

NOTICE OF PUBLIC HEARING
(CONTINUATION FROM JUNE 3, 2008)

June 17, 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 Budgets

City Manager LaGarce explained the reason for the public hearing, a continuation of the June 3, 2008, public hearing regarding the 2008/09 fiscal year budget. He continued that workshops were held on May 22 and 23, 2008 discussing the budget by department with recommendations being made. Since the last workshop on May 23rd, it has become necessary to make various changes to the proposed budget. A memo was distributed, itemizing each of the changes.

LaGarce informed Council that, programmatically, the budget was the same as was distributed on May 6 and reviewed on May 22 and 23 at the budget work sessions. No new projects have been added that weren't there previously and none have been omitted that existed in the originally distributed budget; however, a couple of errors made it necessary to hone accounts.

In conclusion, the City Manager stated that the City had a very aggressive year program for 2008/09. with projects such as the Spruce Street stormwater project, the Market Street stormwater project, the Pleasant Street stormwater project, the Lindsay Road stormwater project, the city-wide cleanup plan, construction of the new Street Department facility, the Main Street Bridge, the design of West Ely Road, \$627,000 of street resurfacing, Stardust Road reconstruction, completion of Red Devil Road, \$320,000 in grant money for a mobile-live fire simulator, upgrades and repairs to the Fire station, development of the new firing range, finish work on the new parking lot at the Police Station, the final water park payment, Clemens Field Lighting Project, \$235,000 Trail Connection Project, Huckleberry Park tennis court lighting, airport water line and \$164,000 in Tourism advertising. With that, Mr. LaGarce concluded his comments.

PUBLIC COMMENTS

Mayor Hark asked for public comments for or against the matter at hand, the FY 2008/09 budget. No one asked to speak.

ADJOURNMENT

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

NOTICE OF PUBLIC MEETING COUNCIL AGENDA

**June 17, 2008
7:00 p.m.**

ROLL CALL

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

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

CALL TO ORDER

There being a quorum, 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 Behymer. Motion was made by Council Member Behymer to excuse Mayor Pro Tem Dexheimer and Council Member Wilson from the proceeding. Motion was seconded by Mayor Hark.

Motion carried.

APPROVAL OF MINUTES Regular Council Meeting – June 3, 2008

Motion was made by Council Member Behymer to approve the Council minutes of the regular Council Meeting held on June 3, 2008. Motion was seconded by Council Member Knickerbocker.

Motion carried.

**APPROVAL OF PAYROLL AND CLAIMS
First Half – June, 2008**

Motion was made by Council Member Janes to approve the payroll and claims for the first half of June, 2008. Motion was seconded by Mayor Hark.

Motion carried.

At this time, Mayor Hark entertained a motion to add John Hark, the Emergency Management Director, to the agenda. Motion was made by Council Member Behymer to add John Hark to the agenda. Motion was seconded by Council Member Lyng.

Motion carried

**JOHN HARK – EMERGENCY MANAGEMENT DIRECTOR
Re: Update on Flood Management**

Emergency Management Director John Hark spoke, concerning the flood emergency and the efforts of those who were instrumental in getting the area at risk to the point it is today. He thanked the people of the community and the City staff, as well as, fire departments from the communities of Shelbina and Monroe City. Hark continued that there were many people, too numerous to mention, who have worked tirelessly to prepare the levee and the surrounding area for this flood.

Hark gave a brief synopsis of the situation at hand and what could be expected in the days to follow. He also dispelled reports that the City of Hannibal was so confident, that it discontinued its sandbagging efforts. More accurately, according to Hark, the process of filling sandbags has been suspended at present because there is a large number of filled sandbags on the lot awaiting an emergency, with more on trucks to be used in rapid response, should the need arise. Sandbags have been spread in various places throughout the entire downtown area for use, if needed quickly. The command post remains open and monitoring of the areas at risk is continuing, with problems being addressed, as they are identified, Hark concluded.

**RHONDA STEVENSON – HANNIBAL JAYCEES
Re: Approval, 53rd Annual NTSD Contingency Plan**

In Rhonda Stevenson's absence, Jennifer Foster, of the Hannibal Jaycees, presented their request for approval of the 53rd Annual National Tom Sawyer contingency plan. She outlined "Plan B", pending Council approval, as follows:

- Community Betterment Association and B&B Theatre have allowed the Jaycees to use the corner lot, located at Main and Broadway for the food vendors and Tanyard Gardens
- Carnival on Broadway from the flood wall to 4th Street, leaving access open for traffic on 3rd Street
- Parade on the 4th of July beginning at 10:00 a.m. (line-up beginning at 9:00 a.m.) with parade route moving from 10th Street to 4th Street, turning right on 4th and disbursing on Church Street.

