

OFFICIAL COUNCIL PROCEEDINGS

April 6, 2010
7:00 p.m.

ROLL CALL

Present: Mayor Hark, Council Member Louderman, Mayor Pro Tem Behymer, Council Members Lyng, Knickerbocker, Janes and Barta – 7

Absent: -0-

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

The Pledge of Allegiance was led by Council Member Louderman.

APPROVAL OF MINUTES Regular Council Meeting – March 16, 2010

Motion was made by Mayor Pro Tem Behymer to approve the minutes of the regular Council Meeting of that was held on March 16, 2010. Motion was seconded by Council Member Louderman.

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS Second Half – March, 2010

Motion was made by Council Member Louderman to approve the payroll and claims for the second half of March, 2010. Motion was seconded by Mayor Pro Tem Behymer.

Motion carried.

JOHN HARK – HANNIBAL SPORTS AND ENTERTAINMENT

Re: Stadium Lease Extension

(Bill No. 10-010, to follow)

Michael Holliday appeared in place of John Hark to represent their firm's client, Hannibal Sports & Entertainment Group, LLC, who was seeking an addendum to a lease, dated March 1, 2008. This lease, between Hannibal Sports & Entertainment and the City of Hannibal regards the use of the property known as Clemens Field. At the time of the original lease, Hannibal Sports & Entertainment Group, the tenant, advised that they would be seeking to rehabilitate this property, funding it in part by the utilization of tax credits.

In the midst of construction, there was a change in the tax credit program, necessitating a change to the existing lease in order to fully capture the tax credits that were available. As the program requires, the 39-year lease would begin on the date of substantial completion, or October 1, 2009, instead of the date that possession commenced, or March 1, 2008. To meet the 39 year requirement, Holliday requested Council approval of an addendum to extend the lease by 18 months or to November 5, 2048.

This addendum would also correct an error in the name of the tenant, originally listed as Hannibal Sports & Entertainment LLC. The correct name of the tenant is Hannibal Sports and Entertainment Group, LLC. All other terms and conditions of the lease, other than the extension and the technical name change remain the same, according to Holliday. (This change was required by the IRS, and not the State of Missouri, as previously reported.)

Council Member Lyng asked if the City was still a party to a lawsuit involving the Hannibal Sports & Entertainment Group. City Attorney Lemon confirmed that this was correct.

ROY G. HARK - MAYOR

Re: Recommendation of Appointments

Mayor Hark made the following recommendations:

HANNIBAL HOUSING AUTHORITY

- Jay Ghanti – Re-appointment for a term to expire, April, 2014
- Patti Talbert – Re-appointment for a term to expire, April 2014

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

**BARRY LOUDERMAN – FOURTH WARD COUNCIL MEMBER/FIRE BOARD
CHAIRMAN**

Re: Approval, Fire Chief Position Description

Council Member Louderman explained that the Fire Board had tweaked the Fire Chief job description during their recent meeting. Notable changes were:

- Four-year degree in Fire Science Degree a preference, not a requirement
- Addition of the National Incident Management Certification System
- Correction of Organization Structure - Position of Office Manager to report to Fire Chief

Louderman requested Council approval of the changes. (A copy of the new description was included in the Council packet for their consideration). Motion was made by Mayor Pro Tem Behymer to approve Louderman's request. Motion was seconded by Council Member Barta.

Motion carried.

KEVIN KNICKERBOCKER – FIRST WARD COUNCIL MEMBER

Re: Consumption in Public

(Bill No. 10-007, to follow)

First Ward Council Member Kevin Knickerbocker presented the next item on the agenda, Bill No. 10-007, proposing a change of the ordinance in regard to consumption of alcohol in public. He noted two reasons for this request. These were:

- Never been a denial when request made by charitable and non-profit - organizations – ordinance is routinely waived, should be consistent with Council's practice
- Clarification of language in existing ordinance – update and removal of vague language, such as 'with the intent to consume', as suggested by City Attorney

After questions by Council Member Lyng and a lengthy discussion by Council, the decision was made to table Bill No. 10-007, when presented later, during the meeting, for a first reading. City Attorney Lemon suggested drafting an ordinance, including the items that had been discussed and providing a copy of the draft to Council Members Lyng and Knickerbocker before presenting to the rest of Council.

