

**NOTICE OF PUBLIC MEETING  
OFFICIAL COUNCIL PROCEEDINGS**

**August 4, 2009  
7:00 p.m.**

**ROLL CALL**

**Present:** Council Members Behymer, Lyng, Janes, Mayor Pro Tem Wilson, Mayor Hark and Council Member Louderman – 6

**Absent:** Council Member Knickerbocker - 1

**CALL TO ORDER**

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

**INVOCATION**

Council Member Janes gave the invocation.

**PLEDGE OF ALLEGIANCE**

Council Member Lyng led the Pledge of Allegiance to the Flag. At this time Council Member Janes made a motion to excuse Council Member Knickerbocker. Motion was seconded by Council Member Louderman.

Motion carried.

**APPROVAL OF MINUTES  
Regular Council Meeting - July 21, 2009**

Motion was made by Mayor Pro Tem Wilson to approve the minutes of the last regular Council meeting that was held on July 21, 2009. Motion was seconded by Council Member Behymer.

Motion carried.

**APPROVAL OF PAYROLL AND CLAIMS**  
**Second Half – July 2009**

Motion was made by Mayor Pro Tem Wilson to approve the payroll and claims for the second half of July, 2009. Motion was seconded by Council Member Behymer.

Motion carried.

**JEAN MCBRIDE – MARION COUNTY HEALTH DEPARTMENT**

**Re: Request, Street Closure – 5<sup>th</sup> Annual Halloween Parade**

*(Saturday, October 24, 2009 – 6:00 p.m. – 8:00 p.m.)*

Ms. Jean McBride, of the Marion County Health Department, introduced herself to Council and explained that it was time for the 5<sup>th</sup> Annual Halloween Parade, scheduled for Saturday, October 24, 2009. Each year, this mile walk is held for kids and adults in costume, to promote physical activity and nutrition. She stressed that candy was not included in the parade since they strive to encourage healthy snacks and safety. She requested Council permission be given for the closure of Broadway and side streets from Save-A-Lot parking lot to Main Street, and Main Street to the old Murphy Motors parking lot. She added that the actual event would last approximately one hour and requested that the street closures continue from 6:00 P.M. until 8:00 P.M. Mayor Pro Tem Wilson made a motion to approve her request for street closures. Council Member Behymer seconded the motion.

Motion carried.

**BOB YAPP – HISTORIC DISTRICT DEVELOPMENT COMMISSION**

**Re: Code Amendment - Chapter 32, Article XI *Historic Districts***

*(Bill No. 09-015, to follow)*

**&**

**Re: Historic District Development Commission Review Guidelines**

*(Resolution No. 1576-09, to follow)*

In Mr. Bob Yapp's absence, Mr. Mike Kettlekamp came forward to make a presentation regarding Bill No. 09-015, code amendment of Hannibal City Code, Chapter 32 Article XI – *Historic Districts* and Resolution No. 1576-09, regarding HDDC guidelines. The Hannibal Historic Development Commission, established in 1988, was created to work in conjunction with the H1-Historic District, according to Kettlekamp. He added that these guidelines were prepared to help the Commission work with the property owners in exterior restoration of buildings located in the H-1 District.

Now, a new set of guidelines has been created. Basically, the new guidelines are the same with little more authority. For instance, in following these guidelines, wording has been changed from 'recommended' to 'required', from 'shall' to 'must'. Another change, to be brought about by this new ordinance would be the establishment of districts, known as *certified local government* districts, for historic areas. Kettlekamp closed by requesting Council's approval of a first reading for Bill No. 09-015, to follow.

During the time of discussion, Council Member Lyng voiced the need to amend Chapter 32, Section 442 and include changes that had been made in April, 2008, defining the 'District'. City Manager LaGarce interjected that Lyng was referencing Bill No. 08-017, approved earlier,

amending Chapter 32, Article 10, Division 2, Section 926, regarding the boundaries of the H1-Historic District. At that time, a need had arisen when H1-Zoned property on Bridge Street was rezoned to B-Multiple Family. For some reason, according to LaGarce, this change was omitted from the current Bill No. 09-015. He was not sure if this was relevant in light of the new bill, but he assured Council that he would research this item, to see if changes were necessary.

