

**OFFICIAL PROCEEDINGS  
OF PUBLIC HEARING**

**June 3, 2008  
6:30 p.m.**

**CALL TO ORDER**

At the appointed time, Mayor Hark called the public hearing to order.

**JEFF LAGARCE – CITY MANAGER  
Re: Downtown Revitalization Preservation Program**

City Manager LaGarce introduced Attorney John Hark, who spoke regarding the sales tax reimbursement agreement. He noted the reason for the public hearing and explained the application process.

The City Manager added that the redevelopment plan defines the project that Hannibal Sports & Entertainment has described to the City. He concluded by saying that the related Bill No. 08-036, as amended, will be revisited later, during the regular Council Meeting for a first reading.

**PUBLIC COMMENTS**

Mayor Hark asked for public comments for or against the matter at hand, the Downtown Revitalization Preservation Program. No one asked to speak.

**ADJOURNMENT**

There being no other comments for or in opposition, Mayor Hark adjourned the public hearing.

# OFFICIAL PROCEEDINGS OF PUBLIC HEARING

**June 3, 2008  
6:45 p.m.**

## CALL TO ORDER

At the appointed time, Mayor Hark called the public hearing to order.

### **JEFF LAGARCE – CITY MANAGER**

#### **Re: City of Hannibal/Board of Public Works 2008/09 Fiscal Year Budget**

City Manager LaGarce presented the final draft of the 2008/09 fiscal year budget. He added that the budget work sessions had been held the previous week to review the various departments that are included in the budget process.

The City Manager explained the development of this draft and the difficulties that had been encountered during the process. He reported that he was happy to present a balanced budget, which included a 20% reserve. He named some of the projects that were included in this budget. These were:

- The second of three components of the DREAM Initiative (at a 20% match with the State)
- Emergency Warning Sign Upgrades
- Much Infrastructure slated for repair
- Spruce Street Stormwater Project
- Market Street Stormwater Project
- Stormwater Project on Pleasant and the end of Lindsey Road
- City-Wide Cleanup
- New Street Facility
- Infrastructure Repairs at Clemens Field
- Completion of Main Street Bridge
- Design of West Ely Road
- Stardust Drive Reconstruction
- Red Devil Road Reconstruction
- \$320,000 Fire Simulator for training at the Fire Department (Grant supplemented)
- \$100,000 Fire Station Upgrades
- Bullet Proof Vest Grant at the Police Department
- Firing Range
- HPD Parking Lot Expansion
- \$95,000 Computer System Upgrade at Police Department
- Final Water Park Payment
- \$260,000 for Park land purchase

- \$235,000 Trail Connection Project (largely grant funded)
- Installation of Huckleberry Park Tennis Court Lighting
- FBO Manager at Airport
- Roof repairs at Airport
- Construction of \$155,000 Airport Waterline Project
- Tourism had \$164,000 budgeted for TV, radio and billboard advertising

He assured Council that, in spite of the difficulties with the budget since the work sessions the previous week, nothing programmatically had been eliminated.

Council Member Behymer spoke in favor of tabling the first reading of this bill, when it was presented later in the meeting, since Council did not have a revised budget for review at this time. After receiving their copies, Council Members could then consider the changes that had been added after the budget work sessions were held.

Council Member Knickerbocker wished to move forward with the first reading of the budget bill, since time was of the essence; however, Council Member Behymer reiterated that he thought it best to table the bill until the next meeting, giving the City Manager time to distribute revised copies of the budget for Council review, prior to the first reading.

Mr. John Lyng asked to speak, interjecting that Council discussion concerning procedure would be more appropriate during the regular Council meeting, not during the public hearing because of time constraints and the possibility that citizens may not be allowed the time to speak with regard to the budget.