JEFF LAGARCE – CITY MANAGER

Re: Leasehold Revenue Bonds Series 2010

(Bill No. 10-009, to follow)

City Manager LaGarce's first item on the agenda was the Leasehold Revenue Bonds Series 2010. LaGarce explained that this would be the first reading for the legislation regarding this issue, which had taken several months to develop. According to the City Manager, this is a \$3.4 million dollar project that will include improvements, such as:

- Reconstruction of Paris Gravel Road
- Design of Stardust Drive Extension
- Milling & Overlay of Warren Barrett Drive
- Milling & Overlay of Palmyra Road
- Reconstruction of Mark Twain School streets
- Miscellaneous projects

He added that repayment of this issue would be at the rate of approximately \$565,000 per year.

LaGarce then introduced the City's Financial Advisor, Joy Howard, who spoke briefly. Ms. Howard explained that proposals for the bonds had been received from five (5) firms. Some firms proposed only 'Build America' bonds, some proposed tax-exempt bonds some proposed either bonds. Of the firms submitting proposals, the proposal with the lowest interest-cost to the City was from First Bankers Bank Securities of St. Louis, MO. Their proposal was for

'Build America' bonds. She added that their proposal included firm interest rates and prices. The other submitting firms were subject to change until Bill No. 10-009 received a second and final reading. They locked in their interest rate at 3.185% after government subsidy.

First Bankers Bank, according to Howard, has submitted the best proposal and, therefore, has been chosen as the underwriter of the bonds in Bill No. 10-009, to follow. In response to a question from Mayor Hark, Howard responded that the 3.185% was **after** consideration of the 35% subsidy from the federal government.

Re: ASTM Phase I Environmental Site Assessments – Professional Services Agreement
Terracon Consultants, Inc.
(Resolution No. 1640-10, to follow)

City Manager LaGarce's next issue on the agenda regarded approval of a professional services agreement with Terracon Consultants, Inc. for ASTM Phase I Environmental Site Assessments. LaGarce explained that the CDBG program and good real estate protocol require these assessments to be conducted for each commercial flood buyout property prior to acquisition.

He continued by saying that 6 proposals were received from qualified engineering firms, as the result of the Request for Proposal process. He added that the firm of Terracon Consultants, Inc. scored the best overall proposal, which considered qualification, specialized experience, familiarity with the Hannibal community, past record of performance, non-employment of illegal immigrants and price.

LaGarce concluded by saying that staff recommends approval of Resolution No. 1640-10, to follow, accepting the proposal of Terracon Consultants, Inc. in an amount not to exceed \$24,750, to conduct Phase I Environmental Site Assessments for each of the twenty-five (25) commercial flood buyout properties, and authorization for the Mayor to execute an agreement for same.

Council Member Janes voiced some concerns regarding state RFQ requirements and whether or not these requirements would come into play. LaGarce assured Council that state RFQ requirements did come into play and had been followed.

ANGELICA N. VANCE – CITY CLERK
Re: Occupational Medicine Services – Agreement
Hannibal Regional Hospital
(Resolution No. 1633-10, to follow)

City Clerk Angelica Vance presented the next item on the agenda, the introduction of Resolution No. 1633-10, regarding an agreement with Hannibal Regional Hospital for occupational medical services. This includes discounted medical services for pre-employment screenings, biannual Fire Department screenings, post-accident drug screenings and P&F disability determinations. She explained that the City had been using HRH services for approximately 1 ½ years; therefore, the agreement, which is merely a formality, has been reviewed and approved by the City Attorney. According to Vance, although the agreement does not bind the City to exclusive use of Hannibal Regional Hospital for medical services, it allows the City a negotiated, discounted cost.

City Clerk Vance added that staff, as well as the Police and Fire Retirement Board, prefer and recommend the services provided by HRH Occupational Medicine. She asked for Council consideration of Resolution No. 1633-10, to follow.

LYNDELL DAVIS – CHIEF OF POLICE
Re: Municipal Prisoner Labor Program
(Bill No. 10-005, to follow)

Chief of Police Lyndell Davis introduced the next two agenda items, the first being Bill No. 10-005, to follow. Davis explained that he was seeking Council approval for the adoption of this bill, allowing those convicted in municipal court to perform labor on the public streets, highways and alleys or other public works or buildings of the City, for such purposes as the City,(Mayor) may deem necessary as an alternative sentence to either a fine or imprisonment.