Council Member Behymer had concerns regarding Chapter 32, Section 448, paragraph 1 – *Letter of Exclusion*. He stated that he wished to make a motion to amend this section to include a ‘*Letter of Exclusion*’ with the notification of the overlay district. He explained the proposed steps for choosing this option that would assist any property owner who did not wish to be included in the ‘*certified local government*’, adding that, to approve the application for overlay district, a 67% (or 2/3) majority vote from property owners would be required. Motion was seconded by Mayor Pro Tem Wilson.

There was a question posed by Council Member Lyng regarding the 2/3 majority vote vs. the ‘*Letter of Exclusion*’. Behymer provided his stance on the issues for exclusions, adding that a new owner could apply for ‘inclusion’. These letters would allow interested parties to participate; whereas, those not wishing to participate could remain excluded. He concluded by stating that he would like to see the City receive Federal Certification. The question was called.

Motion carried. City Manager LaGarce asked Council for permission to adjust Chapter 32, Section 442 and include the definition of the ‘District’, as Council Member Lyng had suggested. Mayor Hark agreed.

### **JIM BEHYMER – 5<sup>TH</sup> WARD COUNCIL MEMBER**

#### **Re: Code Amendment – Chapter 16, Article V, Section 164 - *Unnecessary Noise* (Bill No. 09-017, to follow)**

Council Member Behymer began by thanking those who participated in the Noise Ordinance Task Force. He offered ‘Special Thanks’ to Don Warren and to City Attorney James Lemon for their input. Behymer explained that Mr. Lemon’s contribution was extremely valuable to the completion of the ordinance. He asked Lemon to explain the legal changes made to Bill No. 09-017.

Mr. Lemon began by saying that the Task Force had two issues of greatest concern. These being:

1. *Reasonable Person Standard* – used by many cities, as a measuring standard (implied in the original ordinance). This was changed to a specific statement that determination of whether or not noise was unnecessary would depend on a ‘*reasonable person standard*’.
2. *Vehicular Noise* – (Mr. Warren was extremely helpful in drafting most of the language) The Task Force was concerned with setting guidelines with regard to this issue.

Lemon added that Mr. Warren has now suggested removing a portion of paragraph 5, Subsection 2 in the proposed bill. The City Attorney explained that Warren had originally included language which the Task Force had liked, saying, “*A noise shall be considered loud and annoying when qualitatively is of an intensity similar to that of a rock concert or it substantially interferes with normal conversation for a period longer than that required for normal or reasonable traffic control*”; however he had a concern that the language, “*or it*

*substantially interferes with normal conversation for a period longer than that required for normal or reasonable traffic control”* was confusing. He suggested that portion be removed from the ordinance.

Mr. Warren came forward and clarified his reference to *transient noise* as noise ‘going by’ and not being a problem to anyone for a long period of time; whereas, if the vehicle is parked and is interfering with conversation, the owner should be a good neighbor and shut off the vehicle.

Council Member Janes disagreed with the statements, adding that radio noise by Warren’s definition would be considered ‘transient noise and, therefore, not a violation or an offence warranting a ticket. Warren responded that radio noise is different and addressed separately, adding that radios have a volume control; a vehicle does not.

Warren and Council Member Behymer agreed that all aspects of this issue had been discussed at length during Task Force meetings before presenting information for a bill to be drafted. Warren explained that it was determined that normal traffic noise lasts from about thirty seconds to one and one-half minutes. In that length of time a vehicle will move so that noise is no longer an issue.

Council Member Behymer stated that an amendment could be drafted; however it was his opinion that an amendment was not necessary. Council Member Louderman agreed.

City Manager LaGarce commented that Council Member Knickerbocker, who was currently absent from the meeting had stated that he would be presenting amendments to this bill at the next Council meeting. This Bill No. 09-017 would be revisited later, during the meeting, for approval of a first reading.

