

# OFFICIAL COUNCIL PROCEEDINGS

August 19, 2008  
7:00 p.m.

## ROLL CALL

**Present:** Mayor Hark, Council Members Behymer, Lyng, Knickerbocker, Janes and Wilson - 6

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

## 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

Council Member Knickerbocker led the Pledge of Allegiance to the Flag. Motion was made by Council Member Behymer to excuse Mayor Pro Tem Dexheimer from the proceeding. Motion was seconded by Council Member Knickerbocker.

Motion carried.

## APPROVAL OF MINUTES Regular Council Meeting – August 5, 2008

Motion was made by Council Member Wilson to approve the Council minutes of the Regular Council Meeting held on August 5, 2008. Motion was seconded by Council Member Behymer.

Motion carried.

## APPROVAL OF PAYROLL AND CLAIMS First Half –August, 2008

Motion was made by Council Member Wilson to approve the payroll and claims for the first half of August, 2008. Motion was seconded by Council Member Behymer.

Motion carried.

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

City Manager Jeff LaGarce reminded Council of a candidate presented at the last regular Council meeting for the Board of Public Works. This was:

**HANNIBAL BOARD OF PUBLIC WORKS**

- Bob Heiser – Re-appointment for a term to expire July, 20129

He asked Council for their approval of this nomination. Motion was made by Council Member Wilson to approve the nomination of Bob Heiser for a reappointment to the Board of Public Works. Motion was seconded by Mayor Hark.

Motion carried

**Re: Recommendation of Appointments**

City Manager Jeff LaGarce made the following recommendations:

**HANNIBAL TREE BOARD**

- Harold Volkmer – Re-appointment for a term to expire September, 2011
- Heidi Meyers – Re-appointment for a term to expire September, 2011

**HANNIBAL CONVENTION & VISITORS BUREAU**

- Steve Ayers – Re-appointment for a term to expire September, 2013

**HANNIBAL AIRPORT COMMISSION**

- John Ortwerth – Re-appointment for a term to expire September, 2011
- John Grossmeier – Re-appointment for a term to expire September, 2011

**HANNIBAL LIBRARY BOARD**

- Gordon Ipson – Appointment for a term to expire June, 2010

These nominations will be considered for approval at the next Council meeting, to be held on September 2, 2008.

**Re: Request, Set Public Hearing - #1-5 Lady Sioux Court Annexation**  
*(September 2, 2008 – 6:45 p.m.)*

City Manager LaGarce requested Council's approval to set a public hearing on September 2, 2008 at 6:45 p.m. The purpose for this public meeting is to discuss the petition for annexation of #1-5 Lady Sioux Court that was received from Mike Miles, the owner of the property. LaGarce added that the Planning and Zoning Commission was scheduled for August 21, 2008

at 4:00 p.m. Motion was made by Council Member Wilson to approve LaGarce's request. Motion was seconded by Council Member Knickerbocker.

Motion carried.

**Re: Request, Set Public Hearing – 2008 Tax Rate**  
*(September 16, 2008 – 6:45 p.m.)*

City Manager LaGarce addressed Council with a request to hold a public hearing in order to set the 2008 tax rate on September 16, 2008 at 6:45 p.m. LaGarce stated that, in the past, public hearings have been set after the calculations from the MoDOR have been received, leaving little time to complete the process adopting tax levies. It is the City Manager's hope that setting an earlier public hearing will alleviate some of the time constraints. Should calculations not be received in time for the public hearing, LaGarce explained that the hearing could be continued to a date certain without need to republish. Motion was made by Council Member Behymer to approve the City Manager's request. Motion was seconded by Council Member Knickerbocker.

Motion carried.

**Re: Approval, Airport Line-Item Change in Funding Priority**

City Manager LaGarce explained that the Fiscal Year 2009 budget contained an appropriation of \$40,000 to repair a hanger roof at the airport. After examination, it was determined that the roof was in better condition than expected. LaGarce continued that, after FBO/Airport Manager Mike Baron was in place, a request was made to install new, wider doors on the aircraft hanger, using the \$40,000 and deferring the roof repair until next year. The reason for this request was because the existing doors are narrow, allowing only small aircraft to be housed indoors. Since July 1, airport personnel have had to refuse three large aircraft indoor housing accommodations and with the availability of Jet A fuel at the airport, the probability of more frequent occurrences of this problem increase. The issue was recently brought before the Airport Advisory Board, who unanimously recommended changing the funding priority from roof to doors. Since there are two hanger doors at the airport and installation of a single hanger door would cost \$25,000, it may not be possible to install both doors; however, one door would better enable large aircraft at this time. Motion was made by Council Member Janes to approve City Manager LaGarce's request to change the funding priority in the airport line item. Motion was seconded by Council Member Knickerbocker.

