

OFFICIAL PUBLIC HEARING PROCEEDINGS

**September 1, 2009
6:45 p.m.**

CALL TO ORDER

At 6:45 p.m., the appointed time, Mayor Hark called the public hearing to order.

DOUG WARREN – DIRECTOR OF FINANCE Re: 2009 Proposed Property Tax Rate

Director of Finance, Doug Warren, explained that the reason for the public hearing was to hear from citizens, regarding the proposed 2009 tax rate. Personal property and real estate tax rates are set annually by the State Auditor's Office, based on the Hancock Statutes and are used to help in financing the City's general fund, Library fund and Police & Fire Retirement fund. The State allows inflation, based on the consumer price index (CPI). Warren recalled that this year was the first time property values have increased; therefore, driving the tax rate up.

The total rate for 2008 was \$1.1832 per \$100 of assessed value; and, the proposed 2009 rate is \$1.218 per \$100 of assessed value, according to Mr. Warren. In consideration of the figures presented, the total revenue to the City of Hannibal will be increased by .39% (.0039) or \$8,623.

PUBLIC COMMENTS

Mayor Hark asked for questions or comments from the public; however, no one responded.

ADJOURNMENT

Mayor Hark declared that the public hearing would be adjourned.

OFFICIAL COUNCIL PROCEEDINGS

September 1, 2009
7:00 p.m.

ROLL CALL

Present: Council Member Janes, Mayor Hark, Council Members Louderman, Behymer and Lyng – 5

Absent: Mayor Pro Tem Wilson and Council Member Knickerbocker - 2

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

Motion carried.

APPROVAL OF MINUTES Regular Council Meeting – August 18, 2009

Motion was made by Council Member Louderman to approve the minutes of the last regular Council meeting that was held on August 18, 2009. Motion was seconded by Council Member Janes.

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS Second Half – August 2009

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

Motion carried.

ROY G. HARK – MAYOR
Re: Recommendation of Appointments

Mayor Hark made the following recommendations:

REAL PROPERTY REDEVELOPMENT TAX INCREMENT FINANCING
COMMISSION

- Frank DiTillo – Reappointment for a term to expire June, 2013
- Mike Ginsberg – Reappointment for a term to expire June, 2013

These nominations will be considered for approval at the next regular Council meeting.

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

JEFF LAGARCE – CITY MANAGER
Re: Recommendation of Appointments

City Manager Jeff LaGarce made the following recommendations:

HANNIBAL TREE BOARD

- Eric Happekotte – Appointment for a term to expire September, 2012
- Kristy Trevathen – Reappointment for a term to expire September, 2012

HANNIBAL BOARD OF PUBLIC WORKS

- Randy Park– Appointment for a term to expire July, 2013

These nominations will also be considered for approval at the next regular Council meeting.

Re: Approval of Appointments

AIRPORT ADVISORY BOARD

- John McCoy – Reappointment for a term to expire September, 2012
- George Walley – Reappointment for a term to expire September, 2012

City Manager Jeffrey LaGarce sought Council approval for his recommendation of John McCoy that was presented at the previous Council meeting on August 18, 2009. Motion was made by Council Member Janes to approve LaGarce's recommendation. Motion was seconded by Council Member Louderman.

Motion carried. LaGarce also reminded Council of his recommendation to reappoint George Walley to the Airport Advisory Board, as well. Motion was made by Council Member Janes to approve this appointment. Motion was seconded by Mayor Hark.

Motion carried.

Re: Airport Terminal Funding Options

City Manager LaGarce presented his final item on the evening's agenda, which was in regard to the airport terminal funding options. LaGarce reminded Council of the discussion during the previous meeting, in which plans for the construction of this airport terminal were explained. He added that, of the total grant funds available from MoDOT, \$600,000 is Entitlement Grant funds which require the city to contribute a 5% match or \$30,000 and \$166,000 is Infrastructure Grant funds which require the city to contribute a 10% match, or \$16,600. At that time, Council requested that the City Manager return with the precise identification of funds that could be applied toward a city match, so LaGarce identified options available for funding the city match. These were:

- \$ 6,204 - Budgeted amount of city match for previous terminal design
- \$ 25,000 - Budgeted amount of Contingency
- \$200,000 - Budgeted amount for stormwater improvements
- \$256,000 - Unanticipated revenue from AT&T settlement
- \$ 40,000 - Budgeted for flood buyout consultant, not used
- 20% in reserve

Since MoDOT limits the proposed terminal project to \$812,600, the city match would not exceed \$46,600; however, LaGarce explained that he did not expect the match to exceed \$37,000. With this amount in mind, LaGarce's specific recommendations were:

- \$ 5,000 - from contingency
 - \$ 7,500 - from stormwater
 - \$ 8,300 - from AT&T settlement
 - \$10,000 - from flood buyout consultant, placed in budget and not utilized
 - \$ 6,200 - previously budgeted for project
- \$37,000**

Should Council approve making the match, the process would begin with a 4-6 week design phase. Following this, the design would be brought to Council for approval.

LaGarce concluded by saying that he would need to advise MoDOT of Council's decision whether or not they were inclined toward the airport terminal project, adding that members of the Airport Advisory Board were in attendance to answer any questions.

Council Member Lyng questioned how \$37,000 could be found to fund the airport terminal, but was unavailable to fund the recycling program. LaGarce responded that in order to fund this program, sacrifices would have to be made and this was a choice for the recycling program, as well. He added that the \$37,000 was a one-time match, not an ongoing expense like the recycling program. He also noted that the five member, Airport Advisory Board had been researching and planning this project since he has been City Manager or about 2½ years.

Lyng then questioned fellow Council Members whether the airport terminal project could be approved by a vote of the citizens, as was the recycling program, possibly adding \$.45 per month charge on their utility bill for a one-year period. Lyng believes that the City is spending taxpayer dollars on something that the majority of taxpayers have no benefit. He was concerned with the time element, stating why Council is now forced to make a decision at the final 'hour' when this has been an ongoing process for 2½ years. Lyng continued by saying this was not 'free' money, since our federal tax dollars is used to pay for the grants.

Mayor Hark interjected that he understood Council Member Lyng's concerns; however, if it is not utilized by the City, someone else will use it. This money will never be used to alleviate the federal economic debt. He suggested that the project be approved because the City needs a place, nothing elaborate but nice or decent, to serve corporations, corporate jets and various other visitors coming to the area.

Council Member Lyng questioned the possibility of continued costs in regard to this project. To which the City Manager advised that utilities and upkeep would indeed be a continuing cost at the airport. Mr. John Ortwerth of the Airport Advisory Board stated that current utilities ran approximately \$200 per month; however, FBO Mike Barrons explained that present utility costs could not be compared with these costs in the new facility because of the difference in airflow, insulation and other factors. He estimated that the new facility, being an open and spacious building with good insulation, utilities may run \$50-\$80 per month using highly-efficient, ground source heat.

Council Member Janes then asked the Airport Advisory Board for an update on the status of their fundraising efforts. Mr. Ortwerth, speaking on behalf of the board, explained that the board had met with 5-6 venues, such as the Kiwanis and had promoted this project through a number of mailings; however, the economic downturn couldn't be predicted. The idea of fundraising had come about during the height of the stock market, two years ago when unemployment wasn't a problem. During this time, profitable companies were looking at non-profit areas to make donations in order to receive tax breaks. Since that time, companies have become much more conservative in their spending, so the promotion in which the Board spent countless meeting and planning hours to develop, received a cold response.

Janes deduced that possibly the corporations that would use the airport did not care about upgrading this facility; however, Mr. Ortwerth stated, at the corporate level, there was no consciousness regarding the use of the airport by suppliers, vendors or service providers since they did not directly deal with this aspect of the business. In researching airport activities, according to Ortwerth, service providers, suppliers, vendors and politicians do use the airport facility. He added that, since the introduction of Jet-A fuel and upgrade of the 100 low-lead gasoline, fuel sales have increased by 150%.

The idea is to give Council the opinion of the Airport Advisory Board, according to Ortwerth. He thanked the City Manager for seeking alternative methods of financing, since the Board's efforts fell on deaf ears due to the downturn of the economy. In answer to Council Member Lyng's question, regarding the time element involved, Ortwerth responded that a plan was in place two years ago; however the plan did not work, so, at the present funding is in jeopardy.