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

City Manager LaGarce reminded Council of a candidate presented at the last regular Council meeting for the Hannibal Board of Public Works. This was:

**HANNIBAL BOARD OF PUBLIC WORKS**

- Tom Lennon – Reappointment for a term to expire July, 2013

He asked Council for their approval regarding Tom Lennon’s nomination. Council Member Louderman explained that, after much thought, it was his opinion that Council needs to make changes to gain control, regarding the Board of Public Works. He added that he believes Tom Lennon is a genuine person, who has concerns for the community, as well. According to Louderman, Mr. Lennon feels that the communication between the Board and Council needs to be improved and is working to make those needed improvements. Louderman cited several accomplishments that had been made as a result of Lennon’s efforts. Motion was made by Council Member Louderman to approve the reappointment of Mr. Tom Lennon to the BPW Board. Motion was seconded by Mayor Hark.

## Roll Call

**Yes:** Council Member Behymer, Mayor Hark, Council Member Louderman – 3

**No:** Council Member Lyng, Janes and Mayor Pro Tem Wilson – 3

**Absent:** Council Member Knickerbocker - 1

Motion failed.

### **Re: Recommendation of Appointment**

LaGarce also made the following recommendation:

#### HANNIBAL CONVENTION & VISITORS' BUREAU

- Michael O'Cheltree –Appointment for a term to expire September, 2014

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

### **Re: Payroll Amendment – Property Maintenance Inspector**

*(Bill No. 09-016, Emergency Measure, to follow)*

City Manager LaGarce introduced his next item on the agenda, Bill No. 09-016, an amendment to the FY2009/10 Payroll Ordinance, regarding the Property Maintenance Inspector Salary, He asked for approval of this bill by emergency measure. LaGarce explained that when the payroll ordinance was developed, the position was vacant. Later this position was filled by Chuck Anderson, a qualified, seven-year veteran of the City whose current salary exceeded the amount placed in the original ordinance. Since this was a lateral transfer, bringing his salary with him is allowed according to City policy.

Council Member Louderman questioned whether this change would place this person ahead of others in the department; to which the City Manager confirmed that this would be the case, adding that the options would be to hire a less-qualified individual for the position, to hire this person at a reduced rate or to allow him to maintain his current salary as policy states.

Council Member Lyng reminded Council that, when they had discussed the semantics of this new position, it was stated that the income from property inspections would offset this added position. If this becomes a \$40,000/year position, would the cost of property inspections need to be increased to cover this added salary?

LaGarce stated that he did not know the answer. He continued that the difference in the salary would be approximately \$2,200/year, indicating that the new salary, if approved would be below mid-point of the grade.

Mark Rees, the Director of the Department of Pubic Works and Anderson's direct supervisor, stated that Anderson is an excellent employee, deserving of this increase. Louderman responded that he knew Anderson and agreed totally; reiterating that his only concern was that he would be placed above other employees in the department who were equally as valuable

Fire Chief Tim Carter was recognized and addressed Council stating that, historically, the Fire Department has had transfers from the Parks Department and the Police Department. In each case, the employee was given a decrease in pay, back to step one, of the designated grade range. The seniority of the individual counts for sick time and vacation time; however, they 'begin again' in regard to pay. He was not aware; however, of whether or not these transfers were lateral ones. This bill would be revisited later in the meeting for a possible emergency reading.

**Re: City Attorney Legal Services – Professional Services Contract**

*Lemon Law Firm, LLC*

*(Resolution No. 1575-09, to follow)*

The final item, presented by the City Manager was Resolution No. 1575-09, to follow. This resolution regarded a professional services contract with Lemon Law Firm, LLC, for City Attorney legal services. The City has budgeted \$75,000 during the current fiscal year for these services. This will be placed before Council later, during the meeting, for approval. LaGarce requested the addition of the next agenda item.

