

OFFICIAL COUNCIL PROCEEDINGS

March 6, 2007

7:00 P.M.

ROLL CALL

Present: Council Members Green, Mayor Hark, Mayor Pro Tem Dexheimer and Council Member Hatton – 4

Absent: Council Members Hull, Knickerbocker and Wilson – 3

CALL TO ORDER

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

INVOCATION

Council Member Green gave the invocation.

Mayor Pro Tem Dexheimer asked for a moment of silence and prayer for Council Member Wilson and family during this time of loss.

PLEDGE OF ALLEGIANCE

Council Member Hatton led the Pledge of Allegiance to the Flag.

At this time in the meeting, Mayor Pro Tem Dexheimer made a motion to excuse Council Members Hull, Knickerbocker and Wilson. Motion was seconded by Council Member Green.

Motion carried.

APPROVAL OF MINUTES **Regular Council Meeting of February 20, 2007**

Motion was made by Mayor Pro Tem Dexheimer to approve the minutes of the last regular Council meeting that was held on February 20, 2007. Motion was seconded by Council Member Hatton.

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS
Second Half of February 2007

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

Motion carried.

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

Mr. Baxter came before Council in order to discuss the upcoming 52nd Annual National Tom Sawyer Days. He referenced a memo that was in Council's packet and asked their approval to proceed as per outline. *Items 1-6 of this outline applied to the dates of June 30 through July 8, and were as follows:*

- 1. The Broadway closure, eastbound lane only, from June 30 to July 8*
- 2. Full closure of Broadway, from Main Street into the riverfront area at selected times for the car show and fence painting – exact dates and times not yet known*
- 3. The Church Street closure, one block, immediately north of the Mark Twain Hotel*
- 4. Use of the public parking lot immediately east of (outside) the floodwall*
- 5. Authorization to erect and enforce temporary “No Parking” signage on the appropriate alleyways and/or residual areas within this event, to ensure smooth traffic flow to-and from- private business (Bubba's, boat docks, etc.) located outside the levy*
- 6. Authorization to serve alcoholic beverages in Nipper Park, Tanyard Garden designation*

Motion was made by Mayor Pro Tem Dexheimer to approve items 1 through 6 of the outline and allow the Jaycees to proceed with preparations for the festival. Motion was seconded by Mayor Hark.

Motion carried.

JEFFREY LAGARCE – CITY MANAGER
Re: Public Hearing Request – Downtown Treescape Plan

Mr. LaGarce stated before Council that the Department of Conservation consultant, Jim Frevert had presented his Downtown Treescape Plan to the Hannibal Tree Board and to the Hannibal Community Betterment Association recently. Both organizations have recommended that the City adopt this plan. LaGarce sought Council approval to set a public hearing to ensure any and all public input prior to any such consideration for adoption. His suggestion for the date of this hearing was March 20, 2007 at 6:45 p.m., prior to the next

regular Council Meeting. Tentatively the resolution adopting this plan could then be presented at the first meeting in April. Motion was made by Council Member Hatton. Motion was seconded by Mayor Pro Tem Dexheimer.

Motion carried.

Re: Council Work Session

City Manager LaGarce presented a recommendation to Council regarding the possibility of scheduling a quarterly work session periodically in order to present or discuss large policy issues and to discuss preliminary direction for new initiatives. He suggested keeping these sessions on Tuesday in order to be consistent with regular Council Meetings.

This matter was briefly discussed, deciding that these meeting would be on the second Tuesday, the third Month of each quarter. Allotted time would be approximately ninety minutes with 15-20 minutes per issue. No votes or official decisions would be made.

It was decided that the first of these meeting would be held on Tuesday, March 13, 2007. No motion was needed for this item.

Re: City Collector Appointment

LaGarce made a recommendation, at this time, to appoint Phyllis Nelson as the new City Collector. Mr. LaGarce stated that Ms. Nelson was the most qualified person for this job, in his opinion. Motion was made by Mayor Pro Tem Dexheimer to accept Mr. LaGarce's recommendation for Nelson's appointment. Motion was seconded by Council Member Hatton.

Motion carried.

Re: Amendment to Payroll Ordinance for City Collector and Request for Emergency Reading *(Bill No. 07-007, to follow)*

City Manager LaGarce asked Council consideration to amend the payroll ordinance for the City Collector later during the meeting, due to the appointment of Ms. Phyllis Nelson. He also requested giving this bill an emergency reading at that time.

Re: Overview and Synopsis of Chapter 19 of the Hannibal City Code Relative to Public Nuisances *(Bill No. 07-008, to follow)*

LaGarce asked Council approval of Bill No. 07-008 later during the meeting that would repeal the present Chapter 19 of the Hannibal City Code relative to Public Nuisances and replace it with a new Chapter 19 that addresses all issues in the current Chapter and also addresses other issues not previously addressed in the former Chapter 19. LaGarce noted that Chief Davis proposed an amendment to Section 19.30 of the new Chapter 19 which stated that a notice be posed on the premises. It was proposed that the notice should be posted on the 'vehicle' instead.