Council Member Janes asked if the airport was a selling factor to new businesses who were considering relocation in the Hannibal community. Ortwerth responded that he did not hear of instances such as these; but the airport manager may have an answer. FBO Mike Barrons explained that earlier in the day four individuals were dropped off, who were in the area for corporate purposes. The airport has seen similar activities various times in the past two months; and, according to Barrons, they are researching the benefits that the City's airport has to offer, not only for corporate transfers, but for staff, as well.

Barrons related that during the past two years, at least two separate companies who were looking to relocate failed to choose Hannibal because of the airport facility, alone. Both were very impressed with the transit system, the river, the rail and the highway system; however, the airport was the deciding factor. He continued that, more recently, a Falcon 900 made an unannounced landing at the airport, and would not release what their company affiliation was.

Barrons added that corporate traffic drives the airport, not private use. At that time, he voiced his support of the airport terminal project.

Mr., George Walley, of Northeast Missouri Industrial Development Authority, was recognized and explained that recently he had received a call from a commercial real estate developer and his colleagues who were at the airport requesting a meeting with Mr. Walley. Because of certain time restraints, the meeting took place at the airport, where Walley answered several questions and gave general information regarding Hannibal.

Walley continued that many companies, such as General Mills, have a corporate policy stating they will not be allowed to land on runways less than 5,000 feet in length. The presence and quality of the airport and its ability to house airplanes is, in part, how the City attracts professionals.

In response to a question posed by Council Member Lyng, Mr. Ortwerth stated that an airport terminal in a city has many functions, including areas for:

- Lounge/rest for travelers and pilots
- Meeting rooms for business entities
- Fuel sales
- Flight planning
- Weather check station

Mr. Walley explained that this project is a step-by-step process, with a larger goal in sight, to be a key, regional airport in Missouri, which is also an important step in our disaster plan. John Hark, the Emergency Management Director, sees the Hannibal airport as a safe, flat facility on high-ground, away from the river that can be used as a base of emergency operations.

Council Member Behymer asked about the time-line for completion of the airport facility. He gave an example of Quincy Municipal Airport, where a citizen might go to the local terminal and commute to St. Louis, Chicago or Kansas City. He suggested that Hannibal Municipal Airport should best serve the public by becoming a regional airport. Ortwerth responded by saying that the Board had done everything in their power, including a name change to 'Hannibal Regional Airport' to make this happen; however, there is no plan at the present for commercial traffic.

John Grossmeier, another member of the Airport Advisory Board, explained that the Board had presented a request to Council regarding the creation of an airport terminal facility three or four times in the past. He continued by stating that a terminal facility is just a place for people to arrive and depart and has nothing to do with pilots, since pilots will fly wherever they are directed by their employer. The factor that makes a difference, according to Grossmeier, is the decision of the employer, and if the employer is entering a facility with smelly bathrooms, stained carpeting, beat-up furniture, and cracked windows, then their first impression of the community, the airport, is not positive. He added that, in order to show pride in our community, a simple, attractive terminal facility needs to be created. He asked Council to approve the \$37,000 match and enable the airport to have the kind of entrance the community needs.

In answer to Behymer's question regarding the time frame for a terminal in which the general public could commute to St. Louis, Chicago or Kansas City, Grossmeier explained that an airport with this type of service is unrealistic, at present, since this facility would not even be considered by point-to-point airlines unless the runway was extended to a minimum of 5,000

feet. He continued that, with the current economy, the demand has dropped for point-to-point commuting. He concluded by saying that, in his opinion, an upgrade of the present airport facility is very important for future economic development.

Council Member Louderman questioned the importance of the airport in terms of the hospital; and Grossmeier responded that the hospital was a regular, albeit, not frequent user of the airport. He clarified that, since the hospital does not own an aircraft, the hospital, itself, is not a user; however, many people who do business with the hospital, fly here via the airport. It is not an essential part but it is an important aspect, according to Mr. Grossmeier.

Council Member Behymer questioned the importance of the airport in the community as a distribution center. Mr. Ortwerth answered that the community is now at a crossroads.

