

# OFFICIAL COUNCIL MINUTES

March 18, 2008  
7:00 p.m.

## ROLL CALL

**Present:** Mayor Pro Tem Dexheimer, Council Members Hatton, Hull,  
and Mayor Hark – 4

**Absent:** Council Members Knickerbocker, Janes and Wilson - 3

## CALL TO ORDER

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

## INVOCATION

At this time, Mayor Pro Tem Dexheimer gave the invocation.

## PLEDGE OF ALLEGIANCE

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

Motion carried.

## APPROVAL OF MINUTES Regular Council Meeting – March 4, 2008

Motion was made by Mayor Pro Tem Dexheimer to approve the minutes of the regular Council Meeting held on March 4, 2008. Motion was seconded by Council Member Hatton.

Motion carried.

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

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

Motion carried.

**At this time, City Attorney James Lemon joined the meeting.**

**ROY G. HARK - MAYOR**  
**Re: Recommendation of Appointment**

Mayor Hark presented a candidate for the Hannibal Housing Authority Board for Council consideration. It was:

**HANNIBAL HOUSING AUTHORITY BOARD**

Ed Trotter – Reappointment for a term to expire April, 2012

The Mayor explained that this name would be brought before Council at the next regular meeting for approval.

**RICH HUDSON, HANNIBAL AREA CHAMBER OF COMMERCE**  
**Re: Installation of "Banners of Broadway" Light Posts**

Rich Hudson appeared, on behalf of the Hannibal Chamber of Commerce and presented the next item on the agenda, which was a request from the Chamber for Council approval to install banners along Broadway. Hudson stated would involve approximately fifty light posts and Don Willis of the BPW had agreed to maintain the existing hardware on these posts; adding that, according to the manufacturer, normal length of use is about six years. He assured Council that they would be removed before they became unsightly.

The intent of the Chamber, according to Hudson, is to sell these banners to local businesses and organizations for \$75 each. On the bottom of the banner would be an area for the business to place their advertising logo and on the top slogans would alternate "SHOP IN HANNIBAL", "PLAY IN HANNIBAL", "STAY IN HANNIBAL" and "DINE IN HANNIBAL" Motion was made by Mayor Pro Tem Dexheimer. Motion was seconded by Council Member Hatton.

Motion carried.

**JEFFREY LAGARCE - CITY MANAGER**  
**Re: Redevelopment Area - Blight Study**  
*(Bill No. 08-011, to follow)*

City Manager Jeffrey LaGarce presented Bill No. 08-011, regarding the creation of a redevelopment area, as well as a blight study. This will be brought before Council later, during the meeting, for a first reading.

He began by explaining that the Hannibal Sports & Entertainment, LLC has identified a program, while working with the Missouri of Missouri, called the Downtown Revitalization Preservation Program. It is designed to use local funding to leverage state money into a particular project, to revitalize or stipulate an area of downtown. This is done in three phases, according to LaGarce. The first phase would be for the City to declare the Clemens Field complex a redevelopment area. The second phase would be a third-party blight study; the City's DREAM Initiative partners have agreed to conduct this study. The third and final stage is a 50% sales tax rebate of newly generated sales taxes (both city and county) from this project. LaGarce noted that only the City's 1% general is rebated, not parks, streets or fire

sales taxes. He continued that, for every dollar rebated by the city and county combined, the State will provide a monetary match for direct investment into this project, which means, if the City rebates \$1 and Marion County rebates \$1, the State will match \$2.

**Re: Development Agreement, Hannibal Sports & Entertainment, LC**  
*(Bill No. 08-012, to follow)*

Bill No. 08-012, to follow, was related to the previous bill, introduced by the City Manager LaGarce. If approved, it would authorize the Mayor to execute a development agreement between the ownership group (Hannibal Sports & Entertainment, LLC), the City, and Marion County, providing for a 50% sales tax reimbursement for up to 25 years, according to the City Manager.

Mayor Pro Tem Dexheimer asked the City Manager if this was a TIF. City Manager LaGarce responded by assuring Council that this was not tax increment funding.

**Re: MIRMA Annual Evaluation**

Finally, City Manager LaGarce explained that each year, the City's insurance carrier, MIRMA, conducts a comprehensive risk management and safety evaluation of the City. Aside from enhancing overall employee safety, higher evaluation scores do impact the amount of money the City pays annually in premiums. He noted that this year's score was 96%, which was an increase from 93% in 2007. He commended the employees, department heads, and members of the safety committee; with special recognition to Joyce Allen, Chuck Anderson and Becky Graves who have been instrumental in spearheading the City's risk management efforts and contributed to the outcomes that enabled this score to be possible.