## **PUBLIC COMMENTS**

Mr. John Lyng introduced himself, stating that he resided at 625 Grand Avenue, made the comment that he always tried to review the budget and be present at the budget hearing to make comments on the yearly budget. He continued by saying that was his intention with this year's budget; however, he had been unable to do this because no copy of the budget draft, with revisions, was available. He explained, in great detail, the budget process as defined by the City Charter and questioned the inability of the City Manager to comply with the rules set forth. He stated that the proposed budget:

- be placed in Council's hands by City Manager thirty (30) days prior to adoption of the budget
- be placed on file with the City Clerk
- hearing to be set by City Clerk
- be approved by ordinance

## **ADJOURNMENT**

After Mr. Lyng's comments, motion was made by Council Member Behymer to recess the Public Hearing until June 17, 2008 at 6:45 p.m. Motion was seconded by Council Member Lyng.

Motion carried.

# OFFICIAL COUNCIL MINUTES

**June 3, 2008  
7:00 p.m.**

**Present:** Mayor Hark, Council Members Behymer, Lyng, Knickerbocker and Janes – 5

**Absent:** Mayor Pro Tem Dexheimer and Council Member Wilson - 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 Lyng. Motion was made by Council Member Behymer to excuse Council Member Wilson and Mayor Pro Tem Dexheimer. Motion was seconded by Council Member Janes.

Motion carried.

## APPROVAL OF MINUTES Regular Council Meeting – May 20, 2008 CWC Meeting – May 21, 2008 CWC Meeting – May 22, 2008

Motion was made by Council Member Behymer to approve the Council minutes of the regular Council Meeting held on May 20, 2008 and the CWC Meetings held on May 21 and 22, 2008. Motion was seconded by Mayor Hark.

Motion carried.

**APPROVAL OF PAYROLL AND CLAIMS**  
**Second Half – May, 2008**

Motion was made by Council Member Janes to approve the payroll and claims for the second half of May, 2008. Motion was seconded by Council Member Behymer.

Motion carried. Motion was made, at this time, to admit Mayor Pro Tem Dexheimer to the proceedings, by Council Member Behymer. Motion was seconded by Mayor Hark.

Motion carried.

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

City Manager LaGarce asked for Council approval of two appointments that were introduced at the previous Council meeting for consideration. They were:

**EMPLOYEE BENEFIT TRUST BOARD**

- John Zerbonia – Reappointment for a term to expire May, 2011
- Tim Carter – Appointment for a term to expire May, 2011

Motion was made by Council Member Janes to approve these appointments. Motion was seconded by Council Member Knickerbocker.

Motion carried.

**Re: Recommendation of Appointments**

LaGarce made the following recommendations:

**HANNIBAL LIBRARY BOARD**

- Becky Steffa – Reappointment for a term to expire June, 2011
- Marjorie Coleman – Reappointment for a term to expire June, 2011

These nominations will be considered for approval at the next Council meeting.

**Re: Request, Due To/Due From Transfers – Airport Grants**

City Manager LaGarce made a request for approval of due to/due from transfers regarding airport grants. He added that the need for these transfers is to cover monies expended during the construction of a \$155,000 waterline at the airport facility. Even though the City's match is only \$7,750, money must be spent and then be reimbursed by the State at 95%-5% ratio.

The airport fund, which has been accounted separately from the General Fund in the past, does not contain a sufficient amount of funds to cover these expenses, thus the reason for this request. LaGarce concluded by saying that, effective July 1, this will no longer pose a problem because the "Airport Fund" will become the "Airport Department" within the General Fund. Motion was made by Mayor Pro Tem Dexheimer to approve these transfers. Motion was seconded by Council Member Behymer.

Motion carried.

**Re: Fiscal Year 2008/2009 Budget Adoption**

*(Bill No. 08-032, to follow)*

City Manager LaGarce asked Council to approve tabling this item until the next Council meeting, pending distribution of an amended draft per their request. This would be done when Bill No. 08-032 was introduced later in the meeting.

**Re: Pay Classification Plan Adoption**

*(Bill No. 08-034, to follow)*

The City Manager spoke, regarding the next item on the evening's agenda, the pay classification plan adoption that would be given a first reading, with Council approval, later during the meeting.