Council Member Janes addressed the City Manager regarding the option of taking money from the stormwater project. Janes, who was opposed to this option but was in favor of the airport upgrades, suggested that the entire amount be taken from the AT&T settlement.

Council Member Lyng posed a final question. He asked that, if the improvements to the airport were completed, what kind of timeline the City could expect until the airport was self-sustaining. Mr. Barrons' response was that, with the increase in fuel sales, the airport, at least operationally, could soon begin to support itself; however, not capital-wise. Motion was made by Council Member Louderman to approve funding the airport terminal upgrade match. Motion was seconded by Council Member Behymer.

Roll Call

Yes: Council Member Janes, Mayor Hark, Council Members Louderman and Behymer – 4

No: Council Member Lyng - 1

Absent: Mayor Pro Tem Wilson and Council Member Knickerbocker - 2

Motion carried.

LEON WALLACE – STREET SUPERINTENDENT
Re: Bid Award Approval – Heated Power Washer, Kerosene Driven
Associated Cleaning Equipment

Street Superintendent Leon Wallace completed the bidding process for the heated power washer, receiving two bids. Based on bids received, Wallace's recommendation was to award the bid to Associated Cleaning Equipment for the sum of \$7,115.00. Motion to approve Wallace's recommendation was made by COUNCIL Member Behymer. Motion was seconded by Council Member Lyng.

Motion carried.

CONNIE QUINN – ASSISTANT BUILDING INSPECTOR
Re: Purchase Request – City Owned Property
Unmarked Parking Lot

Connie Quinn, Assistant Building Inspector, explained that the Building Inspector's office had recently been notified of a request from Les Edwards, of Edwards ATA Black Belt Academy. His request was for permission to purchase a vacant lot located behind his property on South 3rd Street.

This City-owned property is an unmarked parking lot measuring 87'x142'. Since there is very little downtown parking available, it is the recommendation of staff, according to Quinn, that the lot remain City property. If Council agrees, the lot will be maintained and signage will be set in place notifying the public that the lot is available for public use. Mayor Hark agreed that the City should not sell this property. Council Member Behymer advised that, if the City decides to keep this property, it should be cleaned up and properly identified as public parking.

No motion was made by Council to approve the request of Les Edwards' for purchase of the property.

Re: Demolition 412 S. Arch, 501 Olive and 1739 Martin – Contract Agreement

Ameri-Yenom

(Resolution No. 1581-09, to follow)

Quinn continued by explaining that an invitation to bid was recently published in the local newspaper and sent to prospective bidders. This invitation to bid was for demolition and debris removal on properties located at 412 South Arch Street, 501 Olive Street and 1739 Martin. She continued that three bids were opened on August 19th, resulting in a recommendation for approval of the low bid in the amount of \$13,307.00, submitted by Ameri-Yenom. Ms. Quinn requested Council approval of Resolution No. 1581-09, to follow, that would also approve the contract with Ameri-Yenom for completion of this project.

LYNDELL DAVIS – CHIEF OF POLICE

Re: Brick Sealing Police Department Building – Contract Agreement

Ameri-Yenom

(Resolution No. 1583-09, to follow)

Chief Lyndell Davis presented the next item on the agenda, regarding Resolution No., 1583-09. If approved, this Resolution would also approve a contract agreement with Ameri-Yenom. Davis explained that recently, the Hannibal Police Department had accepted sealed bids for weather-sealing the brick on the Police Department building. One bid was received and was opened on August 19th, from Ameri-Yenom in the amount of \$14,969.00, according to Police Chief Davis. He added he had consulted with the Building Inspector's Office and the Street Department who were familiar with this contractor's work on other projects and both reported on them favorably. As a result, Davis requested Council approval of Resolution No., 1583-09 and the related contract and bid award. He noted that the bid came in under the budgeted amount of \$16,000 for the project.

BEAU HICKS – HCVB DIRECTOR

Re: Bid Award Approval – 2008 Dodge Durrango

Poage Chrysler Auto

HCVB Director Beau Hicks explained that bids were let for a second tourism vehicle. According to Hicks, this was a budgeted item, discussed during the budget work sessions. He

noted that the original vehicle was to be a van, later changed to an SUV, since the current van was unable to carry the weight of hauling 10,000 visitor guides to the various places of distribution. Future distribution and hauling to regional warehouses may even require an additional purchase of a small trailer, according to Hicks.

