

**NOTICE OF PUBLIC MEETING
OFFICIAL COUNCIL PROCEEDINGS**

**October 21, 2008
7:00 p.m.**

ROLL CALL

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

Absent: Council Member Knickerbocker - 1

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 Lyng led the Pledge of Allegiance to the Flag.

Motion was made by Council Behymer to excuse Council Member Knickerbocker from the proceedings. Motion was seconded by Mayor Pro Tem Wilson.

Motion carried.

**APPROVAL OF MINUTES
Regular Council Meeting – October 7, 2008**

Motion was made by Mayor Pro Tem Wilson to approve the minutes of the Regular Council Meeting that was held on October 7, 2008. Motion was seconded by Council Member Behymer.

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS
First Half – October, 2008

Motion was made by Mayor Pro Tem Wilson to approve the payroll and claims for the first half of October, 2008. Motion was seconded by Council Member Behymer.

Motion carried.

MICHAEL GAINES – HANNIBAL ARTS COUNCIL
Re: Local Government Certification - NAP Application
(Resolution No. 1502-08, to follow)

Since Michael Gaines was not in attendance, Ms. Candace Kleeman spoke on his behalf and on behalf of the Hannibal Arts Council, regarding their NAP Application. She requested Council approval of Resolution No. 1502-08, to follow, which would give this application the needed certification from the City of Hannibal so that it could be submitted to the state of Missouri Department of Economic Development. Approval of this application would allow the Hannibal Arts Council the necessary \$80,000 in 50% tax credits to support the acquisition and renovation of 105-107 South Main Street, formerly The Other Place bar. As stated in the letter that Mr. Gaines had placed before Council, it is the organization's desire to relocate to downtown Hannibal from their current facility located at 1221 Market Street.

The Resolution will be revisited later, during the meeting, for approval.

Mayor Hark entertained a motion to add Mr. Wesley Knapp of Historic Hannibal Marketing Council to the agenda, regarding the revision of the location for the Halloween Arts Festival. Motion was made to approve the addition of this agenda item by Council Member Behymer. Motion was seconded by Council Member Janes.

Motion carried.

WESLEY KNAPP - HISTORIC HANNIBAL MARKETING COUNCIL
Re: Location Change of Halloween Arts Festival

Mr. Knapp came before Council with a request to block the alley from Hill Street to the back of the Y-Men's Pavilion in order to cordon off the area that would be contiguous around the perimeter of the festival. After a brief discussion, motion was made by Council Member Janes to approve Mr. Knapp's request. Motion was seconded by Mayor Hark.

Motion carried.

ROY G. HARK – MAYOR
Re: 4th Ward Council Member Selection Process Discussion

Mayor Hark explained that Council had been given applications for the 4th Ward Council Position with their Council packets. He suggested that a CWC (Committee of the Whole Council) meeting be held on October 28, 2008 at 7:00 p.m., following the regular Fire Board meeting. This would allow Council Members one week to review all applicants, according to the Mayor. Motion was made by Mayor Pro Tem Wilson to approve the suggestion made by

Mayor Hark, to hold a CWC Meeting on October 28 at 7:00 p.m. Motion was seconded by Council Member Behymer.

Motion carried. The Mayor directed the City Clerk to notify all applicants before the scheduled meeting date.

Re: Fire Board Appointment

Mayor Hark stated that it was his desire to place Mayor Pro Tem Wilson on the Fire Board. Motion was made by Council Member Janes to approve the Mayor's request. Motion was seconded by Council Member Behymer.

Motion carried.

JAMES LEMON – CITY ATTORNEY
Re: Businesses Near Roadways Amendment
(Bill No. 08-046, to follow)

City Attorney James Lemon reminded Council of their request to have him draft amendments to the city ordinance regarding business located in the proximity of roadways. With the initial passage of this ordinance, there were some unintended consequences of restrictions to some downtown businesses. For this reason, Mr. Lemon placed Bill No. 08-046, an amendment to the original ordinance, before Council. It would be given a first reading with Council approval later, during the meeting.

JEFF LAGARCE – CITY MANAGER
Re: Recommendation of Appointment

City Manager Jeff LaGarce made the following recommendation:

HISTORIC DEVELOPMENT DISTRICT COMMISSION
➤ Bob Yapp – Appointment for a term to expire May, 2013

This nomination will be considered for approval at the next regular Council meeting.

Re: City Engineer - Confirmation of Appointment

City Manager LaGarce announced his recommendation to appoint Mr. Mark Rees as the new City Engineer. Motion was made by Mayor Hark to approve the City Manager's recommendation. Motion was seconded by Council Member Behymer.

Roll Call

Yes: Council Member Janes, Mayor Pro Tem Wilson, Mayor Hark and Council Member Behymer – 4

No: Council Member Lyng - 1

Absent: Council Member Knickerbocker - 1

Motion carried.

