

## PUBLIC MEETING PROCEEDINGS

June 5, 2007  
6:30 P.M.

### CALL TO ORDER

At the appointed time, Mayor Hark called the public meeting to order.

#### JEFFREY LAGARCE – CITY MANAGER

##### Re: City of Hannibal and Board of Public Works 2008/Fiscal Year Budgets

Mayor Hark introduced the City Manager Jeffrey LaGarce who stated that he was pleased to present the 2007/08 Budget, his first since being employed with the City. He thanked all of the Staff, including the City Finance Director and the City Clerk for the help he had received.

Mr. LaGarce reviewed some basic highlights, informing all who were in attendance the City's expenditure budget for the upcoming fiscal year will total \$21.1 million. Revenues total about \$20.2 million, the difference was the cost of the Grand Avenue improvements, which will be spent during the 07/08 budget year to complete this project.

According to Mr. LaGarce, the City has twenty-four different governmental funds, on which they operate. \$21.1 million is the total of all funds; each of the twenty-four separate funds within the budget balance.

LaGarce reviewed some 2007/08 Budget highlights that include:

- ◆ \$21,000 for the DREAM Initiative, with about \$48,000 being paid over a three-year period. The City's share is 20% against what is provided by the State. (LaGarce said that he budgeted more this fiscal year since much of the work will be completed within the first year.)
- ◆ Update to the City's comprehensive plan, which is a project that LaGarce has shared with Council and a number of community groups over the last couple of months
- ◆ Pleasant Street Water Tower Project
- ◆ A major stormwater revision for Spruce Street/Minnow Creek area
- ◆ Main Street sidewalk construction program (A project in which the City has obtained \$175,000 in matching grant funds. The goal is to install historic decorative sidewalk structure along downtown Main Street, by popular request
- ◆ Grand Avenue to be completed, which is the largest project in the budget
- ◆ \$250,000 of sealing and resurfacing of City streets, work that is currently being done. (The pavements will not occur until 2008; however, the department is getting an early start on the work.)

- ◆ Four additional employees will be hired:
  - Two drug enforcement officers, we now have a team consisting of two full time employees that will be increased by two
  - Two State grant funded employees, including vehicles and equipment (The program graduates over a three year period with 100% funding the first year, 75% the second year and 50% the third year)
- ◆ Park improvement, to include sealing trails and Lover's Leap Road, asphalt overlay in Huckleberry Park, restroom renovation in Central Park and construction of a restroom in the Norfolk-Southern Sports Complex, relight the Huckleberry Park's tennis courts and replace a shelter there
- ◆ Jet fuel system at the Hannibal Municipal Airport
- ◆ Engineering/design work (95% grant – funded by MoDOT) for the new terminal at the Hannibal Municipal Airport
- ◆ Airport water line installation at a cost of approximately \$148,000

An item that LaGarce added was the Police Department Municipal Court staffing. The idea is to shuffle, not add, employees in order to create a full time court administrator. He said that he had spoken with the Police Chief and the Municipal Judge and this seems to be necessary because of the current work load. The payroll ordinance that will be introduced during the Council Meeting does include this structure.

### **JOHN LYNG – CITIZEN**

Mr. John Lyng was recognized by the Mayor and stated that he did like the new budget format; however, the budget is not complete because nowhere does it state a total of \$21,000,000. He added that there needs to be a break down; but, overall, it is a tremendous improvement. He was also commended the Parks Department and administration for the line item to improve and add to the Park's restrooms. According to Lyng, the need for additional restrooms in the area of public gatherings has been there for a long time.

Lyng commented that the City no longer followed the Charter in the budget process, since the Charter reads, 'The City Manager or City Executive drafts the budget and submits it to Council thirty days before the beginning of the fiscal year.' Then, according to the Charter, the City Executive leaves it to Council after this is done. This was enacted in the days when the City Executive was elected. This was a good check and balance system, since Council could not fire the City Executive (Mayor). Now the system is such that meetings are being held to discuss certain aspects of the proposed budget prior to submission. Mr. Lyng assured Council that he didn't necessarily think there was anything wrong with this process, but it may be a good idea to look at the Charter and, provided

this is a better way of doing things, take steps to bring the Charter into compliance with current procedures.