He continued by stating that, as a result of the bid advertisement, one bid was received from Poage Chrysler Auto in the amount of \$22,600, for a 2008 Dodge Durrango, plus a three-year bumper-to-bumper warranty. Hicks asked Council of the HCVB Board recommendation for approval of this bid. Mayor Hark questioned where the money was located, since he could not find the appropriation when he looked at the HCVB Budget. Hicks responded that \$8,000 was being taken from 'Tri-State Tourism Brochures', \$6,000 from 'Regional Brochure Distribution' and the remaining funds is being taken from '48.48.569 - Advertising & Promotion'.

Since Hicks assured Council the funding was available, Mayor Hark asked the City Manager if a budget amendment would be necessary. City Manager LaGarce replied that he would do an internal budget amendment. Motion was made by Council Member Behymer to approve Hicks' request to award the bid of the 2008 Dodge Durrango to Poage Chrysler Auto in the amount of \$22,600. Motion was seconded by Council Member Louderman.

Motion carried.

Re: Bid Award Approval – 2010 Visitor Guide & Group Guide
C.L. Downey & Poole Advertising

Hicks' next order of business was the bid award approval for the 2010 Visitor Guide and Group Guide. Hicks explained that the process was handled differently this year, since the bid was broken into four parts. These were:

- Visitor Guide Layout & Design
- Visitor Guide Printing
- Group Guide Layout and Design
- Group Guide Printing

Hicks informed Council that, as a result of the bidding process, recommendation of the HCVB is to award bids as follows:

- The bid for the Visitor Guide Layout & Design to C.L. Downey, who submitted the low bid of \$2,900
- The bid for the Visitor Guide Printing to Poole Advertising, who submitted the low bid of \$32,707
- The bid for the Group Guide Layout & Design to C.L. Downey, who submitted the low bid of \$1,000
- The bid for the Group Guide Printing to C.L. Downey, who submitted the low bid of \$1,900

Motion was made by Council Member Janes to approve these bid award requests. Motion was seconded by Mayor Hark.

Motion carried.

Re: Downtown Business Survey Results

HCVB Director Hicks' final item on the evening's agenda was regarding the downtown business survey. Hicks reported the results of the recent survey that was done, adding that the department had received an approximate 65% return rate of surveys that were distributed. Questions such as:

1. Have you noticed increased traffic, as a result of the cinema and the ball field, in the downtown area?
2. Has increased traffic helped downtown development?
3. Has increased traffic helped your business?

Other general questions, regarding the downtown area were asked, including their opinion regarding the No. 1 concern of the downtown area. Overwhelming response to this question, according to Hicks was sidewalks and Main Street repair. He informed Council Members that he had copies and had given copies to the City Manager, should they wish to look at them.

DOUG WARREN – FINANCE DIRECTOR

Re: 2009 Property Tax Rate

(Bill No. 09-019, to follow)

Director of Finance Doug Warren reminded Council of the public hearing that was held, prior to the Council meeting, to get public input regarding the 2009 property tax rate. He stated that related Bill No. 09-019 would be revisited later, during the meeting for a first reading. He recommended Council approval for this first reading.

Council Member Lyng questioned the statement that was made, regarding 'revenue neutral'. Mr. Warren explained that the Hancock Amendment only allows the increase in taxation by two methods. The first is by an inflation factor and the second is by a vote of the people.

Assessed Value x Tax Rate = Total Revenue

Warren added that if Assessed Value shrinks, then tax rate will increase and vice-versa. The total revenue will remain virtually the same, except the State Auditor adds the inflation factor, which was .9% this year. In consideration of the figures presented during the public hearing, the total revenue to the City of Hannibal will be increased by .39% (.0039) or \$8,623, or less than allowed for inflation by the State Auditor, making the tax rate 'revenue neutral', according to Warren.

