

OFFICIAL MINUTES OF PUBLIC HEARING

November 20, 2007
6:45 p.m.

CALL TO ORDER

At 6:45 p.m., the appointed time, Mayor Hark called the public hearing to order.

JAMIE PAGE - CITY ENGINEER **Rezoning Property - Located at Stardust and Munger Lane**

City Engineer Jamie Page stated the purpose for the public hearing, which was to rezone the portion of Stardust and Munger Lane, the future location of the Lowe's Store, from A-One and Two Family to E-Commercial zone. He added that this request had been reviewed by the Planning and Zoning and this was their recommendation. He concluded by offering to address any questions that may arise.

PUBLIC COMMENTS

Mr. Larry Craig, Chairman of the Planning and Zoning Commission spoke in favor of the rezoning, adding that after the request was reviewed, several advantages were noted. They were:

- Good for the community
- Will occupy 21+/- acres in the TIF area
- Will provide additional sales tax revenue for the City
- Will help the City pay off the bonds for the TIF project on Munger Land and Stardust Drive, as well as Diamond Boulevard

Next, Mr. Scott McGee of Ozark Civil Engineering, representing Lowe's introduced himself and Mr. Ryan Swanson of Lowe's Companies. He commented that they were happy to be there and were looking forward to be coming to Hannibal. McGee added that this is appropriate use for the appropriate site.

Mr. George Walley also spoke in favor of this project and welcomed the Lowe's representatives.

ADJOURNMENT

There being no other comments for or in opposition to the rezoning of this portion of Stardust and Munger Lane, Mayor Hark adjourned the public hearing.

OFFICIAL COUNCIL MINUTES

November 20, 2007
7:00 p.m.

ROLL CALL

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

At this time, Council Member Janes gave the invocation.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Council Member Hull. Motion was made by Council Member Wilson to excuse Mayor Pro Tem Dexheimer and Council Member Hatton from the proceedings. Motion was seconded by Council Member Knickerbocker.

Motion carried.

APPROVAL OF MINUTES Regular Council Meeting – November 6, 2007

Motion was made by Council Member Wilson to approve the Council minutes of the November 6, 2007 meeting. Motion was seconded by Council Member Knickerbocker.

Motion carried...

APPROVAL OF PAYROLL AND CLAIMS First Half – November, 2007

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

Motion carried.

**LARRY CRAIG - EXECUTIVE DIRECTOR, HANNIBAL AREA CHAMBER OF
COMMERCE**

Re: Appreciation of Council's Support

Mr. Larry Craig, Executive Director of the Hannibal Area Chamber of Commerce came to Council to thank them for their help and support during his tenure as the Director of the Chamber of Commerce. He added that he had enjoyed working with them on various projects in the past ten years, noting that he had seen the City move forward during this time while working with each of the three City Managers.

Craig also introduced the new Director of the Chamber of Commerce, Mr. Terry Sampson, who would replace Mr. Craig in about one week. He added that Mr. Sampson is a native to Hannibal, leaving only to complete college at the University of Missouri in Columbia and during the past five years (of a 30 year career with MoDOT) to work in Jefferson City as the Director of Right-of-Way for the entire State of Missouri. Now, retired from MoDOT, he is perfectly suited for this position, according to Craig.

Craig concluded by saying that he would continue to work as the Executive Director of the US36/I72 Transportation Development District, as a board member of the Hannibal Community Betterment Association, and on the DREAM Initiative Lead Team. He hoped that he would be allowed to continue serving on the Northeast Missouri Economic Development Council, as well as the City's Planning & Zoning Commission.

Mayor Hark presented Larry Craig with a Key to the City, stating that he appreciated all the hard work and dedication that Craig had given Hannibal throughout his years with the Chamber.