Mayor Pro Tem Dexheimer asked LaGarce to place a letter to that effect be placed in the personnel files of these three individuals.

**JOHN HARK - HANNIBAL BASEBALL GROUP**  
**Re: Approval of Liquor Sales & Consumption at Clemens Field**

Mr. John Hark, on behalf of the Hannibal Baseball Group, came before Council at this time, seeking their approval of liquor sales and consumption at Clemens Field. He explained that, in January 2006 City Council waived the restriction of alcohol sales and consumption in this area when a minor league baseball team was exploring the feasibility of bringing professional baseball to Hannibal. He noted that, on occasion, the City Council has waived liquor restrictions in other parks for specific special events.

Now, Hannibal Sports & Entertainment, LLC is requesting a waiver as previously approved. It is their intention to sell liquor at baseball games, along with hot dogs, soft drinks and a host of other products. Mayor Pro Tem Dexheimer made a motion to approve Mr. Hark's request. Motion was seconded by Council Member Hull.

Motion carried.

**JAMES LEMON – CITY ATTORNEY**  
**Re: Red Light Enforcement**  
*(Bill No. 08-013, to follow)*

City Attorney James Lemon explained that he had asked for this item, red light enforcement and the related Bill No. 08-013, to be placed on the agenda. The Bill was designed to renumber the portion of the City Code that referenced this subject; however, during a meeting regarding the recodification process it was decided that Bill No. 08-013 should be tabled until he could seek the advice of the company that was handling this process.

**JAMIE PAGE – CITY ENGINEER**

**Re: Request to Set Public Hearing - Rezoning of 507-509, 521 Bridge Street**

*(April 1, 2008, 6:45 p.m.)*

City Engineer Jamie Page's first item on the agenda was his request to set a public hearing for April 1, 2008 at 6:45 p.m. This hearing would be held at the request of the Planning and Zoning Commission and will address the rezoning request of Nancy Kaufman regarding property located at 507-509 Bridge Street and 521 Bridge Street. Page added that the property located at 507-509 Bridge Street is currently zoned H1-Historic and the property located at 521 Bridge Street is currently zoned E-Commercial. The applicant is requesting that these properties be rezoned B-Multiple Family. Ms. Kaufman's proposed use of the properties is for residential and current zoning does not allow for this. Motion was made by Council Member Hull to approve Page's request to set a public hearing on April 1, 2008 at 6:45 p.m. Motion was seconded by Council Member Hatton.

Motion carried.

**Re: Red Devil Road, Construction Bid Approval**

City Engineer Page's second order of business was an update concerning Red Devil Road, in which bids were received, ranging from \$538,132.22 to \$794,910.00, with Bleigh Construction being low bidder on the project.

Page explained on February 12, 2007, MECO Engineering submitted an engineering estimate of \$457,000 for the construction, engineering and observation phases of the project; therefore, when the FY 2007-08 budget was prepared this figure was included for the Red Devil Road Project. The actual total, adding Bleigh's low bid, the estimates for inspection and design phase, is \$624,658.50. The problem, according to Page, is that when the bidding process is a year prior to the project, it is impossible to give an accurate figure.

Mayor Pro Tem Dexheimer questioned the increase of 36.5% in the project, asking if this was a reasonable amount. Page explained that under normal circumstances a bid should never be 36% higher than the estimated amount; however, causes of the increase, besides the time element would also include an increase of \$6/cubic yard in concrete and additional DNR and EPA regulations. He assured Dexheimer and the rest of Council that he had spoken to all the architect and engineering companies that are active in the Cities bidding processes, impressing upon each one the importance in accurate figures. He said that, in the future each project will include an additional 25-30% contingency amount, to guarantee that the total cost is within the budgeted amount.

Page said that the contract and the related resolution will be brought before Council at the next Council meeting, but requested approval of the current amount. He also asked that the difference in these figures be included in next fiscal year's budget. Motion was made by Mayor Pro Tem Dexheimer to approve Page's request. Motion was seconded by Council Member Hull.

Motion carried.

**CHRIS ATKINSON – PARKS & RECREATION DIRECTOR**  
**Re: Memorandum of Understanding with State of Missouri**  
*(Resolution No. 1447-08, to follow)*

Chris Atkinson, Director of Parks and Recreation Department, explained the next order of business, a memorandum of understanding with the Missouri State Highway Patrol. He stated that he had been working with the State of Missouri since 2006 to bring a driver's license testing facility to Hannibal. A preliminary agreement has now been reached, according to Atkinson, whereas the Highway Patrol would utilize a renovated room in the Admiral Coontz armory for this purpose. With Council approval, this room, currently the senior/yoga/fitness room on the main level, will be used on each Monday and the second, fourth and fifth Friday of the month from 8:30 a.m. to 12 noon and 12:30 p.m. until 4:00 p.m.

