

OFFICIAL COUNCIL MINUTES

**February 19, 2008
7:00 p.m.**

ROLL CALL

Present: Council Member Janes, Mayor Hark, Council Members Hatton, Hull and Knickerbocker – 5

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

CALL TO ORDER

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

INNOVATION

At this time, Council Member Janes gave the invocation.

PLEDGE OF ALLEGIANCE

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

Motion carried.

APPROVAL OF MINUTES Regular Council Meeting – February 5, 2008

Motion was made by Council Member Hull to approve the Council minutes of the regular Council Meeting held on February 5, 2008. Motion was seconded by Council Member Knickerbocker.

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS First Half – February, 2008

Motion was made by Council Member Hatton to approve the payroll and claims for the first half of February, 2008. Motion was seconded by Council Member Hull.

Motion carried.

JENNIFER FOSTER – HANNIBAL JAYCEES
Re: 53rd Annual National Tom Sawyer Days

Mayor Hark recognized Jennifer Foster who introduced Rhonda Stevenson, her co-chairman for the 53rd Annual National Tom Sawyer Days. Ms. Foster and Ms. Stevenson, on behalf of the Hannibal Jaycees, were seeking Council Council's permission to hold the festival and to use various City properties for the event to be tentatively held, beginning July 2, 2008 and continuing through July 5, 2008. Locations requested were:

- Nipper Park – to house Tanyard Gardens, vendors and events
- Kiwanis Park – excess Kiddieland Carnival attractions
- North Parking Lot – house the bulk of Kiddieland Carnival (Requested curbs be removed during use. . .Set up July 1, 2008)
- Block off Broadway between railroad tracks for events (Fence Painting and Tricycle Races) requiring same traffic control as 2007.
- Overflow Lot – vendors' and Jaycees' excess storage, dumpsters, etc.

A request for a parade permit will be forthcoming, according to Foster. With approval, the parade will occur on July 4, 2008 starting at the top of Broadway, continuing on Broadway to Main Street, turning left at Main and continuing to the Tom & Huck Statue, where it will end. Foster asked Council approval to sell liquor at Tanyard Gardens in Nipper Park and also that the Carnival license fees be waived again this year. Council Member Knickerbocker made a motion to approve the requests as presented by Foster and Stevenson. Motion was seconded by Council Member Hull.

Roll Call

Yes: Mayor Hark, Council Members Hatton, Hull and Knickerbocker – 4

No: Council Member Janes - 1

Absent: Council Member Wilson and Mayor Pro Tem Dexheimer – 2

JIM KAATZ – KAATZ & ASSOCIATED, LLC
Re: City of Hannibal Pay Classification and Compensation Study
(Approval of Comparable Cities)

Mr. Jim Kaatz introduced himself at this time and explained that his company had been contracted to work on the City's compensation plan. He presented a handout of comparable cities for this study, requesting permission to proceed with a salary survey of these cities in order to see how they compare with Hannibal. Some criteria used when selecting comparable cities, according to Kaatz, were population, number of employees, size of their budget, general location, services provided and whether or not they are located in Hannibal's labor market. Motion was made by Council Member Hull to accept the comparable cities and proceed with the salary survey. Motion was seconded by Council Member Hatton.

Motion carried.

JEFFREY LAGARCE – CITY MANAGER

Re: Recommendation of Appointments

City Manager Jeffery LaGarce presented candidates for the Affirmative Action Committee and the Landmarks and Monuments Board for Council consideration. These were:

AFFIRMATIVE ACTION COMMITTEE

Jerry Irick – Appointment for a term to expire March, 2011

LANDMARKS & MONUMENTS BOARD

Frank Salter – Appointment for a term to expire January, 2011

LaGarce explained that these names would be brought before Council at the next regular meeting for approval.

JAMIE PAGE – CITY ENGINEER

Re: South Main Street Bridge – Construction Phase Services

(Resolution No. 1436-08, to follow)

City Engineer Jamie Page came before Council to request the approval of Resolution No. 1436-08, to follow, that would also approve the South Main Street Bridge construction phase services. Klingner & Associates, P.C. has provided the proposal for the required construction phase services for a not to exceed fee of \$8,500, according to Page. He added that the staff has reviewed and recommends the approval of the Resolution and attached proposal.

Re: City Hall Building Update

Page's second order of business concerned the City Hall building update. Recently a small section of mortar fell from the façade of the building on the 4th Street side. That entrance was closed temporarily in order to give a structural engineer the opportunity to inspect it and make sure it is structurally sound. This procedure was completed, with some minor pieces removed. Page assured Council that the area has now been deemed safe and can be again opened to the public. Repairs regarding aesthetics will not be made until the spring.