He continued by listing benefits of a program, such as this:

- Potential reduction of housing costs for municipal prisoners at the County Jail
- Labor resources for completion of city-related projects that cannot be performed due to lack of city staffing
- Provides an alternative to current punishment options for municipal ordinance offenders
- Creates a positive result from a negative action committed against the community or an individual

The Chief added that the proposal is supported by Missouri State Statute. The City would be mirroring the statute that has been on the books since 1909. The City Attorney assisted in the draft of this ordinance, according to Chief Davis. Since insurance was a potential concern, Matthew Brodersen, a representative of the City's insurance carrier was contacted. He advised that the court order labor program is covered under current liability coverage as long as it is constitutionally upheld. He added that those sentenced to such labor are not eligible for workman's compensation.

A copy of the proposed ordinance was given to Judge Cruse who has expressed his support of the ordinance's adoption.

In response to a question by Council Member Barta regarding possible amount of man-hours, Chief Davis explained that he, or his designee, would be responsible for the management of the program and supervision over the prisoners assigned to this duty. He would control the amount of participants, in relation to the availability of over-seeing officers.

Davis stated that, although there would be no restrictions on the type of work to be performed, safeguards would be provided, such as traffic vests, goggles, etc.

Council Member Lyng asked about the process for getting into this program. Davis responded that, once they are sentenced in City Court, he would have the authority to determine service vs. jail time.

After a lengthy discussion regarding the particulars of this program, Mayor Pro Tem suggested tabling Bill No. 10-005 when it was presented for a first reading and asked Chief Davis to research some of the concerns that had been posed and return with answers to the questions, before reconsideration of this issue. Mayor Hark advised that the bill should be given a first

reading, which would allow ample time to address these concerns before the bill was given a second reading at the next Council meeting.

Re: Specification for Sun Screening Device Applied to Windshield or Windows

(Bill No. 10-006, to follow)

Chief Davis' final item on the agenda was a request for Council approval of Bill No. 10-006, to follow, governing sun screening tint or other similar solar screening material applied to vehicle windows. Davis noted that, currently, officers enforce this particular issue with state charges; however, the majority of all other traffic and vehicle equipment offences are typically heard in the municipal court. He added that Bill No. 10-006 mirrors the state law RSMo 307.173.

CHRIS ATKINSON – DIRECTOR, PARKS & RECREATION

Re: Bid Award Approval, 3” Calcium Hypochlorite Tablets Pool Chemicals

Arlan Company Inc.

Chris Atkinson, the Director of the Parks & Recreation Department explained that, in the past the Parks Department has purchased pool chemicals on an as-needed basis; however, this year he is taking a different approach by getting approval up-front for the entire pool season.

On March 19th, bids were opened from interested parties to provide the chemicals needed for the operation of the Hannibal Aquatic Center. Multiple bidders responded.

As a result, it is the recommendation of the Parks & Recreation Department to award this bid to Arlan Company, Inc., the low bidder, with a bid amount totaling \$7,337.55. This amount is for the purchase and delivery of 3,575 lbs. of 3” calcium hypochlorite tablets. Motion was made by Council Member Janes to approve Atkinson's request for bid approval to Arlan Company, Inc., in the amount of \$7,337.55. Motion was seconded by Council Member Louderman.

Motion carried.

Re: Demolition 208 Zeigler – Contract Agreement

Amer-Yenom

(Resolution No. 1634-10, to follow)

Atkinson stated that the next three items were inter-connected. He explained that the Parks and Recreation Department has been acquiring the unsewered properties beneath Riverview Park during the past several months. Since the department now owns all of these properties, it is time for implementation of the next step in the process, demolition/removal of structures located on the various properties so that they may then be annexed into Riverview Park.

Bidding procedures were performed allowing the Parks Department the option to accept a bid from one company for all of the property demolitions or pick-and-choose the cheapest bids that were available. The latter option was chosen, with Amer-Yenom submitting the most favorable bid for demolition of the property, known as 208 Zeigler. Atkinson asked Council approval of Resolution No. 1634-10, to follow, that would approve Amer-Yenom's bid in the amount of \$1,785.00.