In exchange for this privilege and the related armory amenities, the State will pay the City \$1,200 per year. This will be presented for approval later during the meeting with the approval of the related Resolution No. 1447-08.

**Re: YMCA Ball Diamond Use Agreement**  
*(Resolution No. 1446-08, to follow)*

The second item that Atkinson introduced was Resolution No. 1446-08 that regarded an agreement between the City of Hannibal, Parks and Recreation Department and the YMCA which would allow the YMCA to continue providing youth baseball and adult softball; but changing the locations from City owned fields to the fields that were approved during the previous Council meeting. YMCA will pay the City \$2,500 per year, naming the City of Hannibal Parks and Recreation the co-sponsor of the program on all tee-shirts and media releases. This Resolution and the related contract will be presented for a vote later during the meeting.

**Re: Bid Award Approval – Sale of Two F-250 Trucks/Snow Plow Packages**

The next item presented by director Atkinson was the sale of two City-owned trucks. Atkinson explained that his department had taken ownership of their new fleet approximately six weeks ago and now has a surplus of two Ford F-250 trucks with snowplow packages. Since no other City departments were interested in these vehicles, they were recently offered for bids. One bidder, American Auto Sales of Moberly, Mo. responded with a bid amount of \$7,500 for both, which exceeds the trade in value offered by Tom Boland Ford.

Atkinson requested that Council award the bid for sale of these two vehicles to American Auto Sales in the amount of \$7,500. Motion was made by Mayor Pro Tem Dexheimer to approve Atkinson's request. Motion was seconded by Mayor Hark.

Motion carried.

**Re: Bid Award Approval – Riverview Park Asphalt & Fencing Project**  
*(Fence - Resolution No. 1443-08, to follow)*  
*(Asphalt - Resolution No. 1444-08, to follow)*

Finally, Atkinson explained that in November 2007 the Parks & Recreation Department was awarded a grant from the Missouri Department of Natural Resources to continue the trail along River Road for an additional 1000 feet. Recently, bids were opened for installation of approximately 10,000 square foot of asphalt and approximately 1,000 foot of 4' high chain link fencing. Atkinson recommended awarding the bids to BVCP, the low bidder, on Phase I-Fencing with the bid amount of \$13,729; and to Don Martin Construction, the low bidder, on Phase II-Asphalt with the bid amount of \$14,300. This would be done with the approval of Resolution Nos. 1443-08 and 1444-08 and related contracts later in the meeting.

**DON WILLIS - BPW GENERAL MANAGER**

**Re: Rate Study**

*(Resolution No. 1445-08, to follow)*

Mr. Don Willis, BPW General Manager introduced the next item on the agenda, which was an electric costive study and rate structure that would be approved with the approval of related Resolution No. 1445-08, to follow. He added that, since the Board of Public Work's purchased power agreement has been finalized for 2009 through 2011, they will now be able to analyze the impact of wholesale power costs on future retail rates for their customers; concluding that the study, if approved, would be performed by R.W. Beck for a fixed cost of \$25,000.

**LINDSAY WISKIRCHEN – DIRECTOR OF FINANCE**

**Re: Reduction of BPW Transfer Fee**

*(Bill No. 08-010, to follow)*

Lindsay Wiskirchen, the Director of Finance for the City, presented the next item on the agenda, which was Bill No. 08-010, to follow, regarding a reduction of the BPW transfer fee. She explained that a public hearing had been held to discuss this change. The rate is currently 5.5%; however, with the approval of this bill, that rate will be reduced to 5.0%. Bill No. 08-010 will be given a first reading later in the meeting, if Council approves. The proposed change will be effective the day following the final reading, and will be reflected on the April billings from the Board of Public Works, according to Wiskirchen.

**RESOLUTION NO. 1443-08**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE  
AN AGREEMENT WITH BVCP ENTERPRISES IN THE  
AMOUNT OF \$13,729.98 FOR THE RIVERVIEW PARK,  
PHASE I FENCE PROJECT OF THE RIVERVIEW PARK  
RIVER ROAD TRAIL EXTENSION**

Motion was made by Council Member Hatton to have the City Clerk read Resolution No. 1443-08 and call the roll for adoption. Motion was seconded by Council Member Hull.

Motion carried.

**Roll Call**

**Yes:** Mayor Pro Tem Dexheimer, Council Members Hatton, Hull and Mayor Hark – 4

**No:** -0-

**Absent:** Council Members Knickerbocker, Janes and Wilson - 3

Mayor Hark declared Resolution No. 1443-08 duly approved and adopted on this date.