LYNDELL DAVIS – CHIEF OF POLICE

Re: Bid Award Approval, Development of Updated Departmental Policy Guide

(Resolution No. 1435-08, to follow)

Chief Lyndell Davis came before Council requesting their approval to accept a contract with Missouri Regional Policing Institute (affiliated with Missouri Western State University) and to allow the Mayor to sign a contract on the City's behalf for the required services to be provided in the development of an updated policy manual for the Police Department. Chief Davis explained that it had been about seventeen years since the present manual had been completely overhauled and he continued that legally sound operational policies are essential to law enforcement agencies. It is his goal to have an up-to-date policy manual that will ensure that the Hannibal Police Department's procedures and practices are in compliance with MIRMA guidelines, Missouri law, and accreditation standards.

Davis concluded that, if approved, the new policy manual will be the first crucial step toward becoming an accredited law enforcement agency. This project was sent out for sealed bids; with MO Regional Policing Institute being the only organization submitting a bid. Their bid for an update of the policy manual and for providing all in-service training to the Police Department personnel was \$9,750. There is adequate funding in the present 2007/08 Police Department budget to pay for this project. Acceptance of this contract will be done with the approval of the related Resolution No. 1435-08, to follow.

LINDSAY WISKIRCHEN – DIRECTOR OF FINANCE
Re: AT&T Settlement Agreement Emergency Reading
(Bill No. 08-005, to follow)

Director of Finance Lindsay Wiskirchen presented the next item on the agenda, which was a settlement between AT&T and the City of Hannibal. She stated that she was requesting Council approval for an emergency reading of the related bill later, during the meeting, because of certain time constraints. Ordinance No. 08-005, if approved, will accept the terms of this settlement; and, with this ordinance in place, the City should recoup a total of \$7,859.23 from AT&T.

Re: Annual Bid Limits Amendment
(Bill No. 08-006, to follow)

Wiskirchen's next request for Council approval was in regard to Bill No. 08-006, to follow. This bill, if approved, would amend bid limits as pursuant to Section 9.13 of the Charter of the City of Hannibal. Section 9.13 states that the Council shall amend the bid limits annually. She added that, because of inflation rates from the past year, she was recommending an increase of the current bid limits by 5.04%. Wiskirchen concluded by stating that this is a direct result from the national inflation rate according to the CPI. If Bill No. 08-006 is approved, bid limits will increase as follows:

1. Subsection (a) 1: Personal Property
 - a. Will increase the bid limit from \$3,780 to \$3,971
2. Subsection (b) 2: Repairs on Light Equipment & Buildings
 - a. Will increase the bid limit from \$10,215 to \$10,730
3. Subsection (c) 3: Repairs on Heavy Equipment & Construction
 - a. Will increase the bid limit from \$22,475 to \$23,608
4. Subsection (d) 4: Service Contracts
 - a. Will increase the bid limit from \$4,600 to \$4,832

Re: Request Public Hearing – Decrease Board of Public Works Transfer Fee
(March 4, 2008. 6:45 p.m.)

Lindsay Wiskirchen, the Finance Director's final item on the agenda was a request for a public hearing on March 4, 2008 at 6:45 p.m. The purpose of this public hearing, according to Wiskirchen, is to discuss a decrease in the Board's transfer fee because of the increase in the electric rates. Currently the rate is at 5.5%. Motion was made by Council Member Hull to approve Wiskirchen's request. Motion was seconded by Council Member Hatton.

Motion carried.

DON WILLIS – BPW GENERAL MANAGER
Re: Clinic Road Ground Storage Tank Rehabilitation
(Resolution No 1434-08, to follow)

Don Willis, BPW General Manager was asked to come forward and present the final item on the agenda, which was the Clinic Road Ground Storage Tank Rehabilitation. Willis asked for approval of Resolution No. 1434-08, to follow, that would also approve a contract agreement with Ozark Applicators, LLC. for the related work in the amount of \$237,840. MECO Engineering recommended awarding the bid to this company.

RESOLUTION NO. 1434-08

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT AGREEMENT BETWEEN THE CITY OF HANNIBAL, BOARD OF PUBLIC WORKS AND OZARK APPLICATIONS, LLC FOR THE CLINIC ROAD GROUND STORAGE TANK REHABILITATION AND EXTERIOR COATING PROJECT IN THE AMOUNT OF \$237,840

Motion was made by Council Member Janes to have the City Clerk read Resolution No. 1434-08 and call the roll for adoption. Motion was seconded by Council Member Knickerbocker.

