

# OFFICIAL COUNCIL PROCEEDINGS

September 4, 2007  
7:00 P.M.

## ROLL CALL

**Present:** Mayor Pro Tem Dexheimer, Council Members Hatton, Knickerbocker, Janes and Mayor Hark – 5

**Absent:** Council Members Hull and Wilson - 2

## CALL TO ORDER

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

## INVOCATION

Mayor Pro Tem Dexheimer gave the invocation.

## PLEDGE OF ALLEGIANCE

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

Motion carried.

## APPROVAL OF MINUTES Regular Council Meeting of August 21, 2007

Motion was made by Council Member Hatton to approve the minutes of the last regular Council meeting that was held on August 21, 2007. Motion was seconded by Mayor Pro Tem Dexheimer.

Motion carried.

## APPROVAL OF PAYROLL AND CLAIMS Second Half of August, 2007

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

Motion carried.

**JEAN MCBRIDE – MARION COUNTY HEALTH DEPARTMENT**  
**Re: Request, 3<sup>rd</sup> Annual Halloween Parade**

Ms. Jean McBride, a representative from the Marion County Health Department, came before Council on the Health Department's behalf in order to get approval to host the 3<sup>rd</sup> Annual Happy Healthy Safe Halloween Parade on Saturday, October 27, 2007. She stated that, if approved, it would begin at 6:00 p.m. on that date. The purpose of the parade walk, according to McBride, is to promote physical activity and the children who participate will receive treat bags with items for Halloween safety, good nutritious treats and no candy. Floats with Halloween themes and costumes will be parade participants.

Motion to approve the 3<sup>rd</sup> Annual Halloween Parade was made by Council Member Knickerbocker. Motion was seconded by Council Member Hatton.

Motion carried.

**LOIS DAMRON – AMERICAN HEART ASSOCIATION**  
**Re: Request, 2<sup>nd</sup> Annual Mississippi River Run/Walk**

Ms. Lois Damron and Ms. Kathy Pickett, appearing on behalf of the American Heart Association, came before Council to request their permission to hold the 2<sup>nd</sup> Annual Mississippi River Run/Walk on September 22, 2007. The focus of this event, according to Ms. Damron, is community awareness for heart health and childhood obesity. Mayor Hark asked Director of DPW Jamie Page and Street Commissioner Leon Wallace about their plans for closure of Palmyra Road for this event. Commissioner Wallace responded that this area would be closed during that time as it was last year, and all other agencies are 'on-board'. Motion to approve was made by Council Member Knickerbocker. Motion was seconded by Mayor Pro Tem Dexheimer.

Motion carried.

**RUTH LEHENBAUER – CITIZEN**  
**Re: Discussion, Juvenile Problems**

Ms. Ruth Lehenbauer came to Council with concerns about teenagers and their lack of supervision by parents. She also addressed the issue of curfew violations and made suggestions for fining parents of juvenile violators. Mayor Hark thanked Ms. Lehenbauer for her suggestions.

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

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

HANNIBAL AIRPORT COMMISSION

Carl Treaster – Appointment for a term to expire September, 2010

He asked Council approval of this recommendation. Motion was made by Mayor Pro Tem Dexheimer to approve the City Manager's recommendation. Motion was seconded by Council Member Hatton.

Motion carried.

**JAMIE PAGE – CITY ENGINEER**

**Re: Rezoning Request, 3700 Palmyra Road - Ghattas**

*(Bill No. 07-024, to follow)*

City Engineer Jamie Page came before Council with his first order of business. This was the rezoning request submitted by Sandra Ghattas for property she owns at 3700 Palmyra Road. Mr. Page explained that this property currently houses a residential care facility and it is now considered legal and non-conforming use of property.

The property owner has plans to have the current building demolished and replaced with an updated facility. Because of this, with the City's current zoning code requirements that residential care facilities must be located in a B-Multiple Family Zone, the property owner wishes to have this property rezoned in order to adhere to the current zoning codes. This has been recommended by the Planning & Zoning Commission and, according to Page is also recommended by the Department of Public Works. The rezoning of this property will be accomplished with the passage of Bill No. 07-024, which is on the agenda for a first reading later during the meeting, upon approved by Council.