DANNY HOLLAND - PRESIDENT, PYRFEECT

Re: Special Event Request

(Juneteenth Celebration - June 21, 2008)

Since Mr. Danny Holland was not present, Mayor Hark entertained a motion to table this item until the next Council meeting. Motion was made by Council Member Wilson to table the approval of Holland's special event request at this time. Motion was seconded by Council Member Knickerbocker.

Motion carried.

JEFFREY LAGARCE – CITY MANAGER

Re: Approval of Appointments

City Manager Jeffery LaGarce asked Council approval of a recommendation that he had made at the last regular Council meeting. This was:

POLICE & FIRE RETIREMENT BOARD

Norman Sanders – Reappointment for a term to expire December, 2010

Motion was made by Council Member Wilson to approve the City Manager's recommendation. Motion was seconded by Council Member Janes.

Motion carried. City Manager LaGarce also asked Council approval of a recommendation that he had made at the last regular Council meeting, which was:

HISTORIC DEVELOPMENT DISTRICT COMMISSION

Cindy Lovell – Appointment for a term to expire May, 2010

Motion was made by Council Member Janes to approve the City Manager's recommendation. Motion was seconded by Council Member Hull.

Motion carried. LaGarce's final recommendation was for three members of the Board of Adjustment. They were:

BOARD OF ADJUSTMENT

Robert Saxbury – Appointment for a term to expire May, 2011

Sharon Colbert – Appointment as "Alternate" for a term to expire May, 2012

Jerry Irick – Appointment as "Alternate" for a term to expire May, 2009

Motion was made by Council Member Knickerbocker to approve the City Manager's recommendations. Motion was seconded by Council Member Hull.

Motion carried.

Re: Comprehensive Plan's Land Use Element - Update

(Resolution No. 1419-07, to follow)

City Manager LaGarce reminded Council that the City had requested proposals from qualified firms to update the Land Use Element of the Comprehensive Plan in August of this year. He added that the 2008 fiscal year budget contains an appropriation of \$47,500 for this purpose.

Six firms submitted proposals and were interviewed in late September. Following this procedure, the proposal of Patti Banks Associates from Kansas City was chosen because the selection committee decided this firm was the most qualified for the project. LaGarce explained that, even though there was a cost savings on the recently-bid Comprehensive Plan update, the shortage would still be approximately \$9,460 to retain this firm. He concluded by saying that he did not like exceeding the budget on a project, but would like to obtain the maximum value from the project and have it done correctly.

There was a short discussion concerning the additional funds that would be needed. A suggestion was made by Council Member Janes that the excess could be taken from the \$45,000 proceeds of the city wide cleanup.

JAMIE PAGE – CITY ENGINEER

Re: Rezoning of Stardust and Munger Lane - Lowe's

(Bill No. 07-035, to follow)

City Engineer Jamie Page came before Council to request approval of Bill No. 07-035, to follow, that concerned the rezoning of Stardust and Munger Lane, the proposed future location

of the Lowe's Store. This rezoning from A-One and Two Family to E-Commercial was previously discussed at the public hearing prior to the Council meeting.

Re: Bid Award Approval & Contract - Tree Removal/Watkins Tree Service
(Resolution No. 1418-07, to follow)

Page stated that his next order of business was the bid award approval and contract for tree removal. Page recommended awarding this bid to Watkins Tree Service for a bid amount of \$10,500. He added that this would be approved by approving Resolution No 1418-07, to follow.

Re: Closure of Clinic Road Connection

The final item that the City Engineer had placed on the Council agenda was information concerning a request for the closure of the Clinic Road connection by Mark Giessinger of MoDOT. Page stated that there had been concerns regarding the safety of this intersection that is located next to Wendy's Restaurant. MoDOT was seeking concurrence from the City to close this portion of road. It was noted that the section of road is not included in the City/Street inventory. Mr. Giessinger was recognized and came forward to field any questions Council might have. He explained the intended process, emphasizing the need for safety at this intersection. Motion to concur with the closing was made by Council Member Wilson. Motion was seconded by Council Member Hull.

Motion carried.