Motion carried.

Roll Call

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

No: -0-

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

Mayor Hark declared Resolution No. 1434-08 duly approved and adopted on this date.

RESOLUTION NO. 1435-08

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CONTRACT OF BEHALF OF THE CITY OF HANNIBAL, POLICE DEPARTMENT, WITH MO REGIONAL COMMUNITY POLICING INSTITUTE TO PROVIDE SERVICES REQUIRED TO DEVELOP AN UPDATED MANUAL FOR THE HANNIBAL POLICE DEPARTMENT IN THE AMOUNT OF \$9,750

Motion was made by Council Member Hatton to have the City Clerk read Resolution No. 1435-08 and call the roll for adoption. Motion was seconded by Council Member Hull.

Motion carried.

Roll Call

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

No: -0-

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

Mayor Hark declared Resolution No. 1435-08 duly approved and adopted on this date.

RESOLUTION NO. 1436-08

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A
CONTRACT BETWEEN THE CITY OF HANNIBAL AND
KLINGNER & ASSOCIATES FOR CONSTRUCTION PHASE
SERVICES OF THE SOUTH MAIN STREET BRIDGE IN THE
AMOUNT OF \$8,500**

Motion was made by Council Member Janes to have the City Clerk read Resolution No. 1436-08 and call the roll for adoption. Motion was seconded by Council Member Knickerbocker.

Motion carried.

Roll Call

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

No: -0-

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

Mayor Hark declared Resolution No. 1436-08 duly approved and adopted on this date.

BILL NO. 08-005

**AN ORDINANCE BINDING THE CITY OF HANNIBAL TO
ACCEPT AND BE BOUND BY THE TERMS OF A CERTAIN**

**SETTLEMENT AGREEMENT ENTERED INTO BETWEEN THE
CITY OF UNIVERSITY, MISSOURI, etal vs. A T & T MOBILITY**

EMERGENCY READING

Motion was made by Council Member Hull to give Bill No. 08-005 an emergency reading and call the roll for adoption. Motion was seconded by Council Member Knickerbocker.

Motion carried

Roll Call

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

No: -0-

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

Mayor Hark declared Bill No. 08-005 duly approved and adopted on this date.

BILL NO. 08-006

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

FIRST READING

Motion was made by Council Member Janes to give Bill No. 08-006 a first reading. Motion was seconded by Council Member Knickerbocker.

Motion carried.

BILL NO. 08-002

**AN ORDINANCE BINDING THE CITY OF HANNIBAL TO
ACCEPT AND BE BOUND BY THE TERMS OF A CERTAIN
AGREEMENT ENTERED INTO BETWEEN THE CITY OF
UNIVERSITY, MISSOURI, etal vs. SPRINT SPECTRUM, NEXTEL
WEST CORP. SPRINTCOM, INC, WIRELESSCO, LP, NEXTEL
COMMUNICATIONS**

SECOND AND FINAL READING

Motion was made by Council Member Hatton to give Bill No. 08-002 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Hull.

Motion carried

Roll Call

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

No: -0-

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

Mayor Hark declared Bill No. 08-002 duly approved and adopted on this date.

BILL NO. 08-003

AN ORDINANCE REZONING A 37' X 142' LOT PROPERTY, MORE OR LESS, LOCATED AT 310 SOUTH 5TH STREET IN MARION COUNTY, MISSOURI FROM F-INDUSTRIAL ZONING DISTRICT TO A-ONE AND TWO FAMILY ZONING DISTRICT AND AMENDING THE CITY'S ZONING MAP ACCORDINGLY

SECOND AND FINAL READING

Motion was made by Council Member Janes to give Bill No. 08-003 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Hull.

Motion carried

Roll Call

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

No: -0-

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

Mayor Hark declared Bill No. 08-003 duly approved and adopted on this date.

BILL NO 08-004

AN ORDINANCE AUTHORIZING THE ISSUANCE OF TAXABLE INDUSTRIAL REVENUE BONDS (GENERAL MILLS CEREALS PROPERTIES, LLC PROJECT) SERIES 2008, IN AN AMOUNT NOT TO EXCEED \$50,000,000

SECOND AND FINAL READING

Motion was made by Council Member Hull to give Bill No. 08-004 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Hatton.

Motion carried

Roll Call

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

No: -0-

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

Mayor Hark declared Bill No. 08-004 duly approved and adopted on this date.

ADJOURNMENT

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

Motion carried.