CHRIS ATKINSON – DIRECTOR, PARKS & RECREATION

Re: Admiral Koontz Armory Comp. Building Analysis – Engineering Service Agreement

Poepping, Stone, Bach & Associates

(Resolution No. 1582-09, to follow)

Chris Atkinson, Director of the Parks & Recreation Department, explained that the Armory, the Parks & Recreation indoor recreation facility has a number of issues, including:

- Age - old, antiquated
- Utility fees – very expensive, heating not energy efficient

- Inadequate facilities – not enough bathrooms
- Maintenance costs – ever increasing because of age, including leaky roof

He continued that the Parks and Recreation Department decided, during the budget process to include \$100,000 in the Capital Improvements line item for ‘armory projects’, which Council approved when the budget was adopted. This included the fee to do a comprehensive study.

Atkinson said that the Parks & Recreation Department advertised a ‘request for qualifications’ for engineering/architectural companies; and, as a result, six companies submitted proposals. After each company’s proposal was reviewed by Atkinson, Andy Dorian and Park Board President David Bleigh, a recommendation to choose Poepping, Stone, Bach & Associates was presented to the Park Board, which was unanimously approved.

Atkinson requested Council approval of the recommendation from the Park Board to award the contract for the comprehensive facility study of the Admiral Coontz Armory to PSBA in the lump sum amount of \$9,000. This would be approved with the approval of Resolution 1582-09, to follow.

Council Member Janes questioned the basis for the selection of Poepping, Stone, and Bach & Associates. Atkinson responded that the selection was based upon their experience in work on buildings, similar in age and structure, in other cities. He also expressed a certain comfort level because of past projects, such as the lighthouse, in which they have worked with the Parks Department.

MARK REES – CITY ENGINEER

Re: Request, Set a Public Hearing – Code Amendment – Chapter 32, Article XI
Historic Districts
(October 6, 2009 – 6:30 p.m.)

City Engineer Mark Rees’ only order of business was a request to set a public hearing, regarding the code amendment of Chapter 32, Article XI – Historic Districts. He requested Council approval to set this hearing on October 6, 2009 at 6:30 p.m., prior to the regular Council meeting. He continued by saying that this item is scheduled to be heard on September 17, 2009 at 4:00 p.m., before the Planning & Zoning Commission. Council Member Behymer made a motion to approve Rees’ request to set the public hearing. Motion was seconded by Mayor Hark.

Motion carried. At this time, Mayor Hark reminded Council of Resolution No. 1581-09, slated for approval that referenced demolition of three properties, specifically 412 South Arch Street, 501 Olive and 1739 Martin Street. He explained that Mr. Bob Miles, the owner of 501 Olive, was in attendance and had requested a hearing before Council, prior to the approval of the resolution. Motion was made by Council Member Behymer to add Mr. Miles to the agenda. Motion was seconded by Mayor Hark.

Motion carried.

BOB MILES – OWNER, 501 OLIVE STREET

Re: Request for Extension, 501 Olive Street Demolition

Bob and Mike Miles, co-owners of the property, known as 501 Olive Street, which was slated for demolition, were in attendance. Bob Miles, the spokesman, began by asking Assistant

Building Inspector Connie Quinn to distribute photographs of the property in question, along with a synopsis of all related occurrences since October, 2008. Mr. Miles explained that when the structure was discussed during the Building Commission meeting, the only thing that was addressed was repair of the garage door. He added that the house was structurally sound. His request was to be granted a 60-day extension, before the structures on this property is demolished, allowing him time to make any needed repairs. Mayor Hark noted that the City had been fighting this issue for over three years, to date. Hark added that the roof on the structure was still open and Council would not accept anything short of bringing this building in compliance with the City Building Codes.

Council Member Janes asked Miles his intentions for using these buildings; and Miles responded that currently, it was being used as temporary storage, but it could be fixed for residential living, which is the plan for a later date, adding that it would take an investment of \$20,000-\$30,000 to complete the project. When asked if he would like to have a similar structure next door to his residence, Miles responded that it could be fixed and cleaned up, and added that the structure looks better than many houses in Hannibal.