Lyng then brought to Council's attention the item referred as the 'Downtown TIF', which is actually the 'flood levee TIF' adopted by them in 1988. That TIF was designed to recover for the City ¼ of their entire cost in constructing the entire flood levee system. He added that he was pleased to say that money (and more) had been recovered as a result. Mr. Lyng suggested that past budgets should now be looked at to determine just how much money had been recovered so that two initial \$100,000 contributions made by the Visitors and Convention Bureau and the Mark Twain Home Board might be repaid, as promised. In order to abide by the commitment, this money must be repaid prior to 2012.

The funds that have come in from this TIF have been placed in 'General Operating' which is a capital recovery fund; therefore, in 2012 or 2013 this fund will disappear, leaving a \$100,000+ hole in the budget. He concluded by saying that maybe financial planning could wean its way off of that. The thing that Council needs to remember, according to Lyng, is funds that go into the City budget under this TIF are funds that have been primarily taken from the Hannibal School District, funds that otherwise would be available to educate our children.

At this time, Mayor Hark recognized the City Manager who explained that the \$21,000,000 was identified in the original transmittal letter that was given to Council separately. Mr. Lyng did not get a copy of this letter with his copy of the proposed budget.

## **ADJOURNMENT**

Public hearing was adjourned by Mayor Hark at this time.

## OFFICIAL COUNCIL PROCEEDINGS

**June 5, 2007  
7:00 P.M.**

### ROLL CALL

**Present:** Council Members Hatton, Hull, Knickerbocker, Janes, Wilson,  
and Mayor Hark – 6

**Absent:** Mayor Pro Tem Dexheimer - 1

### 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 Wilson led the Pledge of Allegiance to the Flag.

Mayor Hark asked for a motion to excuse Mayor Pro Tem Dexheimer at this time. Motion was made to excuse Mayor Pro Tem Dexheimer by Council Member Hatton. Motion was seconded by Council Member Hull.

Motion carried.

### APPROVAL OF MINUTES Regular Council Meeting of May15, 2007 CWC Meeting – May 23, 2007 CWC Meeting – May 24, 2007

Motion was made by Council Member Hull to approve the minutes of the last regular Council meeting and the two CWC meetings that were held on May 15, 2007, May 23, 2007 and May 24, 2007, respectively. Motion was seconded by Council Member Wilson.

Motion carried.

**APPROVAL OF PAYROLL AND CLAIMS  
Second Half of May, 2007**

Motion was made by Council Member Hatton to approve the payroll and claims for the second half of May, 2007. Motion was seconded by Council Member Wilson.

Motion carried.

**RICHARD AND TAMMY PENCE – CITIZENS  
Re: Street Closure Request, Neighborhood Block BBQ**

Mr. and Mrs. Richard Pence were recognized and came to the podium in order to address Council concerning their desire to have a neighborhood BBQ on Spruce Street. Since the Hannibal Police Department has worked to get this area cleaned up, the neighbors want to get together and discuss cleaning up some of the physical trash from the neighborhood, during a BBQ. Mr. Pence and Council agreed upon the areas that the Pence's wished to have closed for this event. Motion was made by Council Member Wilson to approve their request for street closure. Motion was seconded by Council Member Hull. Mayor Hark expressed his appreciation to Mr. and Mrs. Pence for their efforts in cleaning up this neighborhood.

Motion carried.

**JASON STANDBRIDGE – POPS CLUB  
Re: Muddy Water Bar-B-Q Festival**

Since previous concerns had been resolved, Mr. Standbridge asked that this agenda item be tabled until a later date. Motion was made by Council Member Wilson to table this item. Motion was seconded by Council Member Knickerbocker.

Motion carried.

**JEFFREY LAGARCE – CITY MANAGER  
Re: Approval of Appointments**

**MARK TWAIN HOME BOARD**

Frank Salter – Appointment for an unexpired term to expire November, 2007

City Manager Jeffrey LaGarce sought Council approval for his recommendation of this appointment that was presented at the previous Council meeting on May 15, 2007. Motion was made by Council Member Wilson to approve LaGarce's recommendation. Motion was seconded by Council Member Janes.

Motion carried

**Re: Recognition of Emergency Management Director, John Hark**

City Manager LaGarce recognized the Emergency Management Director, John Hark, who recently received an award for 30+ years of distinguished service in the field of emergency management and preparedness at a SEMA/MEPA Conference in Branson, MO in April. At the Conference, John was also awarded a life-time membership to the Missouri Emergency Preparedness Association (MEPA).

At that time, John was presented with a director's medallion and a plaque that will be displayed at the State Emergency Management Agency (SEMA) in Jefferson City, MO. permanently.