## **RESOLUTION NO. 1444-08**

### **A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH DON MARTIN CONSTRUCTION IN THE AMOUNT OF \$14,300 FOR THE RIVERVIEW PARK, PHASE II ASPHALT PROJECT OF THE RIVERVIEW PARK RIVER ROAD TRAIL EXTENSION**

Motion was made by Council Member Hatton to have the City Clerk read Resolution No. 1444-08 and call the roll for adoption. Motion was seconded by Council Member Hull.

Motion carried.

#### **Roll Call**

**Yes:** Mayor Pro Tem Dexheimer, Council Members Hatton, Hull and Mayor Hark – 4

**No:** -0-

**Absent:** Council Members Knickerbocker, Janes and Wilson - 3

Mayor Hark declared Resolution No. 1444-08 duly approved and adopted on this date.

## **RESOLUTION NO. 1445-08**

### **A RESOLUTION APPROVING A PROPOSAL FROM R.W. BECK TO PERFORM AN ELECTRIC RATE STUDY AND AUTHORIZING THE MAYOR TO EXECUTE THE RELATED CONTRACT AGREEMENT ON BEHALF OF THE CITY OF HANNIBAL, BOARD OF PUBLIC WORKS FOR A FIXED COST OF \$25,000**

Motion was made by Mayor Pro Tem Dexheimer to have the City Clerk read Resolution No. 1445-08 and call the roll for adoption. Motion was seconded by Council Member Hatton.

Motion carried.

**Roll Call**

**Yes:** Mayor Pro Tem Dexheimer, Council Members Hatton, Hull and Mayor Hark – 4

**No:** -0-

**Absent:** Council Members Knickerbocker, Janes and Wilson - 3

Mayor Hark declared Resolution No. 1445-08 duly approved and adopted on this date.

**RESOLUTION NO. 1446-08**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE  
A BALL DIAMOND AGREEMENT WITH THE YOUNG MEN'S  
CHRISTIAN ASSOCIATION (YMCA) OF HANNIBAL,  
MISSOURI FOR OPERATION OF BASEBALL AND/OR  
SOFTBALL PROGRAMS DURING THE SUMMER MONTHS**

Motion was made by Council Member Hatton to have the City Clerk read Resolution No. 1446-08 and call the roll for adoption. Motion was seconded by Council Member Hull.

Motion carried.

**Roll Call**

**Yes:** Mayor Pro Tem Dexheimer, Council Members Hatton, Hull and Mayor Hark – 4

**No:** -0-

**Absent:** Council Members Knickerbocker, Janes and Wilson - 3

Mayor Hark declared Resolution No. 1446-08 duly approved and adopted on this date.

**RESOLUTION NO. 1447-08**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE  
A MEMORANDUM OF UNDERSTANDING LEASE #06401875  
WITH THE STATE OF MISSOURI AND THE CITY OF**



**HANNIBAL PARKS & RECREATION DEPARTMENT FOR  
UTILIZATION OF OFFICE/STORAGE SPACE FOR A  
DRIVER'S EXAMINATION TESTING FACILITY AT 301  
WARREN BARRETT DRIVE**

Motion was made by Council Member Hatton to have the City Clerk read Resolution No. 1447-08 and call the roll for adoption. Motion was seconded by Council Member Hull.

Motion carried.

**Roll Call**

**Yes:** Mayor Pro Tem Dexheimer, Council Members Hatton, Hull and Mayor Hark – 4

**No:** -0-

**Absent:** Council Members Knickerbocker, Janes and Wilson - 3

Mayor Hark declared Resolution No. 1447-08 duly approved and adopted on this date.

**BILL NO. 08-010**

**AN ORDINANCE REDUCING THE RATE OF THE TRANSFER  
FEE CHARGED BY THE HANNIBAL BOARD OF PUBLIC  
WORKS ON EACH CONSUMER UTILITY ACCOUNT FROM  
A RATE OF FIVE AND ONE-HALF PERCENT TO A RATE OF  
FIVE PERCENT**

**FIRST READING**

Motion was made by Mayor Hark to give Bill No. 08-010 a first reading. Motion was seconded by Council Member Hull.

Motion carried.

