants the alleyway shut off.

A lengthy discussion followed, with Council trying to reach a conclusion in which the McReynolds could continue to maintain this property, the City could prohibit traffic through the alley but still allow the Board to care for and maintain the utilities that are located there. Page stated that the City's only option, as far as he could see, would be abandonment of the alley; however, following this procedure, the property would still be turned back to the City for the adjacent property owners and the Board of Public works would still need an easement to drive through, so it could not be blocked.

McReynolds would have to go through an abandonment process, obtaining a plat from a surveyor and notifying people within 185 feet of the property to be abandoned and requesting permission to abandon this alley. Until that time, the City must treat this as a live alley and not allow the blockage, according to Page, the City Engineer.

Council Member Hull reminded Council that the City Code stated it is not allowed to obstruct an alleyway. Council Member Janes said that he did not have a problem with abandoning the alley and subsequently adding it to Mr. McReynolds lease that is already in place. He added that the BPW trucks cross fences and go through gates all the time, so he didn't see a problem with that either.

Jack Herring, Director of BPW, stated that, as long as his trucks can drive through, he would agree; however, area to the water and sewer lines that needs to be maintained there cannot be blocked, and an easement still will not allow this.

Page concluded this could be done, but needs to go through the proper procedures. These ordinances were put in place for a reason and that is to protect the welfare of the public and keep access to public property. Mayor Hark suggested to Mr. McReynolds that he should meet with the City Engineer, Jamie Page to begin procedures for abandonment with an easement for the Board of Public Works.

JOHN ORTWERTH – CHAIRMAN, AIRPORT COMMISSION
Re: Review and Approval, Airport Terminal Design

Mayor Hark recognized Mr. John Ortwerth who introduced himself as the Chairman of the Hannibal Airport Advisory Board and stated the reason for his appearance before Council. Ortwerth stated that, after an initial public input session, several open meetings, and many modifications, the Hannibal Airport Advisory Board chose a design for the new airport terminal. A representative of the design firm, Klingner & Associates, was there to present the chosen design to Council for their review and approval. Mr. Ortwerth added that 95% of the cost of the new terminal, or \$650,000 will be received from MoDOT aviation funding. The remaining 5% will be local match. He then introduced the Klingner & Associates representative for the presentation. After the presentation, Mayor Pro Tem asked City Engineer Page about his involvement in choosing this terminal design. Page gave a brief overview of the project and his part in the final design choice. Motion was made by Council Member Hull to approve the airport terminal design. Motion was seconded by Council Member Knickerbocker.

Motion carried.

JEFFREY LAGARCE – CITY MANAGER
Re: Approval of Appointments

City Manager LaGarce had made the following recommendations at the last regular Council meeting that was held on July 3, 2007. These were:

LIBRARY BOARD

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

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

He asked Council approval of these recommendations. Motion was made by Mayor Pro Tem Dexheimer to approve the City Manager's recommendations. Motion was seconded by Council Member Hull.

Motion carried.

ANGELICA N. ZERBONIA
Re: City Credit Card Authorized Users
(Bill. No. 07-017, to follow)

City Clerk Angelica Zerbonia came before Council seeking approval for a first reading of Bill No. 07-017 which would amend the Hannibal City Code, Section 2-80(a) of Chapter 2. This relates to the authorized holders of city issued credit cards. There had been some issues, since the merger of MCM Savings and F&M Bank & Trust, according to Zerbonia. Cards are now required to be issued to specific individuals with Social Security numbers required. Past procedure was to issue cards that were department specific only. Department heads have recently had some challenges with out-of-town travel; and for that reason, Zerbonia requested Council permission to add the City Engineer, Jamie Page, the Building Inspector, Joey Burnham, the City Collector, Phyllis Nelson and the Street Superintendent Leon Wallace to the list of credit card recipients. Each will be following a check-out procedure that is currently in place in the Clerk's Office. This approval will be made by giving this Bill No, 07-017 a first and second reading, the first of which will be offered later during this meeting.