Mike Miles explained that he had only owned the property for one year of the three years that Council had been battling for compliance. Much as already been done to the property, according to Mr. Miles, including utilizing the citywide cleanup services to rid the property of some debris. In the past year, Miles stated that he had cleaned much brush from the property, as well. It was noted at this time that the property was also cleaned by the Property Maintenance Department recently.

Miles argued that they would not have purchased the property if they had not seen potential; however, Mayor Hark reminded Miles of his warning prior to the purchase, the Mayor had informed them the house had been condemned and if it was purchased, it would have to be fixed, or it would be demolished. He asked Mr. Miles if he recalled that conversation and Miles responded that he did.

Miles again requested a 60-day extension, allowing him enough time to replace ½ of the roof and fix the porch. Council Member Janes responded that he did not want the property boarded-up, brought up to code and then have it left that way for another 5-10 years. He added that he couldn't think of a reason not to tear down this property.

Mayor Hark stated that complaints have been received from the neighbors who are unhappy with the state of the property. Miles stated that the weeds are cut and they have kept the property mowed. He also stated that, following his last visit to Council, upgrades were done the following weekend. Miles assured Council that, if he was granted the 60-day extension, and the property was not up-to-par at the end of that time, he would not ask for another extension.

The contractor reminded Council that, under the existing contract, they have 45 working days to complete demolition of the three properties. He suggested that they could complete demolition of the other two properties first, giving Miles time to work on the property located on Olive Street. Responding to Council Member Janes, Miles felt that he could do some repairs in 30-40 days, such a roof replacement and soffit repairs.

Council Member Lyng asked the Assistant Building Inspector exactly what needed to be accomplished to bring the property into compliance. Assistant Building Inspector Connie Quinn answered that the roof definitely needed repair, holes throughout house and missing

siding where vermin can enter needs to be fixed, secure structure to not allow animals, children or squatters entry.

Council Member Janes reiterated that the property must look presentable, stating that he was confident the Miles' would complete the project, eventually; but, what is the time frame for completion. In answer, Bob Miles stated that he did not plan to side or replace windows for some time; however, he stated that he planned to repair the outside with vinyl siding during the next year. Motion was made by Council Member Janes to give Miles an extension until the first Council meeting in October, allowing Miles proper time to make repairs before demolition procedures are initiated. Motion was seconded by Council Member Behymer.

Roll Call

Yes: Council Member Janes, Behymer and Lyng – 3

No: Mayor Hark and Council Member Louderman - 2

Absent: Mayor Pro Tem Wilson and Council Member Knickerbocker – 2

Motion carried. Mayor Hark made a statement at this time that, on the advice of Council, Resolution No. 1581-09 wouldn't need to be modified, since demolition of the properties was bid separately; therefore, bids would be awarded as presented. In the event that the house is brought into compliance with the City Building Codes, Council reserves the right to withdraw the structure located on 501 Olive Street from the total bid. If this happens, Council also reserves the right to also withdraw the cost for demolition and will modify the total cost paid for demolition of the remaining properties to \$8,918.

City Manager LaGarce suggested that the Resolution be amended; striking the property located on 501 Olive Street and the related cost of demolition. This would allow the contractor to begin demolition on the remaining properties. If the structure on 501 Olive Street was not brought into compliance by the first Council meeting in October, bid for this property would still be good; therefore, could then be awarded to the low bidder, or Ameri-Yenom.

RESOLUTION NO. 1581-09

(As amended)

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR DEMOLITION OF CONDEMNED PROPERTY AT 412 SOUTH ARCH AND 1739 MARTIN STREET BETWEEN THE CITY OF HANNIBAL AND AMERI-YENOM IN THE AMOUNT OF \$8,918

Motion was made by Council Member Janes to have the City Clerk read Resolution No. 1581-09, as amended, and call the roll for adoption. The amendment was to remove the property located at 501 Olive Street, which would also amend the attached contract for a total amount of \$8,918. Additionally, a new resolution would be introduced at the first October Council meeting which would include the demolition of 501 Olive Street for the current bid price of \$4,389. Motion was seconded by Council Member Behymer.

Motion carried.

Roll Call

Yes: Council Member Janes, Mayor Hark, Council Members Louderman, Behymer and Lyng – 5

No: -0-

Absent: Mayor Pro Tem Wilson and Council Member Knickerbocker – 2

Mayor Hark declared Resolution No. 1581-09, as amended, duly approved and adopted on this date.

