

OFFICIAL COUNCIL PROCEEDINGS

November 4, 2008
7:00 p.m.

ROLL CALL

Present: Mayor Pro Tem Wilson, Council Members Behymer, Lyng, Knickerbocker and Janes - 5

Absent: Mayor Hark - 1

CALL TO ORDER

There being a quorum present, Mayor Pro Tem Wilson 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.

Motion was made by Council Behymer to excuse Mayor Hark from the proceedings. Motion was seconded by Council Member Janes.

Motion carried.

APPROVAL OF MINUTES Closed Session – October 7, 2008 Regular Council Meeting - October 21, 2008 Special Call Council Meeting - October 28, 2008

Motion was made by Council Member Behymer to approve the minutes of the Closed Session that was held on October 7, 2008, the regular Council meeting held on October 21, 2008 and the Special Call Council meeting of October 28, 2008. Motion was seconded by Council Member Knickerbocker.

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS Second Half – October, 2008

Motion was made by Council Member Knickerbocker to approve the payroll and claims for the second half of October, 2008. Motion was seconded by Council Member Behymer. Council Member Lyng questioned the DPW miscellaneous expenditures on page #5 claims and the budgeted amount for this line item. His recalled that the total figure was \$250.00. City Manager LaGarce responded by stating that these expenses were for sand at Clemens Field. He added that he had sent a memo to the Director of Finance requesting a budget amendment.

Motion carried.

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 Historic Development District Commission. It was:

HISTORIC DEVELOPMENT DISTRICT COMMISSION

- Bob Yapp – Appointment for a term to expire May, 2013

Motion was made by Council Member Janes to approve this appointment to the Historic Development District Commission. Motion was seconded by Council Member Knickerbocker.

Motion carried.

Re: Grand Avenue Bin Wall – Engineering Services Agreement
MECO Engineering

(Resolution No. 1503-08, to follow)

City Manager LaGarce presented the next item on the agenda, an agreement with MECO Engineering for engineering services on the Grand Avenue bin wall and the related Resolution No. 1503-08. LaGarce explained that the bin wall, which contains 10 cells, was recently examined by Jim Bensman, a structural engineer with MECO. During this time, he discovered that two of the cells are completely empty of backfill. Despite the fact that this doesn't pose an immediate danger, failure to repair may compromise the future safety of the bin wall. Bensman, on behalf of MECO, provided a proposal for a study and evaluation of various repair options, at the City's request.

LaGarce asked for Council approval of Resolution No. 1503-08 and the related contract for the proposed work to be done by MECO at a fee of \$8,200.

Re: Pleasant Street Stormwater Project – Permanent Utility, Drainage, Maintenance and Access Easement

Jorge & Charlene Liendo

(Resolution No. 1506-08, to follow)

The City Manager's final order of business was a permanent utility, drainage, maintenance and access easement with Jorge & Charlene Liendo with regards to the Pleasant Street Storm Water Project. This would be approved with the approval of Resolution No. 1506-08, to follow.

MARK REES – CITY ENGINEER

**Re: Market Street Stormwater Project – Engineering Services Agreement
Klingner & Associates**
(Resolution No. 1504-08, to follow)

City Manager Mark Rees' first agenda item was approval of an engineering services agreement with Klingner & Associates for the Market Street Storm Water Project. Resolution No. 1504-08, to follow, would allow the Mayor to sign the agreement on behalf of the City allowing Klingner to complete the designated services. Klingner & Associates scope of service for the preliminary, final, and bidding/negotiating fees, according to Rees, are in the lump sum of \$15,000 (not to exceed \$6,000 for construction management services). Total amount of the contract, if approved would be \$21,000.

**Re: West Ely Road Project – Engineering Services Agreement
MECO Engineering**
(Resolution No. 1505-08, to follow)

City Engineer Rees' second order of business was the approval of Resolution No. 1505-08, regarding an engineering services agreement with MECO Engineering for the completion of the West Ely Road Project. The amount of this agreement, if approved later in the meeting, is \$18,700.

DOUG WARREN – DIRECTOR OF FINANCE

Re: Missouri Securities Investment Program (MOSIP) – Intergovernmental Cooperation Agreement
(Bill No. 08-047, to follow)

Doug Warren, City Director of Finance, presented Bill No. 08-047, the next item on the agenda. This Bill is on the agenda for approval of a first reading.