CHRIS ATKINSON - PARKS & RECREATION DIRECTOR
Re: North River Road Trail Extension Grant Award
(Resolution No. 1417-07, to follow)

Chris Atkinson, Director of the Parks and Recreation Department came to Council seeking approval of Resolution No. 1417-07, to follow, which would allow the Mayor to sign a Land and Water Conservation Fund Project Agreement with the Missouri Department of Natural Resources. The purpose of this Resolution is to receive awarded grant funds in order to continue with the North River Road Trail, extending it an additional 1,000 feet, according to Atkinson. He added that the estimated total cost of this project is \$39,518; however 45% of the total cost, or approximately \$18,000, will be covered by Missouri Department of Natural resources, leaving approximately \$22,000 as the City's portion. Wilson questioned whether these funds had been added to the 2007/08 budget; and Atkinson assured Council that this amount was already budgeted.

TIM CARTER – FIRE DEPARTMENT CHIEF OFFICER
Re: Bid Approval/Award for WMD Trailer Equipment

Fire Chief Tim Carter came forward; seeking Council approval of Fire Department bid recommendations for three items, the first was for the purchase of two (2) Scott SCBA air packs. Fire Department recommendation was to award the bid to Battalion Three, with a bid amount of \$11,110. He continued by saying the second was for the purchase of MSA safe site air monitoring equipment, with a recommendation to award the bid to Towers Fire Apparatus for a bid amount totaling \$32,630. The final recommendation presented by Chief Carter was approval of a bid award to Con Space Community for Haz-Mat Search Camera video link

equipment in the amount of \$14,995. Funds for the purchase of these items, according to Carter will be coming from the 2007 Homeland Security Grant. Motion was made by Council Member Wilson. Motion was seconded by Council Member Janes.

Motion carried.

FREDRICH CRUSE - MUNICIPAL JUDGE

Re: Request for Department Credit Card

Since Municipal Judge Fredrich Cruse was unable to attend the meeting, motion was made by Council Member Wilson to table this item. Motion was seconded by Council Member Janes.

Motion carried.

DON WILLIS - BPW DIRECTOR OF OPERATIONS

Re: Approval of Contract for Engineering Services

(Resolution No. 1416-07, to follow)

Last, Mr. Don Willis, Director of Operations for the Hannibal Board of Public Works came forward, seeking Council approval for Resolution No. 1416-07, to follow. Approval of this Resolution would also approve a contract for engineering services with Barnes, Henry, Meisenheimer and Gende, Inc. of St. Louis, MO. The contract is specifically for the design, bid documents and construction management of the 161 kv line from the vicinity of the Rocket Truckstop to the new substation, according to Willis. This project had originally been contracted to Lutz, Daily and Brain of Overland Park, Kansas; but progress was lacking so that portion of work was removed from their contract.

At this time, Council Member Wilson asked that the request of Danny Holland/Pyrfeect be resubmitted at this time. Motion was seconded by Council Member Janes.

Motion carried. Mr. Holland requested permission to hold the Juneteenth Celebration in June of next year. He then submitted a Special Event Application for Council consideration and explained the procedure. Motion was made by Council Member Wilson to approve Mr. Holland's Application and request. Motion was seconded by Council Member Janes.

Motion carried.

RESOLUTION NO. 1416-07

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CONTRACT AGREEMENT, ON BEHALF OF THE HANNIBAL BOARD OF PUBLIC WORKS, WITH BARNES, HENRY, MEISENHEIMER AND GENDE, INC. FOR THE DESIGN, PREPARATION OF BID DOCUMENTS AND CONSTRUCTION MANAGEMENT FOR THE 161 KV TRANSMISSION LINE PROJECT, NOT TO EXCEED \$250,000

Motion was made by Council Member Wilson to have the City Clerk read Resolution No. 1416-07 and call the roll for adoption. Motion was seconded by Council Member Janes.

Motion carried.