**BILL NO. 08-011**

**AN ORDINANCE OF THE CITY OF HANNIBAL, MISSOURI  
(1) DIRECTING THE CITY MANAGER TO DIRECT THE  
ESTABLISHMENT OF A REDEVELOPMENT AREA, THE  
CREATION OF A REDEVELOPMENT PLAN, AND TO**

**ENGAGE A THIRD PARTY CONSULTANT TO CONDUCT A BLIGHT STUDY OF THE REDEVELOPMENT AREA, ALL AS REQUIRED BY THE DOWNTOWN REVITALIZATION PRESERVATION PROGRAM PURSUANT TO §§ 99.1080-1092, RSMO., IN ORDER TO APPLY FOR SUPPLEMENTAL FUNDING FOR THE REDEVELOPMENT OF CLEMENS FIELD AS PROPOSED BY HANNIBAL SPORTS & ENTERTAINMENT, LLC; AND (2) DIRECTING THE CITY MANAGER TO APPLY FOR DREAM INITIATIVE FUNDING TO ASSIST IN THE SAME**

**FIRST READING**

Motion was made by Mayor Pro Tem Dexheimer to give Bill No. 08-011 a first reading.  
Motion was seconded by Mayor Hark.

Motion carried.

**BILL NO. 08-012**

**AN ORDINANCE OF THE CITY OF HANNIBAL, MISSOURI APPROVING A DEVELOPMENT AGREEMENT BY AND AMONG THE CITY OF HANNIBAL, MISSOURI, MARION COUNTY, MISSOURI AND HANNIBAL SPORTS & ENTERTAINMENT, LLC**

**FIRST READING**

Motion was made by Council Member Hatton to give Bill No. 08-012 a first reading. Motion was seconded by Mayor Hark.

Motion carried.

**BILL NO. 08-013**

**AN ORDINANCE ENACTING A NEW SUB-SECTION OF SECTION 17, WHICH SHALL CONSIST OF ARTICLE IX OF THE CITY CODE OF THE CITY OF HANNIBAL, MISSOURI AND AUTHORIZING INSTALLATION OF ONE OR MORE AUTOMATED RED LIGHT ENFORCEMENT SYSTEMS AS**

**DEFINED HEREIN; AND ESTABLISHING STANDARDS FOR  
ISSUING SUMMONS FOR VIOLATIONS OF TRAFFIC  
CONTROL ORDINANCES DETECTED BY AUTOMATED RED  
LIGHT ENFORCEMENT SYSTEMS**

**FIRST READING**

Motion was made by Mayor Hark to table Bill No. 8-013 until a later date. Motion was seconded by Council Member Hull.

Motion carried.

**BILL NO. 08-007**

**AN ORDINANCE AMENDING CHAPTER 16, ARTICLE VII,  
SECTION 16-230 OF THE CODE OF THE CITY OF  
HANNIBAL, RELATIVE TO WEAPONS IN CITY BUILDINGS**

**SECOND AND FINAL READING**

The City Clerk stated that Bill No. 08-007 was placed on the agenda in error, since it was never given a first reading. It was removed from the agenda at this time, per Council's direction.

**BILL NO. 08-008**

**AN ORDINANCE VACATING A TRACT OF LAND LYING IN  
PART OF GREEN STREET BETWEEN HOUSTON STREET  
AND MARKET STREET IN THE CITY OF HANNIBAL,  
MARION COUNTY, MISSOURI**

**SECOND AND FINAL READING**

Motion was made by Council Member Hatton to give Bill No. 08-008 a second and final reading and call the roll for adoption. Motion was seconded by Mayor Hark.

Motion carried

**Roll Call**

**Yes:** Mayor Pro Tem Dexheimer, Council Members Hatton, Hull and Mayor Hark – 4

**No:** -0-

**Absent:** Council Members Knickerbocker, Janes and Wilson - 3

Mayor Hark declared Bill No. 08-008 duly approved and adopted on this date.

## **BILL NO. 08-009**

### **AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A LEASE AGREEMENT BETWEEN THE CITY OF HANNIBAL AND HANNIBAL SPORTS AND ENTERTAINMENT, LLC FOR THE USE OF THE CLEMENS FIELD STADIUM COMPLEX AND FACILITIES**

#### **SECOND AND FINAL READING**

Motion was made by Council Member Hull to give Bill No. 08-009 a second and final reading and call the roll for adoption. Motion was seconded by Mayor Pro Tem Dexheimer.

Motion carried

#### **Roll Call**

**Yes:** Mayor Pro Tem Dexheimer, Council Members Hatton, Hull and Mayor Hark – 4

**No:** -0-

**Absent:** Council Members Knickerbocker, Janes and Wilson - 3

Mayor Hark declared Bill No. 08-009 duly approved and adopted on this date.

#### **ADJOURNMENT**

Motion was made by Mayor Pro Tem Dexheimer to adjourn. Motion was seconded by Mayor Hark.

Motion carried