LaGarce concluded that it is evident John has earned the respect of his peers, not only locally but throughout Missouri and he wished to commend him for this accomplishment. Council Member Wilson also thanked Hark for his dedication and years of service.

**JAMES LEMON – CITY ATTORNEY**  
**Re: Automatic Red Light Enforcement Systems**  
*(Bill No. 07-011, to follow)*

City Attorney James Lemon introduced a bill that would be presented for a first reading later during the meeting. Bill No. 07-011 is for approval of the installation and enforcement of the red light camera system. Lemon explained that this does not add any new enforcement to the existing ordinances, it allows the Police Department to use the red light cameras to enforce existing ordinances.

**MIKE KETTELKAMP – RESIDENT, APACHE TRAIL**  
**Re: Opposition to Bank of Hannibal Request**

Mr. Kettelkamp thanked Council for the opportunity to speak against Bill No. 07-013. This Bill is for the transfer of eighteen (18) feet of Apache Trail right-of-way to the Bank of Hannibal that would be used to create a Bank parking lot. Mr. Kettelkamp reminded Council of the pictures he had submitted at a recent public hearing, taken from his front yard at 3829 Apache Trail behind Java Jive Thru. These pictures showed the natural tree line that separated the commercial area in which the Bank is located from the residential area. If the transfer is approved all of the trees and the grassy area will be changed to concrete and a steel pipe rail. Mr. Kettelkamp reiterated that the building that was moved into this area was only meant to be temporary according to the original building permit. Kettelkamp's request was that the intentions of the original building permit be honored by not approving this transfer and destroying the tree line.

**JAMIE PAGE – CITY ENGINEER**

**Re: Apache Trail Street Vacation**

*(Bill No. 07-013, to follow)*

City Engineer Jamie Page spoke to Council with regard to Bill No. 07-013 which would approve the Apache Trail Street vacation. Mr. Page agreed with Mr. Kettelkamp's statement concerning the original building permit. He stated that, over a period of time, the Bank decided to research alternative options since the building had been rented out and they wished to retain it. (Page added that the minimum amount of parking required for this facility would be sixty-nine spaces. With the removal of the building in question, a total of seventy spaces would then be available in the parking area.)

After some research, the option that was most favorable for the Bank was to leave the building in place and create an upper tier with the space obtained through the vacation of Apache Trail. This would create eighty parking spaces, which is three more than is required for the Bank and Java Jive Thru parking. In response to comments by Council Member Wilson, Mr. Page stated that this was a recent request from the Bank.

**Re: Hawkins Annexation**

*(Bill No. 07-012, to follow)*

The City Engineer introduced Bill No. 07-012, to follow, that referenced an annexation of approximately 157 acres known as the Hawkins property into the City. He asked Council approval of this bill when it is presented.

**Re: City Hall HVAC Update**

Mr. Page informed Council that the HVAC project within the building is not yet completed. It is on schedule with an expected completion date of be June 13<sup>th</sup> or 14<sup>th</sup>.

**Re: Airport Fuel System, Bid Award Approval**

Next, Page presented the bid award for the airport fuel system for Council approval. Council gave approval up to a certain limit. The bid for the airport fuel system was awarded to Huey Construction. When bids were received, they were approximately \$8,000 more than was estimated, but since this is 95% grant money, the City's cost is an additional \$1,800. Page concluded that this needed to be approved by Council; however it is still contingent on MoDOT approval. Motion was made by Council Member Wilson to approve the airport fuel system bid award, contingent on MoDOT approval. Motion was seconded by Council Member Hull.

Motion carried.

**Re: Elite Lawn Care Contract, Airport Mowing**

*(Resolution No. 1381-07, to follow)*

The final item that was presented by City Engineer Page was approval of a contract between the City and Elite Lawn Care for the airport mowing. This was for a total, not to exceed \$2,015, for the 2007 mowing year.

**LYNDELL DAVIS – CHIEF OF POLICE**

**Re: Request to Waive Bidding Process, Emergency Elevator Repairs**

Police Chief Lyndell Davis came before Council with a request for approval to waive the bidding process for repair of the elevator in the Hannibal Police Department building. Davis added that this unit is 31 years old and its original life rating was for 15 years. It is now showing some signs of wear and is no longer operating efficiently. The problem at hand is that it does not line up with the floors, creating a trip hazard. Upon inspection it was noted that there are now issues with meeting current ADA standards.