Re: Demolition 212 Zeigler & 1 Riverview Park – Contract Agreement

Mike Roberts

(Resolution No. 1635-10, to follow)

Parks Director Atkinson continued by requesting Council approval of Resolution No. 1635-10, to follow, that would approve a contract with Mike Roberts, the lowest bidder for the demolition of the properties located at 212 Zeigler and 1 Riverview Park. Roberts' contract amount for removal of structures on both properties, according to Atkinson, would be \$7,600.00. He asked for Council consideration of this resolution, to follow.

Re: Demolition 911 Wabash – Contract Agreement

Don Martin Construction

(Resolution No. 1636-10, to follow)

Atkinson's next agenda item was similar to the two previous items, a request for Council approval of Resolution No. 1636-10, to follow, that would approve a contract with Don Martin Construction for the demolition of a structure on property located at 911 Wabash. The contracted amount for removal, according to Atkinson, would be \$4,910.00. He asked for Council consideration of this resolution, to follow. Atkinson stated that ½ of the cost to remove the structures on each of these properties will be covered by the Board of Public Works.

Re: Admiral Coontz Armory Renovation Project Phase II – Contract

American Glass

(Resolution No. 1637-10, to follow)

The next two items on the agenda, according to Atkinson, are related to the Admiral Coontz Armory Renovation Project. Phase II of the project is regarding the replacement of 30 carpeted panels that surround the south, east and west walls of the structure. These will be replaced with solid insulated vinyl panel, including 20" windows at the top of each panel to allow natural light into the building. These windows will reduce the electric usage, since the natural lighting will reduce the need for lights to be turned on for much of the day. One bidder, American Glass, responded to the request for bids, with a bid amount, totaling \$49,912.00. Atkinson requested Council approval of Resolution No. 1637-10, to follow, allowing the Mayor to execute a contract with American Glass for removal and replacement of the wall panels for the aforementioned amount.

Re: Admiral Coontz Armory Renovation Project Phase III – Contract

Schutjer Heating & Cooling

(Resolution No. 1638-10, to follow)

Parks & Recreation Director Atkinson explained that the next item on the agenda is a portion of the Admiral Coontz Armory Renovation Project, similar to the preceding agenda item that he had introduced; however Phase III of this project or Resolution No. 1638-10, if approved, would allow Mayor Hark to execute a contract with Schutjer Heating & Cooling for removal of seven old, inefficient, gas hanging heaters. Included in the contract, if approved, is the installation of four new, energy efficient heaters, with stainless steel heat exchangers. Bid amount for Phase III is \$10,074.00. As the result of the bidding process, three bidders, responded, with Schutjer submitting the lowest and most favorable bid.

Atkinson added that the current heaters cost the City \$3,500-\$5,000 per month to heat the building during the winter months; however, with the heating upgrade, new heaters will operate at an 80% efficiency rate.

**Re: Parks & Rec Maintenance Facility Door Removal and Replacement – Contract
American Glass
(Resolution No. 1639-10, to follow)**

Atkinson's final item on the agenda was a request for Council approval of Resolution No. 1639-10, to follow, that would allow the Mayor to execute an agreement with American Glass for the removal, disposal and replacement of the seven garage doors at the Parks & Recreation Maintenance Facility located at 1993 Orchard Avenue. He added that the current doors at this facility are unsafe and do not function properly. Bids for this project were received from two entities with the most favorable received from American Glass in the amount of \$9,997.00.

It is the recommendation of the Parks & Recreation Department to approve Resolution No. 1639-10, to follow, that would approve the contract with American Glass.

**DOUG WARREN – DIRECTOR OF FINANCE
Re: Approval, Bond Issuance Closing Costs (Manual Check)**

Doug Warren, the Finance Director came before Council, at this time, seeking approval of his request to issue a manual check for the exact amount, not to exceed \$41,000, needed at closing of the Bond Issue.

Warren explained that a portion of the City of Hannibal's closing costs for the issuance of Build America Bonds cannot be included in the bond principal amount and must be paid in cash. He added that, once this is done, the exact amount will be on the end of the month manual check register and will be charged to the proper fund. Motion was made by Council Member Knickerbocker to approve Warren's request. Motion was seconded by Council Member Barta.