He explained that in the prior months of January through May, a comprehensive pay classification study was conducted. The purpose of the study was to provide an updated pay classification system that is market-competitive with other cities of Hannibal's general size and scope, while assuring internal fairness amongst each position within the city workforce.

LaGarce continued by explaining the process and adding that this had now been completed. Bill No. 08-034, which would approve this pay classification plan will be introduced for a first reading, later during the meeting.

**Re: Fiscal Year 2008/2009 Officers & Employees Payroll Adoption**

*(Bill No. 08-033, to follow)*

LaGarce presented the next item on the agenda, Bill No. 08-033 that would be introduced for a first reading later during the meeting. The approval of this Bill would also approve the fiscal year 2008/2009 officers and employees payroll.

**Re: Baseball Redevelopment Plan & Blight Study Approval**

*(Bill No. 08-036, to follow)*

City Manager LaGarce's last order of business regarded the Baseball Redevelopment Plan and Blight Study. LaGarce also presented the related Bill No. 08-036 which, if approved, will accept and approve this plan/study. He explained that Hannibal Sports & Entertainment is applying for the Downtown Revitalization Preservation Program through the Missouri Department of Economic Development. A requirement in making application was to initiate this Redevelopment Plan and Blight Study of the Clemens Field area. This has been completed, the public hearing was held prior to this Council meeting and Bill No. 08-036 is on the evening's agenda for a first reading.

LaGarce informed Council that paperwork had been received referencing some modifications to the original agreement he then introduced John Hark, who was working with the Hannibal Sports and Entertainment to complete this process.

Mr. Hark explained that there had been no change to the Clemens Field Redevelopment Plan; however, he continued that there had been a few updates to some of the exhibits that were required as part of the application process and made note of these updates.

**JAMIE PAGE – DIRECTOR OF PUBLIC WORKS**  
**Re: Bid Award Approval, Fiscal Year 2008/2009 Street Department Materials**

Director of Public Works, Jamie Page, asked for Council approval of his recommendations to award the following bids for FY 2008/09 Street Department materials. These were:

- SD-2008/09-1 Gasoline & Diesel Fuel to Big River Oil Company
- SD-2008/09-2 Aggregates to Central Stone Company
- SD-2008/09-3 Snow Removal Salt to North American Salt Company
- SD-2008/09-4 Liquid Calcium Chloride to Missouri Petroleum
- SD-2008/09-5 Concrete to Mark Twain Redi Mix Company
- SD-2008/09-6 CLSM (Flowable Fill) to Mark Twain Redi Mix Company

Motion was made by Mayor Pro Tem Dexheimer to approve Page's recommendations. Motion was seconded by Mayor Hark.

Motion carried.

**Re: Bid Award Approval, One Ton 4WD Truck Cab and Chassis**

Page's second order of business was a request for bid approval of a one ton 4WD truck cab and chassis. His recommendation was to award the bid to Tom Boland Ford of Hannibal, the only bidder for a total of \$52,190.00. Page noted that a total of \$52,500.00 had been budgeted in the FY 2008-2009 "sales Tax Capital Expenditure Summary" under *Capital Equipment*. Motion was made by Council Member Janes to approve Page's request. Motion was seconded by Mayor Hark.

Motion carried.

**Re: Rezoning – Fisher's Subdivision**  
*(Bill No. 08-030, to follow)*

Mr. Page's third item to discuss on the evening's agenda was the rezoning of Fisher's Subdivision from A-One and Two Family to E-Commercial zoning. The applicant, Perry Fisher, has requested that the property, which is located behind Aldi's and Sutherlands, be rezoned for future use of retail development. The surrounding area, according to Page is currently zoned E-Commercial. Bill No. 08-030 regards this request and will be given a first reading later during the meeting, with Council approval.