Roll Call

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

No: -0-

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

Mayor Hark declared Resolution No. 1416-07 duly approved and adopted on this date.

RESOLUTION NO. 1417-07

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A
LAND AND WATER CONSERVATION FUND PROJECT
AGREEMENT BETWEEN THE CITY OF HANNIBAL AND THE
MISSOURI DEPARTMENT OF NATURAL RESOURCES FOR THE
PURPOSE OF RECEIVING AWARDED GRANT FUNDS**

Motion was made by Council Member Janes to have the City Clerk read Resolution No. 1417-07 and call the roll for adoption. Motion was seconded by Council Member Wilson.

Motion carried.

Roll Call

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

No: -0-

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

Mayor Hark declared Resolution No. 1417-07 duly approved and adopted on this date.

RESOLUTION NO. 1418-07

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A 2007 CONTRACT FOR PROJECT 07-053 REGARDING TREE REMOVAL ON CITY PROPERTY AND CITY RIGHT-OF-WAY WITH WATKINS TREE SERVICE IN THE AMOUNT OF \$10,500

Motion was made by Council Member Hull to have the City Clerk read Resolution No. 1418-07 and call the roll for adoption. Motion was seconded by Council Member Janes.

Motion carried.

Roll Call

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

No: -0-

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

Mayor Hark declared Resolution No. 1418-07 duly approved and adopted on this date.

RESOLUTION NO. 1419-07

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH PATTI BANKS ASSOCIATES FOR THE UPDATE OF THE COMPREHENSIVE PLAN'S LAND USE ELEMENT

Motion was made by Council Member Wilson to have the City Clerk read Resolution No. 1419-07, as amended, adding that the excess funds required be taken from DPW Line Item, City Wide Cleanup, and call the roll for adoption. Motion was seconded by Council Member Janes.

Motion carried.

Roll Call

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

No: -0-

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

Mayor Hark declared Resolution No. 1419-07, as amended, duly approved and adopted on this date.

BILL NO. 07-035

AN ORDINANCE REZONING 7.26 ACRES OF PROPERTY, MORE OR LESS, LOCATED AT THE SOUTHEAST CORNER OF MUNGER LANE AND STARDUST DRIVE IN MARION COUNTY, MISSOURI FROM A-ONE & TWO FAMILY ZONING DISTRICT TO E-COMMERCIAL ZONING DISTRICT AND AMENDING THE CITY'S ZONING MAP ACCORDINGLY

FIRST READING

Motion was made by Council Member Wilson to give Bill No. 07-035 a first reading. Motion was seconded by Council Member Hull.

Motion carried.

BILL NO. 07-034

AN ORDINANCE VACATING A TWENTY (20) FOOT ALLEY LOCATED BETWEEN SOUTH MAIN AND SYCAMORE STREET ALONG FULTON AVENUE IN THE CITY OF HANNIBAL, MARION COUNTY, MISSOURI

SECOND AND FINAL READING

Motion was made by Council Member Wilson to have the City Clerk give Bill No. 07-034 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Janes.

Motion carried.

Roll Call

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

No: -0-

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

Mayor Hark declared Bill No. 07-034 duly approved and adopted on this date.

CLOSED SESSION

In Accordance with RSMo 610-021 (2 and 3)

At this time, Mayor Hark entertained a motion to go into closed session, in accordance with RSMo 610-021, subparagraphs two and three, admitting himself, the rest of Council, City Clerk Angelica Zerbonia, City Manager Jeffrey LaGarce, City Attorney James Lemon, Director of Parks and Recreation Chris Atkinson, City Engineer Jamie Page and Street Superintendent Leon Wallace. Motion was made to go into closed session as Mayor Hark directed by Council Member Wilson. Motion was seconded by Council Member Knickerbocker.

Roll Call

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

No: -0-

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

Motion carried.

No official action was taken during closed session.

OPEN SESSION

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

Motion carried.

ADJOURNMENT

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

Motion carried.