RESOLUTION NO. 1582-09

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN ENGINEERING SERVICE AGREEMENT BETWEEN THE CITY OF HANNIBAL, PARKS & RECREATION, AND POEPPING, STONE, BACH & ASSOCIATES IN THE AMOUNT OF \$9,000 FOR THE PURPOSE OF A COMPREHENSIVE BUILDING ANALYSIS OF THE ADMIRAL COONTZ ARMORY

Motion was made by Council Member Behymer to have the City Clerk read Resolution No. 1582-09, and call the roll for adoption. Motion was seconded by Mayor Hark.

Motion carried.

Roll Call

Yes: Council Member Janes, Mayor Hark, Council Members Louderman, Behymer and Lyng – 5

No: -0-

Absent: Mayor Pro Tem Wilson and Council Member Knickerbocker – 2

Mayor Hark declared Resolution No. 1582-09, duly approved and adopted on this date.

RESOLUTION NO. 1583-09

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT AGREEMENT BETWEEN THE CITY OF HANNIBAL AND AMERI-YENOM, LLC IN THE AMOUNT OF \$14,969 FOR SEALING OF THE BRICK ON THE POLICE BUILDING LOCATED AT 777 BROADWAY

Motion was made by Council Member Janes to have the City Clerk read Resolution No. 1583-09, and call the roll for adoption. Motion was seconded by Mayor Hark.

Motion carried.

Roll Call

Yes: Council Member Janes, Mayor Hark, Council Members Louderman, Behymer and Lyng – 5

No: -0-

Absent: Mayor Pro Tem Wilson and Council Member Knickerbocker – 2

Mayor Hark declared Resolution No. 1583-09, duly approved and adopted on this date.

BILL NO. 09-019

AN ORDINANCE FIXING AND ADOPTING THE RATE OF TAXATION FOR THE YEAR OF 2009 AND LEVYING TAXES THEREFORE

FIRST READING

Motion was made by Council Member Behymer to give Bill No. 09-019, a first reading.

Motion was seconded by Mayor Hark.

Roll Call

Yes: Council Member Janes, Mayor Hark, Council Members Louderman and Behymer – 4

No: Council Member Lyng - 1

Absent: Mayor Pro Tem Wilson and Council Member Knickerbocker - 2

Motion to read carried.

BILL NO. 09-018

AN ORDINANCE AMENDING CHAPTER 7, ARTICLE VI *BUILDING DEMOLITION*, SECTION 371 *PERMITS*, OF THE CODE OF THE CITY OF HANNIBAL

SECOND AND FINAL READING

Motion was made by Council Member Janes to give Bill No. 09-018 a second and final reading and call the roll for adoption. Motion was seconded by Mayor Hark.

Motion carried.

Roll Call

Yes: Council Member Janes, Mayor Hark, Council Members Louderman, Behymer and Lyng – 5

No: -0-

Absent: Mayor Pro Tem Wilson and Council Member Knickerbocker – 2

Mayor Hark declared Bill No. 09-018 duly approved and adopted on this date.

CLOSED SESSION
In Accordance with RSMo 610-021 (12)

At this time, Mayor Hark made a motion to go into closed session in accordance with RSMo 610-021, sub-paragraph 12, admitting himself, rest of Council, City Manager Jeff LaGarce, City Attorney James Lemon, City Clerk Angelica Vance, Don Willis, Michael Ginsberg, Bud Janes, Heath Hall and Finance Director Doug Warren. Motion was seconded by Council Member Louderman.

Roll Call

Yes: Council Member Janes, Mayor Hark, Council Members Louderman, Behymer and Lyng – 5

No: -0-

Absent: Mayor Pro Tem Wilson and Council Member Knickerbocker – 2

Motion carried.

OPEN SESSION

Motion was made by Council Member Louderman to return to open session at this time. Motion was seconded by Council Member Janes.

Motion carried.

ADJOURNMENT

Motion was made by Council Member Janes to adjourn the meeting. Motion was seconded by Council Member Louderman.

Motion carried.