**Re: Nelson's Subdivision – Final Plat**

*(Bill No. 07-025, to follow)*

Page's second order of business was the final plat approval of Nelson's Subdivision, submitted by John Hawkins. This is a 171-acre tract of land west of Veteran's School. This subdivision will be approved with Bill No. 07-025, which is on the agenda for a first reading, later in the meeting. Page stated the planning and zoning commission voted to forward a recommendation to City Council for approval. The Department of Public Works concurs with this recommendation, according to Page.

**Re: Grand Avenue – Engineering Services Change Order**

*(Resolution No. 1398-07, to follow)*

The next item that City Engineer Page brought before Council was the Grand Avenue engineering services change order submitted by Great River Engineering. This change order would be approved with the approval of Resolution No. 1398-07, to follow.

Page explained that the first change was revisions to the approved parking plan. This is to assist a resident of Grand Avenue to access his property. Approval of previous administration allowed this elderly gentleman to pave an area and park over the existing sidewalk. This revision will remove two off-street parking places and creating an entrance for a driveway. The City's cost will be an additional \$435.00. It was noted that the City would not be paying for the driveway.

The second revision is an increase in the frequency that Great River Engineering submits amended contract requests along with the changes covered by the contractor. In short, according to Page, if the contractor is present working, the inspector must be there to inspect and provide testing per the contract documents. The engineering cost would be an increase of \$2,622.25 for testing, and an increase of \$17,405.85 for inspection. Total change would be an increase of \$20,028.10.

Both revisions in this change order have been reviewed and found to be consistent with the original contract based upon the contract days for the project. Page concluded by saying that DPW staff recommended Council approval of this change order.

Mayor Pro Tem Dexheimer questioned the total amount that the City had spent on the Grand Avenue project. Jamie answered that he did not have a total figure; however, more has been spent than was anticipated. It is still doable, according to Page, but it is being monitored and steps are being taken to keep it within available funds. He added that this may cause a slight shortage on a resealing project later but, after reviewing the revision and the current budget, he recommended moving forward with this.

### **Re: Rezoning Request, 1114 Center Street – Saligheh**

At this time, Page relayed a rezoning request from Effat (Maurice) Saligheh for property that he owned at 1114 Center Street. Mr. Saligheh wished to have property rezoned from B-Multiple Family to E-Commercial. Page stated that all properties in that vicinity are residential, and even the property across the street that is currently zoned commercial is being used for residential purposes. The owner requesting this rezoning stated the tentative business would be the sale of imported exotic rugs on a call/appointment basis only. Page explained that he was not recommending this change in zoning; however, his concern was not with the current owner, but with the fact that, in the event the property was sold and/or transferred, any commercial business would be able to move there. Not knowing what might happen in the future, Page did not recommend the zoning change. Motion was made by Mayor Pro Tem Dexheimer to deny Mr. Saligheh's request for rezoning on the recommendation of City Engineer Jamie Page. Motion was seconded by Council Member Knickerbocker.

Motion carried.

### **Re: Bid Award Approval, One-Ton 4 Wheel Drive Truck & Accessories**

Page's last order of business was a request to obtain Council approval for awarding DPW Bid No. 07-0046. This bid was for a one-ton 4-wheel drive truck with a utility bed and salt spreader, the low bidder being Tom Boland Ford with a bid amount of \$51,170. He explained that \$45,000 had initially been budgeted for this purchase; however, the overage is attributed to increased production cost and the decision to choose a stainless steel spreader for extended life expectancy. The increased cost can still be covered with funds in the same line item, Capital Equipment. This vehicle will be purchased utilizing a master lease purchase agreement and will be financed over three years with an annual payment of approximately \$17,909.50. Page concluded by saying that the staff also recommends award of the contract to Boland Ford.

Mayor Pro Tem Dexheimer made motion to award the bid to Tom Boland, the low bidder at \$49,526.00. Motion was seconded by Council Member Hatton. Page stated that the

correct price with the stainless steel spreader included was \$51,170. Mayor Pro Tem Dexheimer amended his motion and Council Member Hatton seconded the amended motion.

Motion carried.

**BEAU HICKS – HCVB, EXECUTIVE DIRECTOR**  
**Re: Bid Award Approval, Copy Machine**

In the absence of HCVB Executive Director Beau Hicks, City Manager LaGarce presented this agenda item regarding approval to award a HCVB bid for a copy machine. LaGarce stated that the Bureau had budgeted \$7,500 for a new copy machine this fiscal year. Upon letting bids, only one was received. This was from the Golden Ruler with a bid amount of \$4,495.00. He stated that Director Hicks was recommending approval of this bid and purchase by Council. Motion was made by Council Member Knickerbocker to approve this bid recommendation. Motion was seconded by Council Member Janes.