**Re: Reopening of Munger Lane Bridge**

LaGarce announced that the Munger Lane Bridge was complete and ready for opening. He added that a ribbon cutting ceremony was scheduled for the following Monday morning, August 10<sup>th</sup> at 11:30. He stated that the ceremony would also include a brief discussion of upcoming and current projects, such as the beginning of West Ely improvements, the completion of Stardust Drive, the design of Paris Gravel Road, etc.

Council Member Janes asked to speak at this time, regarding the previous agenda item, the contract for legal services for the City, with James Lemon. He questioned the length of the contract, clarifying that the amount would be \$75,000 per year until 2012. Council Member Behymer stated that he would be abstaining from this vote, since he was a relative to Mr. Lemon's wife.

Council Member Lyng asked if \$75,000 per year was the best deal that can be offered to the City, since the previous contract amount was only \$50,000 per year.

Lemon answered that his firm was averaging four (4) hours per day or 1,040 hours per year for City business. Under the current contract, this averages approximately \$62.50 per hour. His current rate for other business is \$140.00 per hour and the rate, per hour for his associate is currently at \$120.00 per hour, or \$130.00 per hour average between the two. Lemon concluded that, if this new contract was approved, his hourly rate would increase to \$72.00, if he continued to devote an average of four (4) hours per day for City business. In calculating the difference in pay between City business and other hourly business, Lemon stated that the City is averaging a \$60,000 per year discount or \$26,400 discount off of the firm's regular hourly rates.

Council Member Lyng argued that the position should not renew to one individual but should be opened to other local attorneys, as well. He added that this was a question for City Manager LaGarce. The City Manager explained that this contract was previously discussed during the budget workshop and Council indicated that they wished to place Mr. Lemon under contract. He also explained that this was not an area that he wished to bid out, feeling that legal work should strictly be considered on a qualification basis. He continued that, during the workshop, when the Law Budget was discussed, it was noted that Mr. Lemon had asked for an increase

from \$65,000 to \$75,000 per year. After discussion, it was agreed to renew the contract for the \$75,000 as requested by Lemon.

Council Member Lyng questioned the minutes, asking why information from the budget workshop was not contained within them. The City Clerk responded that discussions were not transcribed verbatim, adding that this was not a requirement. If this was not acceptable, tapes of the meeting are on file for review.

Council Member Behymer expressed his satisfaction with the City Attorney's quality of service and the work that he continues to do. Lyng clarified that his argument has nothing to do with job performance of the current City Attorney.

**DOUG WARREN – FINANCE DIRECTOR**  
**Re: AT&T Settlement Offer – Municipal Tax Settlement Claim Form**  
*(Bill No. 09-014, to follow)*

City Finance Director Doug Warren presented the next item on the evening's agenda, which was Bill No. 09-014, regarding completion of a municipal tax settlement claim form for an AT&T settlement offer. Warren explained that the proposed ordinance was a requirement of the settlement agreement that was struck in the Circuit Court of the City of St. Louis, where a class action lawsuit was filed by various Missouri cities. Warren added that the heart of the case was the under-reporting of gross sales with regard to utility franchise fees. Hannibal's portion of this \$65 million class action suit, if accepted would be \$256,041.76 after legal fees are paid to the law firm that prosecuted the defendant. Even though one city in the state wanted to continue the fight without settling, Mr. Warren's recommendation was to give related Bill No. 09-014, to complete the claim form accepting the settlement, a first reading when it was addressed later, during the meeting.

**TIM CARTER – FIRE CHIEF**  
**Re: Bid Award Approval, Sale – 1987 Ford/Smeal Pumper Engine #3**  
*Alexandria Fire Protection District*

Fire Chief Carter was recognized and addressed Council regarding a bid award approval request for the sale of the Fire Department's 1987 Ford/Smeal Pumper Engine #3. Carter explained that on July 24<sup>th</sup> bids were opened for the sale of this vehicle, with three bids being submitted. The highest bidder for this piece of equipment was Alexandria Fire Protection District, with a bid in the amount of \$18,000. It was the Department's recommendation to accept this bid, according to Carter. Motion was made by Council Member Louderman to approve Carter's request. Motion was seconded by Council Member Janes.

