

NOTICE OF PUBLIC MEETING COUNCIL AGENDA

**July 15, 2008
7:00 p.m.**

ROLL CALL

Present: Council Members Knickerbocker, Janes, Wilson, Mayor Hark,
Mayor Pro Tem Dexheimer, Council Members Behymer and
Lyng – 7

Absent: -0-

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 Behymer led the Pledge of Allegiance to the Flag.

APPROVAL OF MINUTES

Closed Session – May 6, 2008

Regular Council Meeting – July 1, 2008

Motion was made by Council Member Janes to approve the Council minutes of the Closed Session that was held on May 6, 2008 and the regular Council Meeting held on July 1, 2008. Motion was seconded by Mayor Hark.

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS

First Half – July, 2008

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

Motion carried.

JOHN HARK – Y MEN’S CLUB
Re: Request, Street Closure & Sale of Alcohol – Volley Ball Tournament
****Rescheduled Event****
(July 26, 2008, 10:00 am - 12:00 am)

John Hark, representing the Y’Mens Club, explained that, because of recent flooding, the Annual Mud Volleyball Tournament had been cancelled during the National Tom Sawyer Days celebration. This was due, in part, because of the event’s proximity to the levee. Hark came before Council in order to seek Council approval to hold this event on August 1 – 3, 2008. Specifically, his request encompassed the use of the Y’Mens Pavilion, blocking of the alleyway and for the sale of alcohol during the event. Motion was made by Council Member Wilson to approve Mr. Hark’s request. Motion was seconded by Council Member Knickerbocker.

Roll Call

Yes: Council Members Knickerbocker, Wilson, Mayor Hark, Mayor Pro Tem Dexheimer, Council Members Behymer and Lyng – 6

No: Council Member Janes – 1

Motion carried.

WESLEY KNAPP – HISTORIC HANNIBAL MARKETING COUNCIL
Re: Request, Street Closure - Halloween Arts Festival
(October 31, 2008, 5:00 pm – 1:00 am)

Mr. Wesley Knapp or the Historic Hannibal Marketing Council stated that, since he had not planned to be present at the meeting, he had asked Renee Healy, the Vice President of the organization to present their request. Ms. Healy introduced herself and asked Council’s permission, on behalf of Historic Hannibal Marketing Council, to hold an event on October 31, 2008, from 5:00 p.m. until 1:00 a.m. She also requested closure of Bird Street from 3rd Street to Main Street for the entire day so that setup could be possible for this event.

The proposed festival, if approved, would showcase multicultural celebrations for the Holiday known as ‘Halloween’. She added that local artists will display and sell their art. The event will also feature performances by local performing arts groups. The Council wishes to include food vendors. Motion was made by Mayor Pro Tem Dexheimer to approve this request. Motion was seconded by Council Member Behymer.

Motion carried.

ROY HARK – MAYOR
Re: Special Call Council Meeting
(July 22, 2008 – 6:00 pm)

Mayor Hark informed Council, at this time, that they would be receiving a notice for a Special Call Council Meeting. This would be for a meeting to be held on July 22, 2008 at 6:00 p.m. in

order to give a second reading to the bond ordinance (It is noted that the time of the meeting was subsequently changed to 7:00 p.m., to allow one week between readings as required by City Charter).

Mayor Hark stated that the bonds would be closing on July 31, 2008 and since the next regular Council Meeting was not scheduled until August 5, 2008, this Special Call Meeting was necessary.

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 Airport Advisory Board. This was:

- **AIRPORT ADVISORY BOARD**
John McCoy – Appointment for a term to expire September, 2009

He asked Council for their approval of this nomination. Motion was made by Mayor Pro Tem Dexheimer to approve the nomination of John McCoy for a reappointment to the Airport Advisory Board. Motion was seconded by Council Member Janes.

Motion carried.

Re: Recommendation to Reject, Stardust Drive Reconstruction Bids

LaGarce's second order of business on the agenda was related to reconstruction bids for Stardust Drive. Bids were opened on July 9, 2008, with only two bidders, Bleigh Construction with an amount of \$744,515 and Bross Construction with an amount of \$798,039. LaGarce made recommendation to reject the bids since, both were unfavorable. LaGarce explained that the engineer's estimate was approximately \$544,000 and the budgeted amount was \$629,000. He added that the engineers have recommended a concrete alternate, since this currently is an asphalt street and petroleum products are now very volatile.