Motion carried.

**Re: Confirmation of Appointment – Finance Director, Doug Warren**

LaGarce requested Council approval to appoint Mr. Douglas A Warren as the City's new Director of Finance. He explained the recruitment and selection process that had been recently completed and reminded Council that, per City Charter, this position is appointed by the City Manager, with confirmation by the Mayor and Council. He continued by briefly listing Mr. Warren's prior accomplishments and qualifications, adding that he had been selected from a very talented pool of applicants. Motion was made by Mayor Hark to approve Mr. LaGarce's request. Motion was seconded by Council Member Behymer.

Motion carried.

**ANGELICA N. ZERBONIA – CITY CLERK**

**Re: Bid Award Approval, ARP & HPD Multifunctional Copiers – RTD Office Products**

City Clerk Angelica Zerbonia requested approval to award the bids for two multifunctional copiers to RTD Office Products, one for ARP Department, and one for the Police Department. Angelica explained that bids were recently let and received for these pieces of office equipment, with RTD Office Products being the low bidder for the black and white unit to be purchased Police Department. She added that staff recommendation was for approval of the second lowest bid from RTD for the color copier to be purchased by her department, since the cost difference between the apparent low bidder, Digital Copy Systems and RTD is \$160 and this difference would be offset by a more desirable maintenance agreement, lower cost per copies and much longer drum life of the equipment offered by RTD. Motion was made by Council Member Wilson to approve Zerbonia's request. Motion was seconded by Council Member Knickerbocker.

Motion carried.

**Re: Reaffirming Conflict of Interest Procedures**

*(Bill No. 08-042, to follow)*

Zerbonia's next order of business concerned Bill No. 08-042, reaffirming the conflict of interest procedures. According to RSMo 105.483 and 105.485.4, this must be done biennially in order to comply with statutory requirements. The Bill will affirm the City's procedure to disclose potential conflicts of interest and substantial interests for certain municipal officials and employees. The Clerk explained that, if approved later during the meeting, this bill would ratify and reaffirm the City's intent to adhere to the policy, as adopted by the City Council on August 20, 1991 in Ordinance No. 4305. She added that the Missouri Ethics Commission requires completion of this process, no later than September 15, 2008.

**PHYLLIS NELSON – CITY COLLECTOR**

**Re: Approval, Fund Transfers – Motor Fuel, Workman's Comp and Airport**

City Collector and Interim Director of Finance Phyllis Nelson presented the next order of business, which was Council approval to transfer funds from Motor Fuel, Workman's Comp and Airport into the General Fund, since FY 2008-09 Budget has absorbed these funds. With the approval of Council, the funds, as well as the accrued interest, would be moved in order to offset the expenses. Nelson stated that this is merely a housekeeping measure. Nelson noted that Police Chief Davis had requested the transfer of Police Grants into the General Fund, as well, since Police Grants is an unused, obsolete account. Motion was made by Council Member Wilson to approve Nelson's request. Motion was seconded by Council Member Janes.

Motion carried.

**CHRIS ATKINSON – DIRECTOR, PARKS & RECREATION**

**Re: Central Park Restroom Facilities – Engineering Services Agreement**

**Klingner & Associates, P.C.**

*(Resolution No. 1482-08, to follow)*

Chris Atkinson, Director of Parks and Recreation presented the next order of business, Resolution No. 1482-08, regarding an agreement with Klingner & Associates for design of the Central Park restroom facilities. Atkinson reminded Council of an agreement, signed by the Mayor in December of 2007 at their direction for preliminary conceptual plans and probable construction costs for three possible restroom options. Since that time, the Department and the Parks Board have reviewed these options. These options included:

1. Restoration of existing restroom – Approximate Cost of \$130,000
2. Two newly constructed facilities on 4<sup>th</sup> Street side of Park – Approximate cost of \$76,000
3. Combined newly constructed facility on 5<sup>th</sup> Street side of Park – Approximate cost of \$105,000

Staff, in agreement with the Park Board, has chosen Option No. 2 as the most desirable option. This would be the construction of two, stand-alone, single-user facilities on the east side of Central Park, along the 4<sup>th</sup> Street side. It was determined that this would be the most cost effective, since the site is close to the existing underground utilities.