Motion carried. Carter concluded by informing Council that the new engine should be ready for delivery on August 12<sup>th</sup>.

**MARK REES – CITY ENGINEER**  
**Re: Request, Temporary Street Closure – Aggregate Chip Seal Project**  
*7<sup>th</sup> Street & Warren Barrett to Colfax*

City Engineer Mark Rees' first order of business was a request to temporarily close a section of 7<sup>th</sup> Street and Warren Barrett to Colfax for the storage of aggregate for the chipseal project.

Rees added that he had inspected this area prior to making the request and confirmed that there would be ample area around the closed streets to circulate with a minimum of inconvenience to the soccer field. The street closure would continue for approximately two months, at which time, cleanup and street re-opening would occur. After a brief discussion regarding the location of the street closure, motion was made by Mayor Hark to approve Rees' request. Motion was seconded by Council Member Louderman.

Motion carried.

**Re: Aggregate Chipseal Hauling – Contract Agreement**

*Chester Bross Construction*

*(Resolution No. 1577-09, to follow)*

Rees explained that bids were recently opened for aggregate chipseal hauling from the Central Stone Quarry in Taylor, MO to the new Street Department facility on 7<sup>th</sup> and Warren Barrett Drive. Rees added that there were two bidders for this project, with both bids coming in higher than expected. For that reason, the department scaled back the number of yards to be done; therefore, also scaling back the amount of aggregate to be hauled. This reduction was necessary in order to remain within the current budget. Total number of tons was reduced to 3,141 tons. The low bid was \$20,700 from Bross Construction for an amount 4,700 tons of aggregate to be hauled. The contract that Rees asked Council to approve was for \$14,134.79 to reflect the reduction of aggregate from 4,700 tons to 3,141 tons, based on unit price of hauling per ton. He recommended Council approval of related Resolution No. 1577-09, to follow.

Council Member Janes questioned the effects this reduction would have on the total number of projects to be completed. Rees responded that fewer streets would be chipped than originally projected or a reduction of approximately 40,000 to 50,000 square yards. He apologized for not having more exact figures to present; however, he did say that he would be preparing a new map for consideration and he would hear input from anyone who wished to be part of the process. LaGarce added that during discussion, they had estimated that approximately 83% of the surface area will still be completed.

Several factors were instrumental in this reduction, including the inability of the street crew to provide the trucks for this operation because a special hitch is required. Also trained operators are a necessity because of hills and curves on the streets to be included. He told Council that it was his hope for the Street Department to be in a better position to assist in providing the service for this project next year.

**Re: 2009 Pavement Surfacing Chipseal Program – Contract Agreement**

*Chester Bross Construction*

*(Resolution No. 1579-09, to follow)*

Rees' third item on the agenda was the actual award of the chip seal operation. Chester Bross was the low bidder for this project, according to Rees. That bid, based on a higher square yardage amount, came in at \$648,496.20. After taking the reduction into consideration, the adjusted contract amount totaled \$502,570.20, based on linear footage.

Rees concluded by saying that the Department of Public Works requested Council to accept the bid, and approve a contract between the City of Hannibal and Chester Bross Construction in the amount of \$502,570.00. This contract would be approved with the approval of related Resolution No. 1579-09, to follow.

**Re: West Ely Road Improvements – Contract Agreement**  
*Bleigh Construction*  
(Resolution No. 1578-09, to follow)

The last item on the agenda was also presented by City Engineer Rees and was regarding the award of a contract agreement with Bleigh Construction for improvements to West Ely Road. Rees explained that three (3) very competitive bids were received for this project. His recommendation was to accept Bleigh Construction's base bid of concrete pavement and concrete storm sewer pipe because it is within the engineer's estimate, within the original bond issue estimate and within last year's budget. It also provides the best product for long-term of the maintenance of the street for Hannibal in the amount of \$874,477.85.