Concrete can be built in cooler weather, instead of peak construction periods which will allow more companies an opportunity to bid the project. For that reason, LaGarce suggested bidding the project in December, open bids in January, award the contract in February and break ground in March.

LaGarce said he is aware that this is an important street that needs repaired; however, he does not want to needlessly spend an additional \$200,000 to \$250,000. In the meantime, temporary repairs will be made to Stardust Drive. Motion was made by Council Member Wilson to approve LaGarce's request. Motion was seconded by Council Member Knickerbocker.

Motion carried.

Re: Bond Issuance
(Bill No. 08-040, to follow)

The final item that LaGarce presented was the 'Bond Sale Bill', which was the bill authorizing the Municipal Assistance Corporation to issue \$4,650,000 in bonds for upcoming street projects, a new public works facility, Clemens Field relighting project and Clemens Field

paving project. He stated that related Bill No. 08-040 was to be given a first reading later in the meeting with Council approval.

LaGarce reminded Council that Mayor Hark had stated earlier, a second and final reading would be made during the Special Call Council Meeting to be held on July 22, 2008.

CHUCK ANDERSON - CITY ENGINEER ASSISTANT

Re: Main Street Bridge Pavement Approach

Contract Approval – George Lee Construction

(Resolution No. 1472-08, to follow)

City Engineer Assistant Chuck Anderson presented the next item on the agenda, Resolution No. 1472-08, regarding a contract approval with George Lee Construction for the Main Street Bridge pavement approach. Anderson stated that bids were opened on June 26, 2008 for this third of four components in the Main Street Bridge Project. Two bids were received, Chester Bross Construction with a bid amount of \$196,621 and George Lee Construction with an amount of \$183,603. Since George Lee Construction was the lowest bidder for the project, it was Anderson's recommendation to award the bid to this company. This would be done as well as approving the contract, with the approval of Resolution No. 1472-08, to follow.

Council Member Wilson asked Anderson to provide the engineer's estimate for this project before approval of the Resolution.

Re: Airport Watermain

Contract Approval – C&S Construction

(Resolution No. 1474-08, to follow)

Anderson's second and final item on the agenda was the contract approval with C&S Construction in the amount of \$154,172, for the airport water main project. Anderson explained this project is 95% grant funded and there is a September deadline for expending these funds. He stated that MoDOT approval was still pending; however, he added this should be received soon. Because of the time constraints, Anderson requested Council approval of Resolution No. 1474-08, to follow, contingent upon final MoDOT approval, so the project can proceed without delay.

City Manager Jeff LaGarce reminded Council that the bid for this project had been previously approved; this is only an approval of the contract.

CHRIS ATKINSON – DIRECTOR, PARKS & RECREATION

Re: Property Purchase – 905 Wabash

Contract Approval – Ronald Lehenbauer

(Resolution No. 1473-08, to follow)

Parks and Recreation Director Chris Atkinson presented the next agenda item, which was a contract approval with Ronald Lehenbauer for the purchase of property known as 905 Wabash; this property is located at the southern end of Riverview Park. Atkinson added that, over the last decade the City has made an effort to purchase several properties located in this area. With the purchase of this area, only three properties will remain for the City to purchase.

With Council approval of this purchase, the house could be demolished and the property could be annexed into Riverview Park, which would alleviate some Board of Public Works and Parks Department issues with this property. Atkinson concluded by requesting that Council approve Resolution No. 1473-08, to follow, that would approve the purchase for an agreed cost of \$15,000, plus closing costs of \$206.50.

BEAU HICKS – EXECUTIVE DIRECTOR, HCVB
Re: 2009 Visitors Guide & Group Tour Planner
Bid Award Approval – C.L. Downey

The Executive Director of Tourism, Beau Hicks, presented the final item on the agenda, which was a request for a bid award approval to C.L. Downey for layout and printing of the 2009 Visitors Guide and Group Tour Planner. Hicks added that bids were opened on June 17, 2008 for this project with C.L Downey being the only company to bid. He noted that C.L Downey has been awarded the contract for the last three years, adding that, Downey had only missed being awarded the project for two years during the past 18 years.