Motion carried.

**Re: Budget Amendment No. 3 – Parks & Recreation & Revolving Loan
(Resolution No. 1641-10, to follow)**

Warren also presented Resolution No. 1641-10, asking Council approval when it is revisited, later during the meeting. This resolution would amend the FY-2010 Budget by adjusting two funds/3 aspects by amounts, all of which were unknown when the budget was developed.

Details of the amendments are as follows:

- Parks & Recreation Fund – addition of \$23,000 for gates and fencing at the new maintenance facility, located at 1993 Orchard Avenue. (Money, not spent on the new Street Department Facility, moved from the prior bond issue)
- Revolving Fund – addition of \$25,000 for maintenance/repair of six (6) truck loading ramps that will not pass inspection at the General Mills facility.
- Revolving Fund – addition of \$41,000 for the City's portion of closing costs for the issuance of Build America Bonds. (Money will be repaid from Sales Tax Cap Fund in FY-2011)

MARK REES - CITY ENGINEER

Re: Acceptance of Conveyance – Vesper Street Cul-De-Sac
Missouri Highways and Transportation Commission
(Resolution No. 1642-10, to follow)

City Engineer Mark Rees explained that recently the Department of Public Works has received an agreement from the Missouri Highways and Transportation Commission for the conveyance of excess right-of-way, known as Vesper Street cul-de-sac property. In consideration of the payment of One Dollar (\$1.00) paid by the City to Missouri Highway Commission, the Commission has quitclaimed this property to the City. According to Rees, Resolution No. 1642-10, to follow, would accept this conveyance, if approved.

Council Member Janes asked whether or not a request had been made to the Missouri Highways and Transportation Commission for a survey plat. Rees responded that this had not been done. Janes stated that a possibility existed that the lots were a size and shape different than they are believed to be. Rees agreed to look into this and believes that this was included in the original packet that was received from the Commission. Janes inquired whether or not the City would need to do lot vacations, since two building lots would be converted into a cul-de-sac. Rees responded that it was possible it would be necessary to bring the issue before Planning & Zoning Commission to have property lines erased. City Manager LaGarce responded to a question posed by Council Member Knickerbocker by stating that, in his opinion, acquisition of this property would be beneficial to the City.

Rees added that one possibility would be to build a cul-de-sac large enough to accommodate a fire truck, if there is a need. Acceptance of Missouri Highways & Transportation Commission's conveyance would be approved with the approval of Resolution No. 1642-10, to follow.

Re: West Ely Road – Change Order No. 4
Bleigh Construction
(Resolution No. 1643-10, to follow)

Rees' next agenda item is Change Order No. 4 of the West Ely Road Improvement Project. This change order, according to Rees involves seven (7) different entrances. Of the seven entrances that were affected:

- Three were under-runs - Money-saving
- Four were over-runs - Higher cost (Two that should have been on original plans, but were over-looked)

The City Engineer added that the total budgeted amount for the West Ely Project last year was \$976,500. With the additional \$6,593.75 for Change Order No.4, the total cost of the West Ely Project, to date, is \$899,127.00, leaving the project \$77,000 under the original budgeted amount.

Council Member Janes pointed out that there were a number of issues regarding the West Ely Project, one in particular was that the design was at least ten years old. After a brief discussion regarding the need for change orders and the desire to have the project completed, Rees requested Council approval of Resolution No. 1643-10, to follow, that would approve Change Order No. 4.

Re: Traffic Committee Recommendations – Handicap Parking Requests (2)

Rees' next item on the agenda was presentation of the Traffic Committee recommendations. He explained that as a result of a meeting by the Committee on March 24th, the following requests were recommended:

- Install handicap parking spaces at 2008 Chestnut Street
- Install handicap parking spaces at 121 South 7th Street

Since there were no objections to the requests, these recommendations will become effective on this date.