LaGarce added that, in his opinion, this was good because, since the project had been over-designed, they had expected bids to come in much higher.

Janes posed a question, regarding amount that might be saved in accepting one of the other options, thus freeing up funds that could then be used to complete the chipseal project.

Rees agreed that could be an option; however, he pointed out that the concrete vs. asphalt was like bidding 'apples to oranges'. He added that maintenance for the concrete would ultimately take less and will last longer. Approval of Resolution No 1578-09, to follow, would also approve this contract with Bleigh Construction.

**RESOLUTION NO. 1575-09**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A THREE-YEAR AGREEMENT WITH LEMON LAW FIRM, LLC IN THE AMOUNT OF \$75,000 PER YEAR FOR THE PROVISION OF CITY ATTORNEY LEGAL SERVICES**

Motion was made by Mayor Pro Tem Wilson to have the City Clerk read Resolution No. 1575-09 and call the roll for adoption. Motion was seconded by Council Member Behymer.

Motion carried.

**Roll Call**

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

**No:** Council Member Lyng - 1

**Absent:** Council Member Knickerbocker -1

Mayor Hark declared Resolution No. 1575-09 duly approved and adopted on this date.

**RESOLUTION NO. 1576-09**

**A RESOLUTION OF THE CITY OF HANNIBAL ADOPTING THE DESIGN REVIEW GUIDELINES TO THE HISTORIC DISTRICT DEVELOPMENT COMMISSION RECOMMENDED BY PLANNING AND ZONING ON JULY 16, 2009**

Motion was made by Council Member Janes to have the City Clerk read Resolution No. 1576-09 and call the roll for adoption. Motion was seconded by Council Member Louderman.

Motion carried.

**Roll Call**

**Yes:** Council Members Behymer, Lyng, Janes, Mayor Pro Tem Wilson, Mayor Hark, and Council Member Louderman – 6

**No:** -0-

**Absent:** Council Member Knickerbocker -1

Mayor Hark declared Resolution No. 1576-09 duly approved and adopted on this date.

**RESOLUTION NO. 1577-09**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH CHESTER BROSS CONSTRUCTION IN THE AMOUNT OF \$14,134.79 RELATIVE TO AGGREGATE CHIPSEAL HAULING FROM CENTRAL STONE QUARRY IN TAYLOR, MISSOURI TO THE NEW STREET DEPARTMENT FACILITY LOCATED AT 7<sup>TH</sup> AND WARREN BARRETT DRIVE**

Motion was made by Council Member Behymer to have the City Clerk read Resolution No. 1577-09 and call the roll for adoption. Motion was seconded by Council Member Janes.

Motion carried.

**Roll Call**

**Yes:** Council Members Behymer, Lyng, Janes, Mayor Pro Tem Wilson, Mayor Hark, and Council Member Louderman – 6

**No:** -0-

**Absent:** Council Member Knickerbocker -1

Mayor Hark declared Resolution No. 1577-09 duly approved and adopted on this date.

**RESOLUTION NO. 1578-09**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT  
BETWEEN THE CITY OF HANNIBAL AND BLEIGH CONSTRUCTION FOR  
CONSTRUCTION SERVICES FOR WEST ELY ROAD IMPROVEMENTS IN THE  
AMOUNT OF \$874,477.85**

Motion was made by Mayor Pro Tem Wilson to have the City Clerk read Resolution No. 1578-09 and call the roll for adoption. Motion was seconded by Mayor Hark.

Motion carried.

**Roll Call**

**Yes:** Council Members Behymer, Lyng, Janes, Mayor Pro Tem Wilson, Mayor Hark, and Council Member Louderman – 6

**No:** -0-

**Absent:** Council Member Knickerbocker -1

Mayor Hark declared Resolution No. 1578-09 duly approved and adopted on this date.