Hicks stated that, at \$45,000, their bid was \$1,000 less than last year's bid and \$3,000 under the budgeted amount. This amount is for 325,000 visitor guides, 1,000 group tour guides and unlimited electronic use of the guides. Motion was made by Council Member Wilson to approve Hicks request. Motion was seconded by Mayor Hark.

Motion carried.

Since Engineer Assistant Anderson had not returned with the requested information on the Main Street Bridge Project, Council Member Knickerbocker made a motion to move Resolution No. 1472-08 to the end of the agenda. Motion was seconded by Council Member Janes.

Motion carried.

RESOLUTION NO. 1473-08
(As amended)

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT ON
BEHALF OF THE CITY OF HANNIBAL, PARKS AND RECREATION
DEPARTMENT TO PURCHASE PROPERTY KNOWN AS 905 WABASH STREET,
IN THE AMOUNT OF \$15,000, PLUS CLOSING COSTS OF \$206.50, FOR THE
PURPOSE OF EXTENDING THE BOUNDARIES OF RIVERVIEW PARK**

Motion was made by Council Member Wilson to have the Clerk read Resolution No. 1473-08 and call the roll for adoption. Motion was seconded by Mayor Hark. Mayor Pro Tem Dexheimer requested that this Resolution be amended to include the closing costs.

Council Member Wilson amended his motion to have the Clerk read Resolution No. 1473-08, as amended, and call the roll for adoption. Council Member Behymer seconded the motion.

Motion carried.

Roll Call

Yes: Council Members Knickerbocker, Janes, Wilson, Mayor Hark, Mayor Pro Tem Dexheimer, Council Members Behymer and Lyng – 7

No: -0-

Mayor Hark declared Resolution No. 1473-08, as amended, duly approved and adopted on this date.

RESOLUTION NO. 1474-08

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF HANNIBAL AND C&S CONSTRUCTION IN THE AMOUNT OF \$154,172, SUBJECT TO MODOT APPROVAL OF THE FINAL PLAN, FOR THE CONSTRUCTION OF A NEW WATERMAIN NEEDED TO IMPROVE SERVICE AND FIRE PROTECTION AT THE AIRPORT

Motion was made by Council Member Janes to have the Clerk read Resolution No. 1474-08 and call the roll for adoption. Motion was seconded by Council Member Knickerbocker.

Motion carried.

Roll Call

Yes: Council Members Knickerbocker, Janes, Wilson, Mayor Hark, Mayor Pro Tem Dexheimer, Council Members Behymer and Lyng – 7

No: -0-

Mayor Hark declared Resolution No. 1474-08 duly approved and adopted on this date.

BILL NO. 08-040

AN ORDINANCE APPROVING THE ISSUANCE BY HANNIBAL MUNICIPAL ASSISTANCE CORPORATION OF ITS \$4,245,000 PRINCIPAL AMOUNT OF LEASEHOLD REVENUE BONDS (CITY OF HANNIBAL, MISSOURI, LESSEE) SERIES 2008-A (TAX EXEMPT) AND ITS \$420,000 PRINCIPAL AMOUNT OF LEASEHOLD REVENUE BONDS (CITY OF HANNIBAL, MISSOURI, LESSEE) SERIES 2008-B (TAXABLE); AUTHORIZING CONVEYANCE OF CERTAIN REAL PROPERTY TO HANNIBAL MUNICIPAL ASSISTANCE CORPORATION; AUTHORIZING AND APPROVING CERTAIN DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF SAID BONDS; MAKING CERTAIN FINDINGS AND DETERMINATIONS; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF SAID BONDS AND THE EXECUTION OF THE DOCUMENTS APPROVED HEREIN

FIRST READING

Motion was made by Council Member Wilson to give Bill No. 08-040 a first reading. Motion was seconded by Council Member Knickerbocker. Council Member Lyng wished to clarify that his 'no' vote has nothing to do with the ball club or street repair, but only with the revenue bonds.