- No parking July 4th on Broadway (parade route) from 12:00 a.m. to 2:00 p.m.
- Closure of first Block of South Main Street to Church Street for activities
- Loafer's Club Car Show 'Car Cruise-in' from 5:00 p.m. to 10:00 p.m. on July 3rd, with possibility of Street Closure being extended one more block for that event
- Frog Jumping Contest from 2:00 p.m. to 8:00 p.m. on July 5th – blocking off first block of North Main Street from Broadway
- Lover's Leap closed to traffic on July 3rd - 4th , being used for fireworks display (set up and shoot off) with cleanup on July 5th (Hannibal Cannibal will be allowed to run there)
- One lane of traffic will be left open on Main Street for the Hannibal Cannibal route.

There was some discussion, concerning the safety issue of the Carnival crossing 3rd Street. It was noted that other options had been considered, this one being the best.

Mr. Welch voiced concerns regarding the flood wall/levee security with the beer tent being in such close proximity. Ms. Foster responded that Jaycees would have security at this point from midnight until 6:00 a.m. beginning July 1st. Chief Davis assured that the patrol of the levee would continue to the best of their ability, as additional options were being explored. A brief discussion ensued, regarding the possibility of obtaining National Guard security of the area.

Mayor Hark suggested that all emergency personnel meet to prepare an emergency plan; Mr. Larry Craig added that Governor Blunt would be visiting the following day, which would present the opportunity to request his assistance with obtaining military police security for this major, national event. Council Member Knickerbocker assured Mr. Welch and the public that they would do the best they could to insure the integrity of the levee; adding that, regardless of what is going on, the levee must be maintained in order to protect the investment of the City, in particular the downtown area.

Cindy Benjamin voiced similar concerns suggesting that advertisements might be helpful advising the public to *Keep Off the Levee*. Following Benjamin's suggestion, the Mayor called the question. Motion was made by Council Member Behymer to approve the Jaycees request. Motion was seconded by Mayor Hark.

Motion carried.

LYNDELL DAVIS – CHIEF OF POLICE
Re: Approval, 4th of July Parade Route Parking Restrictions

Chief Lyndell Davis reiterated the portion of Jennifer Foster's request that concerned his request that was the parade route. He called Council's attention to a photo that was supplied by the local newspaper, regarding last year's parade. This photo illustrated the Chief's concerns regarding public safety during the parade.

For this reason, Davis requested, as did Foster, that parking on Broadway be restricted from Midnight until the completion of the parade on July 4th. He also spoke with the Jaycees, requesting that if items are thrown into the crowd, they not be thrown into the street. Foster noted that the only way candy would be distributed would be by handing it out as parade participants walked along; no candy would be thrown from floats or parade displays. Motion was made by Council Member Behymer to approve Davis' request. Motion was seconded by Council Member Janes.

Motion carried.

ROY G. HARK – MAYOR
Re: Council Appointment

Mayor Hark made a Council appointment to the Planning & Zoning Commission. It was:

➤ **Planning & Zoning Commission – Jim Behymer**

The Mayor asked Council approval of his appointment. Motion was made by Council Member Lyng to approve Council Member Behymer's appointment to the Planning & Zoning Commission. Motion was seconded by Mayor Hark.

Motion carried.

JEFF LAGARCE – CITY MANAGER
Re: Approval of Appointments

City Manager LaGarce reminded Council of two candidates presented at the last regular Council meeting for the Hannibal Library Board. These were:

HANNIBAL LIBRARY BOARD

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

He asked Council for their approval regarding Becky Steffa's nomination. Motion was made by Council Member Behymer to approve the nomination of Becky Steffa for a reappointment to the Hannibal Library Board. Motion was seconded by Council Member Knickerbocker.

Motion carried. LaGarce also asked for Council approval regarding Marjorie Coleman's reappointment. Motion was made by Mayor Hark to approve LaGarce's recommendation. Motion was seconded by Council Member Behymer.

Motion carried.

Re: Recommendation of Appointments

LaGarce also made the following recommendations:

HANNIBAL LIBRARY BOARD

- Jeanie Powers – Appointment for a term to expire June, 2011

PARK BOARD

- Kristy Travathen – Reappointment for a term to expire July, 2011
- James O'Donnell – Reappointment for a term to expire July, 2011
- Debbie Catlett – Reappointment for a term to expire July, 2011

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

Re: Receipt & Acceptance, Airport Water Main Bids

According to LaGarce, the Fiscal Year 2009 budget contains an appropriation of \$155,000 to construct the airport water line. He continued that bids were let and received, resulting in the low bid submitted by C&S Construction in the amount of \$154,172. He asked that Council approve awarding this bid; however, no contract will be executed until FAA approval is final. (The City has been awaiting FAA approval for over 359 days). Motion was made by Council Member Knickerbocker to accept the C&S Construction bid. Motion was seconded by Council Member Janes.