**RESOLUTION NO. 1579-09**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT  
WITH CHESTER BROSS CONSTRUCTION IN THE AMOUNT OF \$502,570.20 FOR  
THE 2009 PAVEMENT SURFACING CHIPSEAL PROGRAM**

Motion was made by Council Member Janes to have the City Clerk read Resolution No. 1579-09 and call the roll for adoption. Motion was seconded by Mayor Pro Tem Wilson.

Motion carried.

**Roll Call**

**Yes:** Council Members Behymer, Lyng, Janes, Mayor Pro Tem Wilson, Mayor Hark, and Council Member Louderman – 6

**No:** -0-

**Absent:** Council Member Knickerbocker -1

Mayor Hark declared Resolution No. 1579-09 duly approved and adopted on this date.

**BILL NO. 09-014**

**AN ORDINANCE OF THE CITY OF HANNIBAL, MISSOURI, APPROVING AND  
ACCEPTING A SETTLEMENT AGREEMENT WITH AT&T/SBC LANDLINE**

**FIRST READING**

Motion was made by Council Member Louderman to give Bill No. 09-014 a first reading. Motion was seconded by Mayor Hark.

Motion carried.

**BILL NO. 09-015  
(As amended)**

**AN ORDINANCE REPEALING CHAPTER 32, ARTICLE II OF THE HANNIBAL MUNICIPAL CODE AND REPLACING IT WITH A NEW CHAPTER 32, ARTICLE XI OF THE HANNIBAL MUNICIPAL CODE RELATIVE TO HISTORIC DISTRICTS**

**FIRST READING**

Motion was made by Council Member Behymer to give Bill No. 09-015, as amended, a first reading. Motion was seconded by Mayor Hark.

Motion carried.

**BILL NO. 09-016**

**AN ORDINANCE AMENDING THE PAYROLL ORDINANCE OF THE CITY OF HANNIBAL PERTAINING TO THE PROPERTY MAINTENANCE INSPECTOR**

**EMERGENCY READING**

Motion was made by Council Member Janes to give Bill No. 09-016, an emergency reading and call the roll for adoption. Motion was seconded by Council Member Behymer. Council Member Louderman suggested that a solution to this problem be explored in order to keep from short-changing other employees.

**Roll Call**

**Yes:** Council Members Behymer, Lyng, Janes and Mayor Hark - 4

**No:** Mayor Pro Tem Wilson and Council Member Louderman - 2

**Absent:** -Council Member Knickerbocker - 1

Motion to read carried.

**Roll Call**

**Yes:** Council Members Behymer, Lyng, Janes and Mayor Hark - 4

**No:** Mayor Pro Tem Wilson and Council Member Louderman - 2

**Absent:** -Council Member Knickerbocker - 1

Mayor Hark declared Bill No. 09-016 duly approved and adopted on this date.

**BILL NO. 09-017**

**AN ORDINANCE AMENDING CHAPTER 16, ARTICLE V, SECTION 164, OF THE  
CODE OF THE CITY OF HANNIBAL, RELATIVE TO UNNECESSARY NOISE**

**FIRST READING**

Motion was made by Council Member Behymer to give Bill No. 09-017 a first reading.  
Motion was seconded by Mayor Hark.

Motion carried.

**BILL NO. 09-013**

**AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A PROGRAM  
AGREEMENT BETWEEN THE CITY OF HANNIBAL AND THE MISSOURI  
HIGHWAYS AND TRANSPORTATION COMMISSION FOR THE RECEIPT OF  
TRANSPORTATION ENHANCEMENT FUNDING RELATIVE TO THE  
CONSTRUCTION OF SIDEWALKS ALONG MAIN STREET**

**SECOND AND FINAL READING**

Motion was made by Council Member Janes to give Bill No. 09-013 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, Janes, Mayor Pro Tem  
Wilson, Mayor Hark, and Council Member Louderman – 6

**No:** -0-

**Absent:** Council Members Knickerbocker -1

Mayor Hark declared Bill No. 09-013 duly approved and adopted on this date.

**ADJOURNMENT**

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

Motion carried.