

OFFICIAL PROCEEDINGS OF PUBLIC HEARING

November 3, 2009

6:30 p.m.

CALL TO ORDER

At 6:30 p.m., the appointed time, Mayor Hark called the public hearing to order.

MIKE KETTLEKAMP – HDDC CHAIRMAN

Re: Code Amendment, Chapter 32, Article XI

Historic Districts and Individual Local Historic Landmarks

Mike Kettlekamp, Chairman of the HDDC, explained that the reason for the public hearing was to hear from citizens, regarding the proposed amendment to Chapter 32, Article XI of the Hannibal City Code, *Historic Districts and Individual Local Historic Landmarks*. Kettlekamp stated that, based upon the negative feedback gathered from the recent Council in reference to the new Historic District/Individual Local Historic Landmarks ordinance, the HDDC decided to rewrite the ordinance. He added that it has now been reviewed and approved by the Planning & Zoning Board and will be presented to Council, later during the regular meeting for a first reading.

Kettlekamp said that a change has been made to the original ordinance, including the addition of an 'Individual Local Historic Landmark' whereby any interested party can have their property designated as such, by H-1 Zoning Guidelines. This would be accomplished by completing an approval process, first through the HDDC, then through Planning and Zoning and finally through Council for adoption. This would place the designated property under the design review guidelines of the H-1 District. He added that the original zoning would remain the same.

According to Kettlekamp, by adopting this, the City could make application for a Certified Local Government, which would, in turn, qualify Hannibal for various grants to be used for a number of different things, including continuing education.

PUBLIC COMMENTS

Mayor Hark asked for questions or comments from the public. City Manager LaGarce responded that, enforcement provisions are also included in the ordinance, whereby a citation could be issued immediately, by staff, for non-compliance. Kettlekamp added that these fines would be not less than \$100 per day, up to \$250 per day.

ADJOURNMENT

Since there were no other comments from the floor, Mayor Hark declared that the public hearing would be adjourned.

OFFICIAL COUNCIL PROCEEDINGS

November 3, 2009
7:00 p.m.

ROLL CALL

Present: Council Members Behymer, Lyng, Knickerbocker, Janes,
Mayor Hark and Council Member Louderman – 6

Absent: Mayor Pro Tem Wilson - 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 Behymer led the Pledge of Allegiance to the Flag. At this time Council Member Behymer made a motion to excuse Mayor Pro Tem Wilson. Motion was seconded by Council Member Louderman.

Motion carried.

APPROVAL OF MINUTES

Closed Session Meeting – October 2, 2007
Closed Session Meeting – December 16, 2008
Closed Session Meeting – May 5, 2009
Closed Session Meeting – July 21, 2009
Closed Session Meeting – August 17, 2009
Regular Council Meeting – October 20, 2009
Closed Session Meeting – October 20, 2009

Motion was made by Council Member Knickerbocker to approve the minutes of the Closed Session Meetings that were held on October 2, 2007, December 16, 2008, May 5, 2009, July

21, 2009, August 17, 2009, October 20, 2009 and the last regular Council meeting that was held on October 20, 2009. Motion was seconded by Council Member Behymer.

Motion carried.

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

Motion was made by Council Member Behymer to approve the payroll and claims for the second half of October, 2009. Motion was seconded by Council Member Louderman.

Motion carried.

**JENNIFER FOSTER – HANNIBAL JAYCEES
Re: Request, Street Closure – Annual Christmas Parade
(December 5, 2009 – 5:30 p.m. -6:45 p.m.)**

Ms. Jennifer Foster and her co-chairman, Kamron Caswell, came before Council on behalf of the Hannibal Jaycees, to request the support of the City for their Annual Christmas Parade and Toys for Tots. Her specific request was for Council approval of street closure on December 5, beginning at 5:30 p.m. The parade, if approved, would begin at the Save-A-Lot Parking lot, continuing down Broadway to Main Street, then turning left on Main Street and ending at Hill Street. The City Clerk commented that necessary departments of the City had been notified and procedures were being put into place. Motion was made by Council Member Behymer to approve Foster's request. Motion was seconded by Mayor Hark.

Motion carried.