Motion carried.

Re: Fiscal Year 2008/2009 Budget Adoption

(Bill No. 08-032, to follow)

City Manager LaGarce explained that the public hearing, held prior to this meeting, was for public comments regarding the adoption of the Fiscal Year 2008/09 Budget. He added that he would be requesting Council approval for a first reading of Bill No. 08-032, regarding this budget adoption later, during the meeting.

Re: Stardust Drive Construction Management Agreement

(Resolution No. 1467-08, to follow)

Next, LaGarce introduced Resolution No. 1467-08 that regarded the Stardust Drive construction management agreement. This Resolution, if approved by Council when presented, would also approve supplemental agreement #1 with Poepping, Stone, Bach & Associates in an amount, not to exceed \$42,934 for construction management services. The supplemental agreement is necessary because, when the original PSBA agreement was signed, it covered engineering and design only; no construction management services were included in the original agreement.

Re: Airport Terminal Project – Charitable Fiscal Sponsor Agreement

(Resolution No. 1468-08, to follow)

Mr. LaGarce's final order of business was a request for Council approval of a charitable fiscal sponsor agreement regarding the Airport Terminal Project. This would be done with the approval of related Resolution No. 1468-08, to follow. Recently, the City approved their match of \$313,000 for the airport terminal, around which future economic development improvements might be built. The Airport Advisory Board intends to raise the needed money in donations, and has sought the assistance from the Northeast Missouri Community Foundation for this endeavor.

According to LaGarce, the Community Foundation is a 501(c) (3) charitable organization; therefore, being sponsored by this foundation will enable donors to obtain state and/or federal tax benefits in exchange for their donation toward the airport terminal. The charitable fiscal sponsor agreement will be approved with the approval of Resolution No. 1468-08, to follow.

ANGELICA N. ZERBONIA – CITY CLERK

Re: Bid Award Approval, City of Hannibal/BPW Life Insurance Benefits

City Clerk Angelica Zerbonia explained that in March, the Employee Benefit Trust Board let bids to enhance the City and the Board of Public Works group life insurance benefits. After exploring the options, the board discovered that the increase from \$10,000 to \$20,000 per covered employee can be obtained for basically the same amount of money. Also included in Zerbonia's request was approval of an additional \$30,000 policy for Fire Department personnel.

Zerbonia recommended acceptance of the low bid of \$.17 per \$1,000 of benefit submitted by Fort Dearborn Life for the City and BPW employees and the low bid of \$.18 per \$1,000 of benefit submitted by Standard Insurance for the Fire Department. Zerbonia stated that the total, if approved would be approximately \$8,800 per year for all City/BPW employees and an additional \$2,800 per year for the Fire Department policy. She added that, at the present time, the city expends approximately \$9,000 per year for the \$10,000/employee benefit. Motion was made by Council Member Janes to approve the City Clerk's request. Motion was seconded by Council Member Behymer.

Motion carried.

Re: City of Hannibal Code of Ordinance Recodification Update

The Clerk's final order of business regarded the completion of the re-codification process. She explained that, upon Council's direction, approximately eighteen months ago, she had initiated this process for the City of Hannibal Code of Ordinances. She announced that the process is finally complete and copies of the new code will be distributed upon final passage of an ordinance authorizing this. She included a brief synopsis of the updates that were made and assured Council that the re-codified document included no new legislation; however, several items were eliminated because of redundancy and reasons stated in the synopsis. She concluded by thanking City Manager LaGarce, City Attorney Lemon and Deputy Clerk Graves for assisting in the process, as well.

TIM CARTER – FIRE DEPARTMENT CHIEF OFFICER

Re: Bid Award Approval, Boat, Motor & Trailer

Fire Chief Carter presented the next order of business, the bid award approval of a boat, motor and trailer to be purchased by the Fire Department. Carter explained that \$22,000 has been included in the fiscal year 2008/09 budget for this purpose. Bids were let with only one bid received from Jack's Harbor Marine in the amount of \$19,593. He asked Council approval to award the bid to this company. Motion was made by Council Member Janes to approve Chief Carter's request. Motion was seconded by Council Member Behymer.

Motion carried.