Atkinson stated that the estimated cost is \$76,000 and the FY 2008-09 budget has \$75,000 included for this purpose. He added that the \$76,000 estimate was for bidding out all of the related work; however, it is his hope that much of the work can be completed by the Department reducing the final costs of the entire project. This project would be approved with the approval of the Resolution, to follow.

**DON WILLIS – BPW GENERAL MANAGER**

**Re: Water Treatment Plant Disinfection System Upgrade – Agreement Approval  
Huey Construction Company  
(Resolution No. 1484-08, to follow)**

The first order of business that BPW General Manager Don Willis presented was a request for approval of Resolution No. 1484-08, regarding an agreement with Huey Construction Company to upgrade the disinfection system at the water treatment plant. The contract amount to perform these services, in order to eliminate the use of gaseous chlorine, is \$750,235. The new system to be installed, according to Willis will use heavy-duty bleach, a safer alternative, as recommended by the EPA. Request for approval of this Resolution will follow, later during the meeting.

**Re: 161 kV Transmission Line and 34.5 kV Conductors – Standard Form of Agreement  
L.E. Myers, Co.  
(Resolution No. 1485-08, to follow)**

Willis also asked Council approval of Resolution No. 1485-08 to follow. The approval of this Resolution would also approve an agreement with L.E. Myers Co. for construction of a 161 kV transmission line from the new Ameren Substation to the City's new West Industrial Park Substation and installation of conductors on 5.5 miles of existing 34.5 kV transmission line. Total contract amount of this project, if approved later during the meeting will be \$1,283,589, which was less than the budgeted amount, according to Willis.

**Re: Voluntary Annexation and Provision of Municipal Utilities - Articles of Agreement  
William and Kimberly Shinn  
(Resolution No. 1486-08, to follow)**

The final item, presented by BPW General Manager was Resolution No. 1486-08. If approved, this Resolution would also approve the articles of agreement for a voluntary annexation and provision of municipal utilities with William and Kimberly Shinn. The Shinn's plan to build a home on Meyer Trail and this agreement addresses the municipal code provisions that allow a residential customer outside the Hannibal City Limits to connect to the municipal sewer system. Willis continued that since the building lot is adjacent to the sanitary sewer main serving Ideal Village Subdivision, part of the municipal sewer system, they may be connected to it, provided the agreement be signed that will obligate them to pursue voluntary annexation when it becomes possible. The Resolution will be presented for approval later, during the meeting.

**TIM CARTER – FIRE CHIEF**  
**Re: Declaration of Official Intent to Reimburse – Lease/Purchase Agreement**  
**Capital Improvement Projects**  
*(Resolution No. 1483-08, to follow)*

Fire Chief Tim Carter presented the last order of business, Resolution No. 1483-08, regarding a declaration of official intent to reimburse. Carter continued that the Fire Board and members of the Department have devised a capital improvement plan which includes renovations of Station One and Three, the purchase of a new pumper engine, paying of the existing ladder truck and the possibility of receiving a donated building from KHQA TV.

The costs for renovation of the Fire Stations are estimated at \$486,000. This includes new roofs, updating the electrical and heating systems, concrete, brick work and new ramps. Costs associated with the donated building would total approximately \$75,000, which includes remodeling and a new roof, according to the Chief

He explained that this Resolution, if approved, would allow the Fire Department to begin these projects; obtaining reimbursement from the lease/purchase agreement that will be secured in January, 2009. He added that all projects mentioned will be subject to bid approval and award; however, in order to reimburse the Department's budget, this Resolution must be in place.

**RESOLUTION NO. 1482-08**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN  
ENGINEERING SERVICES AGREEMENT WITH KLINGNER & ASSOCIATES,  
P.C. FOR CONSTRUCTION PLAN AND DESIGN SERVICES OF CENTRAL PARK  
RESTROOM FACILITIES IN THE AMOUNT OF \$4,200**

Motion was made by Council Member Wilson to have the City Clerk read Resolution No.1482-08 and call the roll for adoption. Motion was seconded by Council Member Behymer.