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

**JULIE BARTOLD – REGIONAL MANAGER, MILLENNIA HOUSING
DEVELOPMENT, LTD
Re: Letter of Support, Low-Income Housing Tax Credit Application
*Hannibal Manor Apartments***

Ms. Julie Bartold, Regional Manager for Millennia Housing Development, LTD, came before Council to request a Letter of Support to be included with the low-income housing tax credit application that Millennia is completing for the Hannibal Manor Apartments. Motion was made by Council Member Knickerbocker to approve Ms. Bartold's request. Motion was seconded by Council Member Behymer.

Motion carried.

MIKE KETTLEKAMP – HDDC CHAIRMAN
Re: Code Amendment, Chapter 32, Article XI
Historic Districts and Individual Local Historic Landmarks
(Bill No. 09-023, to follow)

Mr. Mike Kettlekamp, the HDDC, came before Council to present Bill No. 09-023, the rewritten Chapter 32 of the Municipal Code, removing the overlay process.

He explained that, during a recent Council meeting, this issue was addressed, with many concerns voiced at that time regarding the way this bill was written. As a result, the HDDC revisited this Code amendment, rewriting the ordinance to remove the overlay process of the Historic District for a large area, making it an individual property, calling it an Individual Local Historic Landmark. This will allow an individual's property to come under the guidelines of the H-1 Historic District, if they are so inclined.

In order to accomplish this, the individual may make application to the HDDC for review. HDDC will approve or deny it, sending it to Planning & Zoning Commission, who will review. Finally the application would come before Council for review and approval or denial.

According to Kettlekamp, this would eliminate the voting situation because of the individual request. He added that the original zoning would remain; however, the property, if approved, would be subject to the design review guidelines of the H-1 District. Included in the bill are penalties of \$100/day - \$250/day whereby the property owner could incur, should he violate any guideline requirements. There is a 10-day window to come into compliance after they have been cited.

Mr. Kettlekamp asked for Council consideration of Bill No. 09-023, to follow.

JAMES LEMON – CITY ATTORNEY
Re: Tabled Resolution No. 1591-09 – HCVB Bill Board Advertising Process

Next, City Attorney James Lemon spoke in reference to Resolution 1591-09 regarding the HCVB Billboard advertising process that had been tabled at the previous Council meeting. Mr. Lemon explained that after review of this issue, he does not think that drafting a new ordinance would be appropriate at this time.

JEFF LAGARCE – CITY MANAGER
Re: Approval of Appointments

City Manager Jeff LaGarce reminded Council of a candidate presented at the last regular Council meeting for the Mark Twain Home Board. This was:

MARK TWAIN HOME BOARD

- Carolyn Bastian – Appointment for a term to expire, November, 2016

He asked Council for their approval of this nomination. Motion was made by Council Member Behymer to approve the nomination of Carolyn Bastian for an appointment to the Mark Twain Home Board. Motion was seconded by Council Member Louderman.

Motion carried. LaGarce continued by stating that he had one other appointment for which he was asking Council approval. This was:

PLANNING AND ZONING COMMISSION

- John Ravenscraft – Appointment for a term to expire, June, 2011

He asked Council for their approval of this nomination, as well. Motion was made by Mayor Hark to approve the nomination of John Ravenscraft for an appointment to the Planning and Zoning Commission. Motion was seconded by Council Member Louderman.

Motion carried.

Re: Approval & Establishment, Financial Task Force

Mr. LaGarce's final item on the evening's agenda was the approval and establishment of a financial task force. He explained that, as the result of a discussion at a recent staff meeting, he would like to explore and examine the City's operational structure, looking at revenues and expenditures and try to find operational modifications that will insure the same level of service, but allowing us deliver at a lower cost. Things that will be closely examined are:

- Mowing operation consolidations – Landfill, flood wall & cemetery mowing
- Demolition procedures
- Fleet size
- Bulk purchasing
- Identifying repetitive functions

He asked for three elected officials to volunteer, in order to complete this task, adding that the task force would be comprised of the entire senior staff. The City Manager suggested that meeting times might be during the noon hour, and, occasionally, in the evening. Mayor Hark, Council Member Louderman and Council Member Behymer volunteered to serve on the Financial Task Force. Since this was an informal group, no motion was necessary.