**Re: Utility Easement Vacation – Boland**  
*(Bill No. 08-031, to follow)*

Page's final order of business was Bill No. 08-031, to follow, regarding the utility easement vacation of Boland property. This is partial abandonment to ease some setback requirements for a residence that is no longer needed. This request will be given a first reading with approval from Council.

**TIM CARTER – FIRE DEPARTMENT CHIEF OFFICER**

**Re: Request, Waive Bidding Process**

Fire Chief Tim Carter came before Council at this time making a request to waive the bidding process for the following items. They were:

- Broco Cutter
- Drager Chip System
- Masimo Rad-57
- Rope Rescue
- Safe Site PID 4

Carter explained that these were all proprietary systems that were required by their hazardous response program, funded by SEMA. The total of all is \$34,337.00 which is totally (100%) reimbursed. This is a purchase for specialized technical equipment with no vendors available except for the vendors to be utilized. Motion was made by Council Member Janes to approve Carter's request. Motion was seconded by Mayor Pro Tem Dexheimer.

Motion carried.

**Re: Hannibal Fire Fighters Local 1211 Memorandum of Agreement**

*(Bill No. 08-035, to follow)*

To introduce Chief Carter's next order of business, he referred to Fire Board Chairman Jason Janes. This item regarded Bill No. 08-035, referencing the adoption of the Memorandum of Agreement between the City of Hannibal and Hannibal Firefighters Local 1211. It was noted that this Memorandum of Agreement was initiated in 1997 and has had few amendments since. Because of the Missouri regulations (law on collective bargaining) the agreement was reviewed and updated. This Bill, No. 08-035, was on the evening's agenda for a first reading, with Council approval.

**PHYLLIS NELSON – CITY COLLECTOR**

**Re: Approval, Budget Adjustments – Fiscal Year End 2007/2008**

City Collector Phyllis Nelson came before Council with a request to adjust the expenditure lines within the current year's budget. These adjustments will be made as necessary for each fund between expenditure lines and possibly departments. No money will be adjusted between funds without Council's express permission, according to Nelson. Motion was made by Mayor Pro Tem Dexheimer to approve the request of the City Collector. Motion was seconded by Council Member Behymer.

**BILL NO. 08-030**

**AN ORDINANCE REZONING 5.44 ACRES OF PROPERTY, MORE OR LESS,  
LOCATED IN FISHER'S SUBDIVISION IN MARION COUNTY, MISSOURI FROM  
A-ONE AND 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 Janes to give Bill No. 08-030 a first reading. Motion was seconded by Mayor Hark.

Motion carried.

**BILL NO. 08-031**

**AN ORDINANCE VACATING A TRACT OF LAND LYING IN PART OF LOT 4 OF PLOWMAN-HAMLIN-HARDER SUBDIVISION IN THE CITY OF HANNIBAL, MARION COUNTY, MISSOURI**

**FIRST READING**

Motion was made by Mayor Hark to give Bill No. 08-031 a first reading. Motion was seconded by Council Member Knickerbocker.

**Roll Call**

**Yes:** Mayor Hark, Mayor Pro Tem Dexheimer, Council Members Behymer, Lyng, and Knickerbocker - 5

**Abstain:** Council Member Janes - 1

**Absent:** Council Member Wilson - 1

Motion carried.

**BILL NO. 08-032**

**AN ORDINANCE ADOPTING THE FISCAL YEAR 2008/2009 ANNUAL BUDGET INCLUDING ALL REVENUES, EXPENDITURES, AND FUND TRANSFERS, AND APPROPRIATING TO THE VARIOUS DEPARTMENTS, BOARDS, COMMISSIONS AND AGENCIES OF THE CITY GOVERNMENT OF THE CITY OF HANNIBAL, MISSOURI FOR THE FISCAL YEAR ENDING, JUNE 30, 2009**

**FIRST READING**

Motion was made by Council Member Knickerbocker to table the first reading of Bill No. 08-032 until June 17, 2008. Motion was seconded by Council Member Behymer.