Re: Purchase Approval, 2001 Ford Expedition

Carter continued that \$15,000 has also been included in the upcoming year's budget for the purchase of a Missouri State surplus vehicle to replace the department's 1994 Jeep Cherokee. He added that a 2001 Ford Expedition has been placed on hold, pending Council approval of the purchase. Carter stated that the cost of this vehicle would be \$8,400, explaining that comparative pricing was done with various dealers. As a result, the State vehicle was his

recommendation. He asked for Council approval of this purchase. Motion was made by Council member Behymer to approve Chief Carter's request. Motion was seconded by Council Member Janes.

Motion carried.

RESOLUTION NO. 1467-08

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE SUPPLEMENTAL AGREEMENT #1 WITH POEPPING, STONE, BACH & ASSOCIATES, INC. FOR CONSTRUCTION MANAGEMENT SERVICES RELATIVE TO THE STARDUST DRIVE RECONSTRUCTION PROJECT IN AN AMOUNT NOT TO EXCEED \$42,934

Motion was made by Council Member Behymer to have the City Clerk read Resolution No. 1467-08 and call the roll for adoption. Motion was seconded by Council Member Knickerbocker.

Motion carried.

Roll Call

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

No: -0-

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

Mayor Hark declared Resolution No. 1467-08 duly approved and adopted on this date.

RESOLUTION NO. 1468-08

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING AND CHARITABLE FISCAL SPONSOR AGREEMENT WITH THE NORTHEAST MISSOURI COMMUNITY FOUNDATION TO ALLOW THE FOUNDATION TO SERVE AS CHARITABLE FISCAL SPONSOR ON BEHALF OF THE CITY RELATIVE TO THE HANNIBAL REGIONAL AIRPORT TERMINAL PROJECT

Motion was made by Council Member Janes to have the City Clerk read Resolution No. 1468-08 and call the roll for adoption. Motion was seconded by Council Member Knickerbocker.

Motion carried.

Roll Call

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

No: -0-

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

Mayor Hark declared Resolution No. 1468-08 duly approved and adopted on this date.

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 Behymer to give Bill No. 08-032 a first reading. Motion was seconded by Council Member Janes.

Motion carried.

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

SECOND AND FINAL READING

Motion was made by Council Member Janes to give Bill No. 08-030 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 Behymer, Lyng, Knickerbocker, Janes and Mayor Hark – 5

No: -0-

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

Mayor Hark declared Bill No. 08-030 duly approved and adopted on this date.

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**

SECOND AND FINAL READING

Motion was made by Council Member Behymer to give Bill No. 08-031 a second and final reading and call the roll for adoption. Motion was seconded by Mayor Hark. Council Member Janes informed Council that he would be abstaining from the vote because of business reasons.

Roll Call

Yes: Council Members Behymer, Lyng, Knickerbocker, and Mayor Hark – 4

Abstain: Council Member Janes - 1

No: -0-

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

Motion to read carried.

Roll Call

Yes: Council Members Behymer, Lyng, Knickerbocker, and Mayor Hark – 4

Abstain: Council Member Janes - 1

No: -0-

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

Mayor Hark declared Bill No. 08-031 duly approved and adopted on this date.

BILL NO. 08-033

(As Amended)

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

SECOND AND FINAL READING

Motion was made by Council Member Behymer to give Bill No. 08-033, as amended by the City Manager, a second and final reading and call the roll for adoption. Motion was seconded by Mayor Hark.

Motion carried

Roll Call

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

No: -0-

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

Mayor Hark declared Bill No. 08-033, as amended, duly approved and adopted on this date.

BILL NO. 08-034

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

SECOND AND FINAL READING

Motion was made by Council Member Behymer to give Bill No. 08-034 a second and final reading and call the roll for adoption. Motion was seconded by Mayor Hark.

Motion carried

Roll Call

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

No: -0-

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

Mayor Hark declared Bill No. 08-034 duly approved and adopted on this date.

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**

SECOND AND FINAL READING

Motion was made by Council Member Janes to give Bill No. 08-035 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 Behymer, Lyng, Knickerbocker, Janes and Mayor Hark – 5

No: -0-

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

Mayor Hark declared Bill No. 08-035 duly approved and adopted on this date.

**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**

SECOND AND FINAL READING

Motion was made by Council Member Behymer to give Bill No. 08-036, as amended, a second and final reading and call the roll for adoption. Motion was seconded by Council Member Knickerbocker.

Motion carried

Roll Call

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

No: -0-

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

Mayor Hark declared Bill No. 08-036, as amended, duly approved and adopted on this date.

ADJOURNMENT

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

Motion carried