MARK REES – CITY ENGINEER

Re: Commanche Drive Stormwater – Engineering Services Agreement
Klingner & Associates
(Resolution No. 1600-09, to follow)

City Engineer Mark Rees presented the next agenda item, the introduction of Resolution No. 1600-09, to follow. Rees explained that, in keeping with the recently approved stormwater policy, the first problem that has been identified is a severe problem on Commanche Drive. He added that, currently there has been much run-off coming from the north, continuing across back yards and running down Commanche.

Klingner & Associates has submitted an agreement for design services in the amount of \$7,500 to complete the design phase and the bidding process. Rees asked Council approval for this resolution regarding this engineering services agreement for the Commanche Stormwater project with Klingner, later during the meeting.

Re: Airport Terminal Access Roadway & Parking Lot – Professional Services
Crawford, Murphy & Tilly, Inc.
(Resolution No. 1602-09, to follow)

Because MoDOT Air needs additional time to approve the form of the professional services contract with Crawford, Murphy & Tilly for the airport terminal access roadway and parking lot. Rees asked Council to table this agenda item, at the present time.

Re: Airport Terminal Building – Professional Services
Crawford, Murphy & Tilly, Inc.
(Resolution No. 1603-09, to follow)

City Engineer Rees asked Council approval to table Resolution No. 1603-09, regarding the Airport Terminal Building agreement with Crawford, Murphy & Tilly, as well.

CHRIS ATKINSON – DIRECTOR, PARKS & RECREATION
Re: 208 Zeigler Street Property Purchase – Contract to Sale Real Estate
Harry Worrell
(Resolution No. 1601-09, to follow)

Chris Atkinson, Director of the Parks & Recreation Department, came before Council at this time, requesting approval of a resolution. Atkinson explained that, recently, one of three remaining properties on the south side of Riverview Park had become available for purchase. He said that, historically, the City has made an effort to acquire these properties, in order to resolve sewer issues for the Board of Public Works. Acquisition of this property would also allow the Parks & Recreation Department to clean the area and annex it into the park.

Atkinson asked Council consideration of Resolution No. 1601-09, to follow, that would approve the purchase of 208 Ziegler Street for \$15,000 plus closing costs, estimated at approximately \$260.

TIM CARTER – FIRE DEPARTMENT, CHIEF

Re: Administrative Offices Renovation

Layneco Construction

(Resolution No. 1604-09, to follow)

Chief Tim Carter introduced Resolution No. 1604-09, regarding a bid recommendation for the renovation of the Fire Department administrative offices located at 2333 Palmyra Road. Carter explained that the lowest bid of \$48,980, submitted by Layneco Construction was his recommendation following a review of references. \$44,600 of the funding for this project will be taken from Capital Lease Purchase budget line and the remainder of the funding will be taken from the budgeted \$20,000 in Capital Maintenance and Building Repair budget line.

Council Member Knickerbocker questioned the significant difference in the three bid amounts, as Chief Carter had pointed out in his memo. Carter responded that, as a result of checking the references, all were positive. He agreed that there was a very large discrepancy in the bid amounts; however, the company gave a cost breakdown, per items contained in the bid specs and there were no areas of concern.

Council Member Behymer questioned the possibility of change orders and cost over-runs, asking if these may come from the Capital Maintenance and Building repair budget line. Carter answered that was a correct assumption.

Carter stated that he had expressed concerns regarding the possibility of change orders with the contractor and he was confident that the project could be completed with bid specifications that had been provided. There was only one area of concern, which was weather related. Apparently an application of stucco requires a temperature of 45 degrees; however, the exterior could be enclosed to provide heat for this application. Added cost for this scenario would be under \$3,000, according to the contractor.

This project, as stated by the Chief, is a floor-to-ceiling remodel to the office area only. The large studio area will be left untouched, reducing the cost to under \$80,000, specifically \$48,980, which gives the department a \$28,000 contingency. Carter added that would not ‘fly’ since change orders are not an option.

He concluded by saying that, recently, this company has constructed two facilities at Florissant Valley Fire Protection District, totaling \$7.4 million. Layneco Construction has also constructed several government building and schools in the past.

Chief Carter asked Council approval of Resolution 1604-09, to follow.

RESOLUTION 1600-09

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF HANNIBAL AND KLINGNER & ASSOCIATED IN THE AMOUNT OF \$7,500 FOR ENGINEERING SERVICES RELATIVE TO THE COMMANCHE DRIVE STORMWATER IMPROVEMENTS

Motion was made by Council Member Louderman to have the City Clerk read Resolution No. 1600-09, and call the roll for adoption. Motion was seconded by Council Member Behymer.