Roll Call

Yes: Council Members Knickerbocker, Janes, Wilson, Mayor Hark, Mayor Pro Tem Dexheimer and Council Member Behymer - 6

No: Council Member Lyng - 1

Motion carried

BILL NO. 08-037

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE CITY OF HANNIBAL, MISSOURI; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE

SECOND AND FINAL READING

Motion was made by Council Member Janes to give Bill No. 08-037 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Knickerbocker.

Roll Call

Yes: Council Members Knickerbocker, Janes, Mayor Hark, Mayor Pro Tem Dexheimer, Council Members Behymer and Lyng – 6

No: Council Member Wilson – 1

Motion to read carried.

Roll Call

Yes: Council Members Knickerbocker, Janes, Mayor Hark, Mayor Pro Tem Dexheimer, Council Members Behymer and Lyng – 6

No: Council Member Wilson – 1

Mayor Hark declared Bill No. 08-037 duly approved and adopted on this date.

BILL NO. 08-038

AN ORDINANCE AUTHORIZING THE CITY CLERK TO AMEND THE COVENANT DESCRIPTION CONTAINED IN ORDINANCE 4468 INVOLVING LOT 47 & 48 OF EL RANCHO ESTATE, A SUBDIVISION LYING IN PART OF LOT 47 & 48 OF EL RANCHO ESTATE SUBDIVISION, IN THE CITY OF HANNIBAL, MARION COUNTY, MISSOURI

SECOND AND FINAL READING

Motion was made by Mayor Pro Tem Dexheimer to give Bill No. 08-038 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Behymer.

Motion carried

Roll Call

Yes: Council Members Knickerbocker, Janes, Wilson, Mayor Hark, Mayor Pro Tem Dexheimer and Council Members Behymer and Lyng - 7

No: -0-

Mayor Hark declared Bill No. 08-038 duly approved and adopted on this date.

BILL NO. 08-039

AN ORDINANCE APPROVING AND ACCEPTING THE PLAT OF FISHER'S SUBDIVISION - FIRST REVISION, A SUBDIVISION LYING IN THE WEST HALF OF SECTION 19, TOWNSHIP 57 NORTH, RANGE 4 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN THE CITY OF HANNIBAL, MARION COUNTY, MISSOURI

SECOND AND FINAL READING

Motion was made by Council Member Behymer to give Bill No. 08-039 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Janes.

Motion carried

Roll Call

Yes: Council Members Knickerbocker, Janes, Wilson, Mayor Hark, Mayor Pro Tem Dexheimer and Council Members Behymer and Lyng - 7

No: -0-

Mayor Hark declared Bill No. 08-039 duly approved and adopted on this date.

Engineer Assistant Anderson had now returned to the proceedings; however, he had not been able to locate engineer's estimate for the Main Street Bridge project at hand, since this estimate was received by former City Engineer Jamie Page and the Main Street Bridge file is very large. He did call Michael Pearl, who had done the estimate and he recalled that the estimate amount was approximately \$185,000.

RESOLUTION NO. 1472-08

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF HANNIBAL AND GEORGE LEE CONSTRUCTION COMPANY, INC. FOR CONSTRUCTION SERVICES OF THE MAIN STREET BRIDGE PAVEMENT APPROACH IN THE AMOUNT OF \$183,603.00

Motion was made by Council Member Janes to have the Clerk read Resolution No. 1472-08 and call the roll for adoption. Motion was seconded by Council Member Knickerbocker.

Roll Call

Yes: Council Members Knickerbocker, Janes, Mayor Hark, Mayor Pro Tem Dexheimer, Council Members Behymer and Lyng – 6

No: Council Member Wilson – 1

Motion to read carried.

Roll Call

Yes: Council Members Knickerbocker, Janes, Mayor Hark, Mayor Pro Tem Dexheimer, Council Members Behymer and Lyng – 6

Mayor Hark declared Resolution No. 1472-08, as amended, duly approved and adopted on this date.

ADJOURNMENT

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

Motion carried.