Motion carried.

**CHUCK ANDERSON – ASSISTANT TO CITY ENGINEER**  
**Re: Approval, Surplus Property**

In the absence of Engineering Assistant Chuck Anderson, City Clerk Angelica Zerbonia introduced the last item on the agenda, approval the list of City items as surplus property. This must be done, explained the Clerk, so that a City auction of these items could be held on September 15<sup>th</sup> at the Admiral Coontz Armory. Motion was made by Mayor Pro Tem Dexheimer to approve the list of surplus property. Motion was seconded by Mayor Hark.

Motion carried.

**RESOLUTION NO. 1398-07**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE  
ENGINEERING DESIGN SERVICE AGREEMENTS BETWEEN  
THE CITY OF HANNIBAL AND GREAT RIVER  
ENGINEERING, INC FOR THE GRAND AVENUE  
STORMWATER AND STREET IMPROVEMENT PROJECT IN  
THE AMOUNTS OF \$435 AND \$20,028.10**

Motion was made by Council Member Hatton to have the City Clerk read Resolution No. 1398-07 and call the roll for adoption. Motion was seconded by Mayor Hark.

Motion carried.

**Roll Call**

**Yes:** Mayor Pro Tem Dexheimer, Council Members Hatton, Knickerbocker, Janes, and Mayor Hark – 5

**No:** -0-

**Absent:** Council Members Hull and Wilson - 2

Mayor Hark declared Resolution No. 1398-07 duly approved and adopted on this date.

**BILL NO. 07-024**

**AN ORDINANCE REZONING 1.84 ACRES OF PROPERTY, MORE OR LESS, LOCATED AT 3700 PALMYRA ROAD IN MARION COUNTY, MISSOURI FROM E-COMMERCIAL TO B-MULTI FAMILY AND AMENDING THE CITY'S ZONING MAP ACCORDINGLY**

**FIRST READING**

A motion was made by Council Member Janes to have the City Clerk give Bill No. 07-024 a first reading. Motion was seconded by Council Member Hatton.

Motion carried.

**BILL NO. 07-025**

**AN ORDINANCE APPROVING AND ACCEPTING THE PLAT OF NELSON'S ADDITION – PLAT 1 SUBDIVISION, SUBDIVISION LYING IN THE NORTH HALF OF SECTION 23, TOWNSHIP 57 NORTH, RANGE 5 WEST OF THE FIFTH PRINCIPAL, MERIDIAN, IN 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. 07-025 a first reading. Motion was seconded by Council Member Hatton.

Motion carried.

**BILL NO. 07-022**

**AN ORDINANCE APPROVING ANNEXATION OF A TRACT OF GROUND LYING IN THE SOUTHEAST ONE-FOURTH (SE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION TWENTY-FIVE (25), TOWNSHIP FIFTY-SEVEN (57), RANGE FIVE (5) WEST, INTO THE CITY OF HANNIBAL, MARION COUNTY, MISSOURI**

**SECOND AND FINAL READING**

Motion was made by Council Member Knickerbocker to have the Clerk give Bill No. 07-022 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Janes.

Motion carried

**Roll Call**

**Yes:** Mayor Pro Tem Dexheimer, Council Members Hatton, Knickerbocker, Janes, and Mayor Hark – 5

**No:** -0-

**Absent:** Council Members Hull and Wilson - 2

Mayor Hark declared Bill No. 07-022 duly approved and adopted on this date.

**BILL NO. 07-023**

**AN ORDINANCE APPROVING ANNEXATION OF A TRACT OF GROUND LYING IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 57 NORTH, RANGE 5 WEST, INTO THE CITY OF HANNIBAL, MARION COUNTY, MISSOURI**

**SECOND AND FINAL READING**

Motion was made by Council Member Janes to have the Clerk give Bill No. 07-023 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Knickerbocker.

Motion carried

**Roll Call**

**Yes:** Mayor Pro Tem Dexheimer, Council Members Hatton, Knickerbocker, Janes, and Mayor Hark – 5

**No:** -0-

**Absent:** Council Members Hull and Wilson - 2

Mayor Hark declared Bill No. 07-023 duly approved and adopted on this date.

## **ADJOURNMENT**

Motion was made by Mayor Pro Tem Dexheimer to adjourn. Motion was seconded by Council Member Hatton.

Motion carried.