JACK HERRING – BPW GENERAL MANAGER
Re: City Collector's Office Contract, Payment Processing
(Resolution No. 1388-07, to follow)

Mr. Jack Herring, BPW General Manager, came before Council requesting their approval of Resolution No. 1388-07, to follow. This resolution would authorize Mayor Hark to sign a contract, drafted by the City Attorney, between the Board of Public Works and the Collector's Office referencing the payments of BPW utility bills to the City Collector.

Because of the passage of a recent ballot issue, as of July 1st the Board of Public Works will no longer fund half of the operating costs of the Collector's Office. According to Herring, in order to accommodate those customers who wish to continue making payments at City Hall, the BPW has agreed to pay the City Collector's Office the negotiated sum of \$1 per transaction processed. This agreement will be approved when Council approves Resolution No. 1388-07 later in the meeting.

JAMIE PAGE – CITY ENGINEER
Re: Traffic Committee Recommendations

Jamie Page, City Engineer, presented the recommendations made by the Traffic Committee during their meeting of July 3, 2007. They were:

1. Authorize the City Engineer to approve all sign locations for the *Adopt-A-Block* Program. (Not have to bring every sign decision to Council but allow engineers discretion in these cases.)
2. Install "No Parking" sign at the dead end of Hope Street. (There have been some problems in the past with people being blocked can access their drives and property.)

3. Install a “Stop” sign with stop bar for southbound traffic at the intersection south of tennis courts and pavilion in Huckleberry Park; also, repaint the center line and edge lines on 30th Street/Huckleberry Road, through the radius of this intersection. (This is a dangerous intersection and several near-misses.)

Since there was no objections or discussion concerning these recommendations, Mayor Hark declared them approved and adopted as presented.

CHRIS ATKINSON – DIRECTOR, PARKS AND RECREATION

Re: Bid Award and Contract Approval

2007 Huckleberry Park Road/Parking Lot Resurfacing Project

(Resolution No, 1389-07, to follow)

Mr. Chris Atkinson, Director of Parks and Recreation came before Council to introduce Resolution No. 1389-07, to follow, that would approve a bid award and contract with Don Martin Construction for the 2007 Huckleberry Park road and parking lot repair and resurfacing project. Atkinson explained that bids were opened on July 6, 2007 for this project and Don Martin was the only bidder. The bid amount that was offered by Don Martin was \$1.18 per square foot for a total of \$85,317.00. Atkinson concluded that there is approximately 75,000 square feet of asphalt overlay and \$90,000 has been placed in the 2007-08 budget for this project. He requested Council approval by approving the resolution to follow.

Motion to approve the bid was made by Mayor Pro Tem Dexheimer. Motion was seconded by Council Member Knickerbocker.

Motion carried.

LYNDELL DAVIS – CHIEF OF POLICE

Re: Drug Arrest Update

Chief of Police, Lyndell came before Council to give a brief update of a recent narcotics investigation that resulted in a drug arrest.

CONNIE QUINN – ASSISTANT BUILDING INSPECTOR

Re: Sutton Enterprises Contract, Demolition, 1216 Center Street

(Resolution No. 1390-07, to follow)

Quinn reminded Council of their approval of a recommendation to award the demolition bid for 1216 Center Street to Greg Sutton of Sutton Enterprises during the regular Council meeting that was held on July 3, 2007. Quinn requested the approval of a contract with Sutton Enterprises for this project. Resolution No. 1390-07 will be presented later during the meeting and the reading and approval of this resolution will approve the pending contract for \$5,890

LINDSAY WISKIRCHEN – DIRECTOR OF FINANCE

Re: Payroll Ordinance Amendment

(Bill No. 07-016, to follow)

Lindsay Wiskirchen, Director of Finance came before Council to request approval Bill No. 07-016, amending the payroll ordinance. She stated this bill was necessary to correct minor errors in the original payroll ordinance. These were:

- 1) Error in the 2007/08 Police Department portion, amounting to \$954.
- 2) Error in the 2007/08 Executive Department portion, amounting to \$1,757.