ROY HARK – MAYOR
Re: Oath of Office – Phyllis Nelson, City Collector

Mayor Roy Hark administered the oath of office to the new City Collector, Phyllis Nelson. Hark presented her to Council and the audience and congratulated her for her new position with the City. Ms. Nelson thanked Council and City for the support that she had received in the past few months and stated that her friends and family had been a blessing.

JAMIE PAGE – CITY ENGINEER
Re: Airport Design and Consultant Services

City Engineer Jamie Page came before Council seeking their approval of his selection for the Airport design and consultant services. Because of FAA and MoDot Aviation requirements, it has become necessary to request qualifications of a consultant that the City will work with over a five year period regarding projects at the Hannibal Municipal Airport. This has been done and at this time, Page recommended Crawford, Murphy and Tilly for the referenced services. He pointed out that this request is for the selection of the consultant only. The contracts for design services will be individually negotiated and approved by Council for the various projects planned at the appropriate time. Page added that a contract naming this firm as the consultant will be presented at the next Council Meeting for their approval. This contract will have no dollar figure attached, but merely naming Crawford, Murphy and Tilly as the consultant firm that has been selected for the next five years. Motion was made by Council Member Hatton to approve City Engineer Page's recommendation. Motion was seconded by Council Member Green.

Motion carried.

Re: Spruce Street Re-stabilization

City Engineer Jamie Page stated that the second order of business was the Spruce Street re-stabilization. The west end of Spruce Street where it intersects with Minnow Creek, according to Page, has been falling into the creek for some time. It has continued to erode until it is now a serious situation because the guardrail is falling and the street is being undercut. Approximately twenty feet of the street has already been lost and the barricade that had been previously moved back is again being compromised.

Page stated that he is now concerned with the welfare and condition of the street and adjacent structures. At this time, Klingner and Associates have been selected to review this situation and give us some direction. A contract is now being prepared and will be presented at the next Council meeting, according to Page.

Re: Pleasant Street Water Tower, Change Order No. 1
(Resolution No. 1351-07, to follow)

Page requested Council approval of Resolution No. 1351-07 later during the meeting. This Resolution concerns Change Order No. 1 of the Pleasant Street Water Tower Project. Approval of this Resolution would also approve the change order that will lengthen the time to completion because of weather constraints. The tower structure has been removed;

however, this change order will allow time to complete the removal of the foundations and the adjacent building.

Re: Parsons Subdivision
(Bill No. 07-006, to follow)

City Engineer Page stated that Parsons Subdivision has been approved by the Planning and Zoning Commission. It is now being presented to Council with Bill No. 07-006, to follow, for approval and acceptance of the plat.

Page then asked that an additional item be added under his name to the agenda. This item is the referral of the Hawkins Annexation request. Motion was made by Mayor Pro Tem Dexheimer to add this item to the agenda at the request of the City Engineer. Motion was seconded by Mayor Hark.

Re: Hawkins Annexation

City Engineer Page asked, in accordance with City Charter 13.10, that Council refer an annexation petition to the Planning and Zoning Commission for consideration and recommendation. This petition was received by the City from the owners of the 168 acre Hawkins Property on the southwest corner of the intersection of Highway W and Veterans Road. Mayor Pro Tem Dexheimer made motion to refer this annexation to the Planning and Zoning Commission. Motion was seconded by Mayor Hark.

Motion carried.

TIM CARTER – FIRE CHIEF
Re: New Rescue Vehicle Update

Fire Chief Tim Carter spoke to Council in order to present an update on the purchase process of the new rescue vehicle. He informed them that the bid had been awarded to Hackney Emergency Vehicle Corporation located in North Carolina during the Fireboard Meeting the previous week. He will be meeting with them later in the month for a pre-build conference to discuss any fine details that may not have been addressed earlier. The timeline for receiving the finished product will be sometime around the middle of September.

Re: Mutual Aid Agreement – Missouri Department of Conservation, Forestry Division
(Resolution No. 1352-07, to follow)

Chief Carter introduced Resolution No. 1352-07 to Council. The approval of this Resolution later during the meeting will also approve the Mayor's signature on a mutual aid agreement with the Missouri Department of Conservation, Forestry Division. This agreement was previously approved by the Fire Board and is for combating wild land fires on Missouri Department of Conservation property. It will allow the Hannibal Fire Department to be eligible for Missouri State Grants from the Division of Forestry.

LINDSAY WISKIRCHEN – DIRECTOR OF FINANCE

Re: City Credit Cards

(Resolution No. 1353-07, to follow)

Lindsay Wiskirchen, Director of Finance, came before Council with a recommendation to obtain new credit cards for the City. This is necessary because, effective April 2nd, 2007 the City's depository will no longer offer business credit cards. Infibank N.A. has agreed to provide a Business Platinum Credit Card to the City. This application offers no annual fee and 2.9% APR for the first five billing cycles. Approving Resolution No. 1353-07 later during the meeting will allow the ARP Department to move forward with the application.