Council Member Knickerbocker wished to clarify a point that had been made by a citizen, John Lyng, during the public hearing. (Referring to the City Charter, Lyng had pointed out the failure of the City Manager to place the proposed budget in the hands of Council thirty (30) days prior to adoption.) Knickerbocker clarified that, in the past, the proposed budget had been made available to Council well in advance to the deadline. He continued that items have been discussed and Council had given much direction to Mr. LaGarce regarding the budget. Knickerbocker agreed that, had Mr. Lyng been correct in his assumptions, Council would have been irresponsible to approve the budget that had been laid in front of them; however, this was not the case. He commended the City Manager for the job he had been doing in bringing

information to Council far in advance, giving them the opportunity to review the budget before-hand.

Council Member Behymer agreed that the City Manager had done an exemplary job of trying to gather all the information that was needed to put the budget together. He admitted that there had been extenuating circumstances to hinder LaGarce's progress in presenting a completed draft; but added that, as a whole, LaGarce had done an outstanding job of preparing and making ready the budget for approval.

Council Member Lyng stated that, in his opinion, Mr. Lyng's biggest issue, regarding the budget, was inability to review it and present any questions that may arise, since the draft was not available.

Mayor Hark stated that the point was well taken and then called the question.

Motion carried.

**BILL NO. 08-033**

**AN ORDINANCE TO PAY OFFICERS AND EMPLOYEES OF THE CITY OF HANNIBAL, MISSOURI FOR THE FISCAL YEAR 2008/2009**

**FIRST READING**

Motion was made by Mayor Pro Tem Dexheimer to give Bill No. 08-033 a first reading. Motion was seconded by Council Member Behymer.

Motion carried

**BILL NO. 08-034**

**AN ORDINANCE OF THE CITY OF HANNIBAL, ADOPTING THE 2008 PAY CLASSIFICATION PLAN**

**FIRST READING**

Motion was made by Council Member Janes to give Bill No. 08-034 a first reading. Motion was seconded by Mayor Hark.

Motion carried.

**BILL NO. 08-035**

**AN ORDINANCE OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING THE MEMORANDUM OF AGREEMENT BETWEEN THE CITY AND HANNIBAL FIREFIGHTERS LOCAL 1211**

**FIRST READING**

Motion was made by Council Member Janes to give Bill No. 08-035 a first reading. Motion was seconded by Council Member Behymer.

Motion carried.

**BILL NO. 08-036**

*(as amended)*

**AN ORDINANCE OF THE CITY OF HANNIBAL ESTABLISHING A REDEVELOPMENT AREA, APPROVING A REDEVELOPMENT PROJECT AND DESIGNATING A REDEVELOPMENT PROJECT AREA FOR THE CLEMENS FIELD REDEVELOPMENT PROJECT**

**FIRST READING**

Motion was made by Council Member Knickerbocker to amend Bill No. 08-036 by including the exhibits presented by the City Manager. Motion to amend was made by Council Member Behymer.

Motion carried. Motion was made by Council Member Knickerbocker to give Bill No. 08-036, as amended, a first reading. Motion was seconded by Council Member Janes.

Motion carried.

**BILL NO. 08-029**

**AN ORDINANCE OF THE CITY OF HANNIBAL, MISSOURI AUTHORIZING AND DIRECTING THE EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF HANNIBAL, PARKS AND RECREATION AND THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR PROJECT STP-2801(303) FOR THE HANNIBAL TRAILS, VETERANS ROAD, WARREN BARRETT DRIVE, RIVERVIEW PARK CONNECTION PROJECT**

**SECOND AND FINAL READING**

Motion was made by Mayor Pro Tem Dexheimer to give Bill No. 08-029 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Behymer.

Motion carried

**Roll Call**

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

**No:** -0-

**Absent:** Council Member Wilson - 1

Mayor Hark declared Bill No. 08-029 duly approved and adopted on this date.

## **ADJOURNMENT**

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

Motion carried.