Warren explained that he had researched the City's investment history and found that the City had solid certificates of deposit and/or timed deposits in all the local banks. After further review, it has become Warren's desire to move a portion of the City's investment dollars in the Missouri Securities Investment Program. MOSIP, as it is called, was established under Missouri legislation for school districts and municipalities. It operates similar to a Money Market Investment with 'investment rules more strict than the Missouri Treasurer's Office'. They also have longer term investment options, according to Warren. The approval of Bill No. 08-047 would also approve an intergovernmental corporation agreement and allow the Warren, the Director of Finance to move the desired funds into this investment program.

TIM CARTER – FIRE CHIEF

**Re: Fire Station 1 Exterior Renovations – Contract Agreement
Bleigh Construction**
(Resolution No. 1507-08, to follow)

Fire Chief Tim Carter presented the next order of business on the evening's agenda, which was a contract agreement with Bleigh Construction for exterior renovations at Fire Station No. 1. Carter explained that a reimbursement resolution was approved by Council in the sum of

\$990,000. This resolution included renovations at Fire Station No. 1, Fire Station No. 2, purchase of a new pumper truck and payment in full of the ladder truck that was purchased earlier.

The entire project was broken into two phases; Phase 1 being the exterior renovations at Fire Station 1. Carter added this phase is the department's highest priority, since the roof is leaking and the brick work around the windows and doors is deteriorating significantly. Bids were submitted by five contractors, two were local companies. The bidding procedure was completed as prepared by Klingner & Associates, P.C., resulting in Bleigh Construction submitting the lowest bid, in the amount of \$189,000, \$64,000 over budget.

Carter continued that, during a recent meeting with Bleigh Construction and Klingner & Associates, it was determined that the architect just 'missed-the mark' on the estimate that he projected. In order to absorb the difference, adjustments will be made to the building interior work.

Fireboard Chairman Janes pointed out that the grand total of Fire Station 1 is \$307,816.59 and the \$189,000 is much less than the projected grand total. Should the proposed renovations exceed the budgeted amount of \$307,819.29, all operations on the project would cease, according to Janes. Carter restated that the highest priorities of this project were the roof and exterior. If funding is short when the completion of the project is in sight, Carter stated that he realized his two options would be to (1) bring a change order before Council for approval of increased financing or (2) forego a portion of the project. In light of the information presented by the Chief, his recommendation was to award the bid to Bleigh Construction in the amount of \$189,000.

Re: Request, Waive Bidding Process – Dangerous Atmosphere Monitoring Equipment Towers Fire Apparatus Company

Carter's final item on the agenda was a request to waive the bidding process for the purchase of monitoring equipment from Towers Fire Apparatus Company. If approved, this purchase will be 100% funded through the City's regional Homeland Security Grant. The waiver is being requested, according to the Chief, because this equipment is propriety by manufacturer and is specialized for use of detecting dangerous atmospheres. Total cost of the equipment would be \$12,037. Motion was made by Council Member Janes to approve Carter's request. Motion was seconded by Council Member Behymer.

Motion carried.

RESOLUTION NO. 1503-08

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH MECO ENGINEERING IN THE AMOUNT OF \$8,200 TO PERFORM AN EVALUATION AND ENGINEERING STUDY RELATIVE TO REPAIRING THE GRAND AVENUE BIN WALL

Motion was made by Council Member Behymer to have the City Clerk read Resolution No. 1503-08 and call the roll for adoption. Motion was seconded by Mayor Pro Tem Wilson.

Motion carried.

Roll Call

Yes: Mayor Pro Tem Wilson, Council Members Behymer, Lyng, Knickerbocker and Janes - 5

No: -0-

Absent: Mayor Hark - 1

Mayor Hark declared Resolution No. 1503-08 duly approved and adopted on this date.