Motion carried.

**Roll Call**

**Yes:** Mayor Hark, Council Members Behymer, Lyng, Knickerbocker, Janes and Wilson – 6

**No:** -0-

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

Mayor Hark declared Resolution No. 1482-08 duly approved and adopted on this date.

### **RESOLUTION NO. 1483-08**

#### **A RESOLUTION DECLARING THE OFFICIAL INTENT OF THE CITY OF HANNIBAL, FIRE DEPARTMENT TO REIMBURSE CERTAIN CAPITAL EXPENDITURES FROM PROCEEDS OF LEASE-PURCHASE AGREEMENT**

Motion was made by Council Member Knickerbocker to have the City Clerk read Resolution No.1483-08 and call the roll for adoption. Motion was seconded by Council Member Janes.

Motion carried.

#### **Roll Call**

**Yes:** Mayor Hark, Council Members Behymer, Lyng, Knickerbocker, Janes and Wilson – 6

**No:** -0-

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

Mayor Hark declared Resolution No. 1483-08 duly approved and adopted on this date.

### **RESOLUTION NO. 1484-08**

#### **A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT, ON BEHALF OF THE HANNIBAL BOARD OF PUBLIC WORKS, WITH HUEY CONSTRUCTION COMPANY IN THE AMOUNT OF \$750,235 FOR THE PURPOSE OF UPGRADING THE WATER TREATMENT PLANT DISINFECTION SYSTEM**

Motion was made by Council Member Behymer to have the City Clerk read Resolution No.1484-08 and call the roll for adoption. Motion was seconded by Mayor Hark.

Motion carried.

#### **Roll Call**

**Yes:** Mayor Hark, Council Members Behymer, Lyng, Knickerbocker, Janes and Wilson – 6

**No:** -0-

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

Mayor Hark declared Resolution No. 1484-08 duly approved and adopted on this date.

**RESOLUTION NO. 1485-08**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A STANDARD FORM OF AGREEMENT, ON BEHALF OF THE CITY OF HANNIBAL, BOARD OF PUBLIC WORKS, WITH L.E. MYERS CO. IN THE AMOUNT OF \$1,283,589 FOR THE PURPOSE OF CONSTRUCTING A 161 kV TRANSMISSION LINE AND INSTALLATION OF 34.5 kV CONDUCTORS**

Motion was made by Council Member Knickerbocker to have the City Clerk read Resolution No.1485-08 and call the roll for adoption. Motion was seconded by Mayor Hark.

Motion carried.

**Roll Call**

**Yes:** Mayor Hark, Council Members Behymer, Lyng, Knickerbocker, Janes and Wilson – 6

**No:** -0-

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

Mayor Hark declared Resolution No. 1485-08 duly approved and adopted on this date.

**RESOLUTION NO. 1486-08**

**A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI APPROVING THE ARTICLES OF AGREEMENT FOR VOLUNTARY ANNEXATION AND PROVISION OF MUNICIPAL UTILITIES BETWEEN THE BOARD OF PUBLIC WORKS AND WILLIAM AND KIMBERLY SHINN**

Motion was made by Council Member Behymer to have the City Clerk read Resolution No.1486-08 and call the roll for adoption. Motion was seconded by Council Member Knickerbocker.

Motion carried.

**Roll Call**

**Yes:** Mayor Hark, Council Members Behymer, Lyng, Knickerbocker, Janes and Wilson – 6

**No:** -0-

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

Mayor Hark declared Resolution No. 1486-08 duly approved and adopted on this date

**BILL NO. 08-042**

**AN ORDINANCE RATIFYING AND REAFFIRMING CITY OF HANNIBAL, ORDINANCE NUMBER 3760; ESTABLISHING THE PROCEDURE TO DISCLOSE**

**POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTERESTS FOR  
CERTAIN MUNICIPAL OFFICIALS AND EMPLOYEES AS REQUIRED,  
BIENNIALY, BY MISSOURI STATE STATUTES  
105.483 & 105.485.4**

**FIRST READING**

Motion was made by Council Member Behymer to give Bill No. 08-042 a first reading.  
Motion was seconded by Council Member Janes.

Motion carried.

**ADJOURNMENT**

Motion was made by Council Member Knickerbocker to adjourn. Motion was seconded by  
Council Member Behymer.

Motion carried.