Both errors, according to Wiskirchen, are budget neutral since the departmental budgets were prepared correctly, though specific information listed within the payroll ordinance was inaccurate. These errors will be corrected with the approval and adoption of Bill No. 07-016, to follow.

Re: Lease – Purchase Financing Program, Bid Award Approval

Finally, the Director of Finance requested Council approval to lease/purchase a number of large capital items for this fiscal year. Wiskirchen's recommendation was to award this bid to Commerce Bank, whose bid was 4.57% for three years and 4.53% for five years with a one time transaction fee of \$150. Motion was made by Mayor Pro Tem Dexheimer to approve the bid recommendation given by Ms. Wiskirchen. Motion was seconded by Council Member Hull.

Motion carried.

RESOLUTION NO. 1388-07

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE
AN AGREEMENT BETWEEN THE BOARD OF PUBLIC WORKS
AND THE CITY COLLECTOR'S OFFICE FOR THE PURPOSE OF
PROCESSING BOARD OF PUBLIC WORKS UTILITY
PAYMENTS**

Motion was made by Council Member Janes to have the City Clerk read Resolution No. 1388-07 and call the roll for adoption. Motion was seconded by Council Member Hull.

Motion carried.

Roll Call

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

No: -0-

Absent: Council Member Hatton - 1

Mayor Hark declared Resolution No. 1388-07 duly approved and adopted on this date.

RESOLUTION NO. 1389-07

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH DONALD MARTIN CONSTRUCTION IN THE AMOUNT OF \$85,317 FOR THE 2007 HUCKLEBERRY PARK ROAD/PARKING LOT RESURFACING PROJECT

Motion was made by Mayor Pro Tem Dexheimer to have the City Clerk read Resolution No. 1389-07 and call the roll for adoption. Motion was seconded by Council Member Wilson.

Motion carried.

Roll Call

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

No: -0-

Absent: Council Member Hatton - 1

Mayor Hark declared Resolution No. 1389-07 duly approved and adopted on this date.

RESOLUTION NO. 1390-07

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR BUILDING INSPECTION DEMOLITION PROJECT 07-02, BETWEEN THE CITY OF HANNIBAL AND SUTTON ENTERPRISES IN THE AMOUNT OF \$5,890

Motion was made by Council Member Wilson to have the City Clerk read Resolution No. 1390-07 and call the roll for adoption. Motion was seconded by Council Member Hull.

Motion carried.

Roll Call

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

No: -0-

Absent: Council Member Hatton - 1

Mayor Hark declared Resolution No. 1390-07 duly approved and adopted on this date.

BILL NO. 07-016

**AN AMENDED ORDINANCE TO PAY OFFICERS AND EMPLOYEES
FISCAL YEAR 2007/2008**

FIRST READING

A motion was made by Council Member Wilson to have the City Clerk give Bill No. 07-016 a first reading. Motion was seconded by Council Member Janes.

Motion carried.

BILL NO. 07-017

**AN ORDINANCE AMENDING CHAPTER 2, ARTICLE III, OFFICERS
AND EMPLOYEES, DIVISION 1, GENERALLY, SECTION 2-80(A), USE
OF CITY CREDIT CARDS**

FIRST READING

A motion was made by Council Member Wilson to have the City Clerk give Bill No. 07-017 a first reading. Motion was seconded by Council Member Janes.

Motion carried.

CLOSED SESSION

In Accordance with RSMo 610-021 (19 and 2)

At this time, Mayor Hark asked for a motion to go into closed session in accordance with RSMo 610-021, sub-paragraph 19 and 2, admitting himself, rest of Council, City Manager LaGarce, City Attorney Lemon, City Clerk Zerbonia, BPW General Manager Jack Herring and George Walley. Motion was made by Council Member Hull to go into closed session, admitting those that Mayor Hark named. Motion was seconded by Mayor Hark

Roll Call

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

No: -0-

Absent: Council Member Hatton - 1

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 Mayor Hark.

Motion carried.

ADJOURNMENT

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

Motion carried.