RESOLUTION NO. 1504-08

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH KLINGNER & ASSOCIATES, P.C. IN THE AMOUNTS OF \$15,000 FOR THE PRELIMINARY, FINAL, AND BIDDING/NEGOTIATING FEES AND A NOT TO EXCEED FEE OF \$6,000 FOR CONSTRUCTION SERVICES; RELATIVE TO THE MARKET STREET STORMWATER PROJECT

Motion was made by Council Member Behymer to have the City Clerk read Resolution No. 1504-08 and call the roll for adoption. Motion was seconded by Council Member Knickerbocker.

Motion carried.

Roll Call

Yes: Mayor Pro Tem Wilson, Council Members Behymer, Lyng, Knickerbocker and Janes - 5

No: -0-

Absent: Mayor Hark - 1

Mayor Hark declared Resolution No. 1504-08 duly approved and adopted on this date.

RESOLUTION NO. 1505-08

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH MECO ENGINEERING IN THE AMOUNT OF \$18,700 FOR THE ENGINEERING SERVICES RELATIVE TO THE WEST ELY ROAD UPDATE PROJECT

Motion was made by Council Member Knickerbocker to have the City Clerk read Resolution No. 1505-08 and call the roll for adoption. Motion was seconded by Council Member Lyng.

Motion carried.

Roll Call

Yes: Mayor Pro Tem Wilson, Council Members Behymer, Lyng, Knickerbocker and Janes - 5

No: -0-

Absent: Mayor Hark - 1

Mayor Hark declared Resolution No. 1505-08 duly approved and adopted on this date.

RESOLUTION NO. 1506-08

A RESOLUTION AUTHORIZING AND APPROVING A PERMANENT UTILITY, DRAINAGE, MAINTENANCE AND ACCESS EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT BETWEEN JORGE & CHARLENE LEINDO, RELATING TO THE PLEASANT STREET STORM WATER IMPROVEMENT PROJECT, AND SUCH FURTHER AUTHORITY

Motion was made by Council Member Behymer to have the City Clerk read Resolution No. 1506-08 and call the roll for adoption. Motion was seconded by Council Member Knickerbocker.

Motion carried.

Roll Call

Yes: Mayor Pro Tem Wilson, Council Members Behymer, Lyng, Knickerbocker and Janes - 5

No: -0-

Absent: Mayor Hark - 1

Mayor Hark declared Resolution No. 1506-08 duly approved and adopted on this date.

RESOLUTION NO. 1507-08

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT AGREEMENT BETWEEN THE CITY OF HANNIBAL, FIRE DEPARTMENT AND BLEIGH CONSTRUCTION IN THE AMOUNT OF \$189,000 FOR FIRE STATION 1 EXTERIOR RENOVATIONS CAPITAL IMPROVEMENT PROJECT PHASE 1

Motion was made by Council Member Janes to have the City Clerk read Resolution No. 1507-08 and call the roll for adoption. Motion was seconded by Council Member Knickerbocker.

Motion carried.

Roll Call

Yes: Mayor Pro Tem Wilson, Council Members Behymer, Lyng,
Knickerbocker and Janes - 5
No: -0-
Absent: Mayor Hark - 1

Mayor Hark declared Resolution No. 1507-08 duly approved and adopted on this date.

BILL NO. 08-047

**AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL COOPERATION
AGREEMENT BY AND BETWEEN THE CITY OF HANNIBAL AND THE
MISSOURI SECURITIES INVESTMENT PROGRAM (MOSIP) FOR THE
INVESTMENT OF PUBLIC FUNDS**

FIRST READING

Motion was made by Council Member Janes to give Bill No. 08-047 a first reading. Motion was seconded by Council Member Knickerbocker.

Motion carried.

BILL NO. 08-046

**AN ORDINANCE AMENDING CHAPTER 15, ARTICLE II, DIVISION 1 SECTION
15-30 OF THE CODE OF THE CITY OF HANNIBAL REGARDING THE LOCATION
OF BUSINESSES NEAR ROADWAYS**

SECOND AND FINAL READING

Motion was made by Council member Behymer to give Bill No. 08-046 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Knickerbocker.

Roll Call

Yes: Mayor Pro Tem Wilson, Council Members Behymer, Lyng,
Knickerbocker and Janes - 5
No: -0-
Absent: Mayor Hark - 1

Mayor Hark declared Bill No. 08-046 duly approved and adopted on this day.

ADJOURNMENT

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

Motion carried.