Motion carried.

Roll Call

Yes: Council Members Behymer, Lyng, Knickerbocker, Janes, Mayor Hark and Council Member Louderman – 6

No: -0-

Absent: Mayor Pro Tem Wilson - 1

Mayor Hark declared Resolution No. 1600-09, duly approved and adopted on this date.

RESOLUTION NO. 1601-09

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR THE SALE OF REAL ESTATE BETWEEN THE CITY OF HANNIBAL, PARKS & RECREATION DEPARTMENT AND HARRY WORRELL FOR THE PURCHASE OF PROPERTY KNOWN AS 208 ZIEGLER, IN THE AMOUNT OF \$15,000 PLUS UNKNOWN CLOSING COSTS FOR THE PURPOSE OF EXTENDING THE BOUNDARIES OF RIVERVIEW PARK

Motion was made by Council Member Behymer to have the City Clerk read Resolution No. 1601-09, and call the roll for adoption. Motion was seconded by Council Member Janes.

Motion carried.

Roll Call

Yes: Council Members Behymer, Lyng, Knickerbocker, Janes, Mayor Hark and Council Member Louderman – 6

No: -0-

Absent: Mayor Pro Tem Wilson - 1

Mayor Hark declared Resolution No. 1601-09, duly approved and adopted on this date.

RESOLUTION NO. 1602-09

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT WITH CRAWFORD, MURPHY & TILLY INC. TO PROVIDE PROFESSIONAL SERVICES FOR THE CONSTRUCTION OF A TERMINAL ACCESS ROADWAY AND PARKING LOT AT THE CITY MUNICIPAL AIRPORT

Motion was made by Council Member Behymer to table Resolution No. 1602-09 until a later date. Motion was seconded by Council Member Knickerbocker.

Motion carried.

RESOLUTION NO. 1603-09

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT WITH CRAWFORD, MURPHY & TILLY INC. TO PROVIDE PROFESSIONAL SERVICES FOR THE DEVELOPMENT OF A NEW GENERAL AVIATION TERMINAL BUILDING AT THE HANNIBAL MUNICIPAL AIRPORT

Motion was made by Council Member Louderman to table Resolution No. 1603-09 until a later date. Motion was seconded by Mayor Hark.

Motion carried.

RESOLUTION NO. 1604-09

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN INTO CONTRACT WITH LAYNECO CONSTRUCTION SERVICES FOR ADMINISTRATIVE OFFICES RENOVATION

Motion was made by Council Member Janes to have the City Clerk read Resolution No. 1604-09, and call the roll for adoption. Motion was seconded by Council Member Knickerbocker.

Motion carried. Council Member Louderman questioned whether or not this project was time sensitive. Chief Carter responded that it was, adding that Layneco had provided a 60-day completion date, whereas the other bidders had provided 75 and 90 day completion dates.

Roll Call

Yes: Council Members Behymer, Lyng, Knickerbocker, Janes, Mayor Hark and Council Member Louderman – 6

No: -0-

Absent: Mayor Pro Tem Wilson - 1

Mayor Hark declared Resolution No. 1604-09, duly approved and adopted on this date.

BILL NO 09-023

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

FIRST READING

Motion was made by Council Member Behymer to give Bill No. 09-023 a first reading. Motion was seconded by Council Member Louderman.

Motion carried.

CLOSED SESSION

In Accordance with RSMo. 610-021 (1)

At this time, Mayor Hark entertained a motion to go into closed session, in accordance with RSMo 610-021, subparagraph one, admitting himself, the rest of Council, City Manager LaGarce, City Attorney Lemon, City Clerk Angelica Vance and Fire Chief Carter. Motion was made to go into closed session as Mayor Hark directed by Council Member Louderman. Motion was seconded by Council Member Behymer.

Roll Call

Yes: Council Members Behymer, Lyng, Knickerbocker, Janes,
Mayor Hark and Council Member Louderman – 6

No: -0-

Absent: Mayor Pro Tem Wilson - 1

Motion carried.

OPEN SESSION

Motion was made by Council Member Knickerbocker to return to open session. Motion was seconded by Council Member Behymer.

Motion carried.

ADJOURNMENT

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

Motion carried.