The cost of repairs and upgrades to make the elevator ADA approved as quoted by Barnard Elevator of Quincy, IL is \$49,000. According to the Chief, they are the current service provider and have been for a number of years. Davis is concerned that the continued use of the elevator in its current state will cause additional wear and further damage making future repairs even more costly. The Chief said the cost of replacing the existing elevator would be approximately three times the cost of repair, according to Jamie Page, the City Engineer. He concluded by saying that adequate funds were available in his current budget and he would like to get the repairs done this fiscal year for that reason, and for safety issues, as well.

Council Member Wilson suggested that, since this was the second time recently that it has been necessary to waive the bidding process, more research needed to be done in the future on upcoming projects. He stated that he really did not like to get away from the bidding process. Motion was made by Council Member Hull to approve Chief Davis' request. Motion was seconded by Council Member Wilson.

Motion carried.

**CHRIS ATKINSON – DIRECTOR OF PARKS AND RECREATION**

**Re: Purchase Recommendation, Mowers & Backhoe Attachment**

Parks & Recreation Director Chris Atkinson came before Council requesting their approval of his recommendation for the purchase of four mowers and a backhoe attachment. The attachment would allow the Parks department some freedom to do their own work without the aid of Street Department equipment.

Atkinson stated that it was his desire that the Parks Department enter into a lease purchase program, which would allow mowers to be traded out every three years in order that the Parks Department can maintain a new, maintenance free fleet. The purchase of this equipment would be through the State of Missouri cooperative bidding procedures so a sealed bid was not necessary.

Atkinson recommended that the bid be awarded to Sydenstricker Farm and Lawn for the total of \$27,176.52, which includes a John Deere 49 backhoe attachment and four new mowers (with a trade-in of 4 mowers) Extended warranty from the standard two years to three years on the mowers will also be included in this cost. Motion was made by Council Member Hull to approve Atkinson's request. Motion was seconded by Council Member Hatton.

Motion carried.

**LINDSAY WISKIRCHEN – DIRECTOR OF FINANCE**  
**Re: Officers and Employees Pay, Fiscal Year 2007/2008**  
*(Bill No. 07-014, to follow)*

Lindsay Wiskirchen, Director of Finance, came requesting Council approval to give a first reading for two bills, the first being Bill No. 04-014, Officers and Employees Pay for the 2007 /2008 fiscal year. Wiskirchen stated that there would be an increase ‘across the board’ of 2.16% to reflect COLA.

**Re: 2007/2008 Annual Budget Adoption**  
*(Bill No. 07-015, to follow)*

The second item that Ms. Wiskirchen brought before Council was the introduction of Bill No. 07-015, the 2007/ 2008 annual budget adoption. She also requested a first reading for this bill later when it was presented.

Council Member Janes asked to speak. The Mayor recognized him and he suggested that \$100,000 be placed in the new budget for the City wide clean-up, since he had been approached by several citizens concerning this issue. He then made a motion to amend the proposed 2007/2008 budget to include this amount for City wide cleanup, using line item 10.26.365 (DPW). This line would then be increased from \$575,365 to \$675,365 and the entire City budget would then total \$56,818,376. This would be with the stipulation that the City would work out the details of the City wide cleanup, possibly putting together a crew in order to make things work better. Motion was seconded by Council Member Wilson.

Council Member Knickerbocker stated that this issue had been addressed previously and it failed by a majority because the people did not want to contribute to the cleanup. He said that his problem with City wide cleanup is that the City is taking care of a problem that should have been fixed when it was addressed some years ago. The original problem is that we need to go back and address the fact that people are dumping their trash in places and not having trash pickup. If we want to have City wide cleanup, in his opinion, the City should have a way of financing this instead of just paying it out of the general budget. Especially since, in the past, citizens have not been in favor of this, or at least have not wished to support it financially. After a brief discussion bringing forth the pros and cons of this issue, and offering suggestions for a future cleanup, the question was called.

**Roll Call**

**Yes:** Council Member Janes, Wilson and Mayor Hark – 3  
**No:** Council Member Hatton, Hull and Knickerbocker – 3  
**Absent:** Mayor Pro Tem Dexheimer – 1

Motion failed.