**Re: Clemens Field Parking Lot Improvements - Escrow Agreement
F&M Bank and Trust Co. & Hannibal Sports & Entertainment LLC**
(Resolution No. 1500-08, to follow)

LaGarce's final order of business was an escrow agreement between the City, F&M Bank and Trust and the Hannibal Sports & Entertainment LLC for the Clemens Field parking lot improvements. He explained that, during a recent meeting with the Hannibal Sports & Entertainment representatives, it was suggested that the city modify the existing escrow agreement for lighting to include the parking element, as well, since the City has the responsibility for one-half of the parking lot improvements, totaling an estimated \$90,000. This would allow Hannibal Sports & Entertainment to develop the parking lot in conjunction with their overall project, and draw funds from the city's half as deposited in the escrow agreement.

LaGarce was in favor of this modification, stating that, in doing this, the city's obligation would then be fulfilled, and much time, coordination and potential aggravation could be avoided for both parties. He recommended the approval of Resolution No. 1500-08, to follow, that would approve the modified escrow agreement.

CONNIE QUINN – ASSISTANT BUILDING INSPECTOR
Re: Demolition Project PD/PR – Contract Agreement
Don Martin Construction
(Resolution No. 1501-08, to follow)

In the absence of the Assistant Building Inspector Connie Quinn, City Clerk Angelica Zerbonia presented the next item on the agenda, Resolution No. 1501-08, regarding Demolition Project PD/PR and a contract agreement for this project with Don Martin Construction.

Zerbonia stated that invitation to bid for this project was published in the local newspaper and sent to prospective bidders, resulting in the receipt of three bids which were opened on October 8, 2008. Low bidder for both projects was Don Martin Construction. The first location, 116 South 8th Street, in the amount of \$8,195.00, is the future site of the HPD parking lot and the other location, 905 Wabash, in the amount of \$4,694.00 will be used by the Parks and Recreation Department to extend Riverview Park.

The recommendation of the Building Inspection Office is to reward the bid to Don Martin Construction for a total amount of \$12,890.00.

RESOLUTION NO. 1500-08

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN ESCROW AGREEMENT IN THE AMOUNT OF \$90,000 WITH F&M BANK AND TRUST COMPANY, HANNIBAL SPORTS & ENTERTAINMENT LLC, AND THE CITY OF HANNIBAL FOR COSTS ASSOCIATED WITH THE INSTALLATION OF PARKING AT CLEMENS FIELD

Motion was made by Council Member Behymer to have the City Clerk read Resolution No. 1500-08 and call the roll for adoption. Motion was seconded by Mayor Hark.

Motion carried.

Roll Call

Yes: Council Member Janes, Mayor Pro Tem Wilson, Mayor Hark, Council Members Behymer and Lyng – 5

Absent: Council Member Knickerbocker - 1

Mayor Hark declared Resolution No. 1500-08 duly approved and adopted on this date.

RESOLUTION NO. 1501-08

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR THE DEMOLITION OF 116 SOUTH 8TH STREET AND 905 WABASH BETWEEN THE CITY OF HANNIBAL AND DON MARTIN CONSTRUCTION IN THE TOTAL AMOUNT OF \$12,890

Motion was made by Mayor Pro Tem Wilson to have the City Clerk read Resolution No. 1501-08 and call the roll for adoption. Motion was seconded by Mayor Hark.

Motion carried.

Roll Call

Yes: Council Member Janes, Mayor Pro Tem Wilson, Mayor Hark, Council Members Behymer and Lyng – 5

Absent: Council Member Knickerbocker - 1

Mayor Hark declared Resolution No. 1501-08 duly approved and adopted on this date.

RESOLUTION NO. 1502-08

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE MISSOURI DEPARTMENT OF ECONOMIC DEVELOPMENT LOCAL GOVERNMENT CERTIFICATION OF THE HANNIBAL ARTS COUNCIL'S, APPLICATION TO THE NEIGHBORHOOD ASSISTANCE PROGRAM (NAP)

Motion was made by Mayor Pro Tem Wilson to have the City Clerk read Resolution No. 1502-08 and call the roll for adoption. Motion was seconded by Mayor Hark.

Motion carried.

Roll Call

Yes: Council Member Janes, Mayor Pro Tem Wilson, Mayor Hark, Council Members Behymer and Lyng – 5

Absent: Council Member Knickerbocker - 1

Mayor Hark declared Resolution No. 1502-08 duly approved and adopted on this date.

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

FIRST READING

Motion was made by Council Member Janes to give Bill No. 08-046 a first reading. Motion was seconded by Council Member Behymer.

Motion carried.

BILL NO. 08-045

AN ORDINANCE FIXING AND ADOPTING THE RATE OF TAXATION FOR THE YEAR OF 2008 AND LEVYING TAXES THEREFORE

SECOND AND FINAL READING

Motion was made by Mayor Pro Tem Wilson to give Bill No. 08-045 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Behymer.

Roll Call

Yes: Council Member Janes, Mayor Pro Tem Wilson, Mayor Hark and Council Member Behymer – 4

No: Council Member Lyng - 1

Absent: Council Member Knickerbocker - 1

Motion to read carried.

Roll Call

Yes: Council Member Janes, Mayor Pro Tem Wilson, Mayor Hark and Council Member Behymer – 4

No: Council Member Lyng - 1

Absent:

Council Member Knickerbocker - 1

Mayor Hark declared Bill No. 08-045 duly approved and adopted on this day.

ADJOURNMENT

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

Motion carried.