RESOLUTION NO. 1351-07

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN CHANGE ORDER NUMBER 1 OF THE HANNIBAL INDUSTRIAL PAINTING CONTRACT TO EXTEND THE CONTRACT PERIOD OF THE PLEASANT STREET WATER TOWER DEMOLITION

Motion was made by Council Member Green to have the City Clerk read Resolution No. 1351-07 and call the roll for adoption. Motion was seconded by Council Member Hatton.

Motion carried.

Roll Call

Yes: Council Member Green, Mayor Hark, Mayor Pro Tem Dexheimer and Council Member Hatton - 4

No: -0-

Absent: Council Members Hull, Knickerbocker and Wilson – 3

Mayor Hark declared Resolution No. 1351-07 duly approved and adopted on this date.

RESOLUTION NO. 1352-07

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A MUTUAL AID AGREEMENT WITH THE DEPARTMENT OF CONSERVATION, FORESTRY DIVISION FOR THE PURPOSE OF FIRE PROTECTION ASSISTANCE

Motion was made by Mayor Pro Tem Dexheimer to have the City Clerk read Resolution No. 1352-07 and call the roll for adoption. Motion was seconded by Council Member Hatton.

Motion carried.

Roll Call

Yes: Council Member Green, Mayor Hark, Mayor Pro Tem
Dexheimer and Council Member Hatton - 4

No: -0-

Absent: Council Members Hull, Knickerbocker and Wilson – 3

Mayor Hark declared Resolution No. 1352-07 duly approved and adopted on this date.

RESOLUTION NO. 1353-07

**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CREDIT
CARD AGREEMENT WITH INFIBANK, N.A. FOR THE PURPOSE OF
CITY CREDIT CARDS FOR VARIOUS CITY DEPARTMENTS**

Motion was made by Council Member Hatton to have the City Clerk read Resolution No. 1353-07 and call the roll for adoption. Motion was seconded by Council Member Green.

Motion carried.

Roll Call

Yes: Council Member Green, Mayor Hark, Mayor Pro Tem
Dexheimer and Council Member Hatton - 4

No: -0-

Absent: Council Members Hull, Knickerbocker and Wilson – 3

Mayor Hark declared Resolution No. 1353-07 duly approved and adopted on this date.

BILL NO. 07-006

**AN ORDINANCE APPROVING AND ACCEPTING THE PLAT OF
PARSONS SUBDIVISION AMENDED, A SUBDIVISION LYING IN
THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF
SECTION 13, TOWNSHIP 57 NORTH, RANGE 5 WEST, IN THE CITY
OF HANNIBAL, MARION COUNTY, MISSOURI**

FIRST READING

A motion was made by Council Member Hatton to have the City Clerk give Bill No. 07-006 a first reading. Motion was seconded by Council Member Green.

Motion carried.

BILL NO. 07-008
(as amended)

**AN ORDINANCE AMENDING CHAPTER 19 OF THE HANNIBAL
CITY CODE RELATIVE TO PUBLIC NUISANCES AND THE
ADMINISTRATION AND ENFORCEMENT THEREOF**

FIRST READING

A motion was made by Mayor Pro Tem Dexheimer to have the City Clerk give Bill No. 07-008, as amended, a first reading. Motion was seconded by Council Member Hatton.

Motion carried.

BILL NO. 07-007

**AN ORDINANCE AMENDING THE PAYROLL ORDINANCE OF THE
CITY OF HANNIBAL PERTAINING TO THE CITY COLLECTOR**

EMERGENCY READING

Motion was made by Council Member Hatton to have the City Clerk give Bill No. 07-007 an emergency reading and call the roll for adoption. Motion was seconded by Council Member Green.

Motion carried.

Roll Call

Yes: Council Member Green, Mayor Hark, Mayor Pro Tem
Dexheimer and Council Member Hatton - 4

No: -0-

Absent: Council Members Hull, Knickerbocker and Wilson – 3

Mayor Hark declared Bill No. 07-007 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**

SECOND AND FINAL READING

Motion was made by Council Member Hatton to have the City Clerk give Bill No. 07-004 a second and final reading and call the roll for adoption. Motion was seconded by Mayor Hark.

Motion carried.

Roll Call

Yes: Council Member Green, Mayor Hark, Mayor Pro Tem
Dexheimer and Council Member Hatton - 4

No: -0-

Absent: Council Members Hull, Knickerbocker and Wilson – 3

Mayor Hark declared Bill No. 07-004 duly approved and adopted on this date.

BILL NO. 07-005

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

SECOND AND FINAL READING

Motion was made by Council Member Hatton to have the City Clerk give Bill No. 07-005 a second and final reading and call the roll for adoption. Motion was seconded by Mayor Hark.

Motion carried.

Roll Call

Yes: Council Member Green, Mayor Hark, Mayor Pro Tem
Dexheimer and Council Member Hatton - 4

No: -0-

Absent: Council Members Hull, Knickerbocker and Wilson – 3

Mayor Hark declared Bill No. 07-005 duly approved and adopted on this date.

ADJOURNMENT

Motion was made by Mayor Pro Tem Dexheimer to adjourn. Motion was seconded by Mayor Hark.

Motion carried.