**CONNIE QUINN – ASSISTANT BUILDING INSPECTOR**  
**Re: Old Baptist Cemetary Mowing, Bid Award Approval**

Connie Quinn, Assistant Building Inspector, came before Council seeking approval to award the mowing bid the Old Baptist Cemetary to Cutting Edge Premium Lawn and Lightscape in the amount of \$4,750 for the 2007/2008 fiscal year. Quinn pointed out that this was not the lowest bid for this project; however, due to Section 19-07 of the City Charter, Anderson Family Lawncare’s bid was rejected. Motion was made by Council Member Wilson to award the bid to Cutting Edge Premium Lawn and Lightscape. Motion was seconded by Mayor Hark.

Motion carried.

**RESOLUTION NO. 1381-07**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A  
CONTRACT FOR THE DEPARTMENT OF PUBLIC WORKS  
PROJECT 07-0026, AIRPORT MOWING, BETWEEN THE CITY OF  
HANNIBAL, AND ELITE LAWN CARE FOR AN AMOUNT NOT TO  
EXCEED \$2,015**

Motion was made by Council Member Hatton to have the City Clerk read Resolution No. 1381-07 and call the roll for adoption. Motion was seconded by Council Member Hull.

Motion carried.

**Roll Call**

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

**No:** -0-

**Absent:** Mayor Pro Tem Dexheimer - 1

Mayor Hark declared Resolution No. 1381-07 duly approved and adopted on this date.

**BILL NO. 07-011**

**AN ORDINANCE ENACTING A NEW SUB-SECTION OF SECTION 17,  
WHICH SHALL CONSIST OF ARTICLE 9 OF THE CITY CODE OF  
THE CITY OF HANNIBAL, MISSOURI AND AUTHORIZE THE  
INSTALLATION OF ONE OR MORE AUTOMATED RED LIGHT  
ENFOREMENT SYSTEMS AS DEFINED HEREIN; AND  
ESTABLISHING STANDARDS FOR ISSUING SUMMONS FOR**

**VIOLATIONS OF TRAFFIC CONTROL ORDINANCES DETECTED  
BY AUTOMATIC RED LIGHT ENFORCEMENT SYSTEMS**

**FIRST READING**

A motion was made by Council Member Hatton to have the City Clerk give Bill No. 07-011 a first reading. Motion was seconded by Council Member Hull.

Motion carried.

**BILL NO. 07-012**

**AN ORDINANCE APPROVING ANNEXATION OF A TRACT OF  
GROUND LYING IN PART OF THE NORTH HALF OF SECTION 23,  
TOWNSHIP 57 NORTH, RANGE 5 WEST OF THE FIFTH PRINCIPAL  
MERIDIAN, MARION COUNTY, MISSOURI, A SUBDIVISION LYING  
IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER  
OF SECTION 13, TOWNSHIP 57 NORTH, RANGE 5 WEST INTO THE  
CITY OF HANNIBAL, MARION COUNTY, MISSOURI**

**FIRST READING**

A motion was made by Council Member Janes to have the City Clerk give Bill No. 07-012 a first reading. Motion was seconded by Council Member Hatton.

Motion carried.

**BILL NO. 07-013**

**(AN ORDINANCE VACATING A DEDICATION TO THE PUBLIC USE OF  
A PORTION OF APACHE TRAIL STREET IN THE CITY LIMITS OF  
HANNIBAL, MARION COUNTY, MISSOURI)**

**FIRST READING**

Since no motion was made to give this bill a first reading, Bill No. 07-013 died.

**BILL NO. 07-014**

**AN ORDINANCE TO PAY OFFICERS AND EMPLOYEES OF THE  
CITY OF HANNIBAL, MISSOURI FOR THE FISCAL YEAR 2007/2008**

**FIRST READING**

A motion was made by Council Member Wilson to have the City Clerk give Bill No. 07-014 a first reading. Motion was seconded by Council Member Hull.

Motion carried.

### **BILL NO. 07-015**

## **AN ORDINANCE ADOPTING THE FISCAL YEAR 2007/2008 ANNUAL BUDGET INCLUDING ALL REVENUES, EXPENDITURES, AND FUND TRANSFERS, AND APPROPRIATING TO THE VARIOUS DEPARTMENTS, BOARDS, COMMISSIONS AND AGENCIES OF THE CITY GOVERNMENT OF THE CITY OF HANNIBAL, MISSOURI FOR THE FISCAL YEAR ENDING JUNE 30, 2008**

### **FIRST READING**

A motion was made by Council Member Wilson to have the City Clerk give Bill No. 07-015 a first reading. Motion was seconded by Council Member Hull.

Motion carried.

### **ADJOURNMENT**

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

Motion carried.