Re: Amendment Bill No. 10-004, Airport Terminal Building Aviation Grant Funding

City Engineer Rees' last order of business was merely a housekeeping issue. He explained that the first reading of Bill No. 10-004 was held during the last regular Council meeting, held on March 16th; however page No. 2 of the related contract with Missouri Highways & Transportation Commission had an expiration date of March 31, 2010. Since this contract, to extend the project time period for the Hannibal Municipal Airport Terminal Building, will expire prior to the second and final reading of Bill No. 10-004 to extend the contract, MoDOT has agreed to extend the execution date of said contract until April 30th, 2010.

Rees' requested to amend Bill No. 10-004, scheduled to receive a second and final reading later during the meeting.

LEON WALLACE – STREET SUPERINTENDENT
Re: State Vendor Purchase Approval - 60" cut, Zero Turn Mower
Meyer Implement Company

Street Superintendent Leon Wallace presented the final item on the evening's agenda, a request for approval of a state vendor purchase for a 60" cut, zero turn mower. Wallace said that he had recently gotten state quotes from three separate vendors. Since Meyer Implement submitted the lowest bid, it was Wallace's recommendation to award the bid to that company in the amount of \$8,395.00.

According to the City Manager and as the result of a decision of the financial task force, this mower, if approved, would be used by a seasonal worker to provide full-time mowing during the summer months. Motion was made by Council Member Knickerbocker to approve Wallace's recommendation. Motion was seconded by Council Member Louderman.

Motion carried.

RESOLUTION NO. 1633-10

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT
FOR OCCUPATIONAL MEDICINE SERVICES BETWEEN THE CITY OF
HANNIBAL AND HANNIBAL REGIONAL HOSPITAL**

Motion was made by Mayor Pro Tem Behymer to have the City Clerk read Resolution No. 1633-10, and call the roll for adoption. Motion was seconded by Council Member Louderman.

Motion carried.

Roll Call

Yes: Mayor Hark, Council Member Louderman, Mayor Pro Tem Behymer, Council Members Lyng, Knickerbocker, Janes and Barta – 7

No: -0-

Absent: -0-

Mayor Hark declared Resolution No. 1633-10, duly approved and adopted on this date.

RESOLUTION NO. 1634-10

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT AGREEMENT BETWEEN THE CITY OF HANNIBAL AND AMER-YENOM, LLC FOR DEMOLITION OF 208 ZEIGLER, BID PR10-02, IN THE AMOUNT OF \$1785

Motion was made by Council Member Louderman to have the City Clerk read Resolution No. 1634-10, and call the roll for adoption. Motion was seconded by Mayor Pro Tem Behymer.

Motion carried.

Roll Call

Yes: Mayor Hark, Council Member Louderman, Mayor Pro Tem Behymer, Council Members Lyng, Knickerbocker, Janes and Barta – 7

No: -0-

Absent: -0-

Mayor Hark declared Resolution No. 1634-10, duly approved and adopted on this date.

RESOLUTION NO. 1635-10

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT AGREEMENT BETWEEN THE CITY OF HANNIBAL AND MIKE ROBERTS FOR DEMOLITION OF 212 ZEIGLER IN THE AMOUNT OF \$900 AND 1 RIVERVIEW PARK IN THE AMOUNT OF \$6,700, BID PR10-02, FOR A TOTAL CONTRACT AMOUNT OF \$7,600

Motion was made by Mayor Pro Tem Behymer to have the City Clerk read Resolution No. 1635-10, and call the roll for adoption. Motion was seconded by Council Member Janes.

Motion carried.

Roll Call

Yes: Mayor Hark, Council Member Louderman, Mayor Pro Tem Behymer, Council Members Lyng, Knickerbocker, Janes and Barta – 7

No: -0-

Absent: -0-

Mayor Hark declared Resolution No. 1635-10, duly approved and adopted on this date.

RESOLUTION NO. 1636-10

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT AGREEMENT BETWEEN THE CITY OF HANNIBAL AND DON MARTIN CONSTRUCTION FOR DEMOLITION OF 911 WABASH, BID PR10-02, IN THE AMOUNT OF \$4910

Motion was made by Mayor Pro Tem Behymer to have the City Clerk read Resolution No. 1636-10, and call the roll for adoption. Motion was seconded by Mayor Hark.

Motion carried.

Roll Call

Yes: Mayor Hark, Council Member Louderman, Mayor Pro Tem Behymer, Council Members Lyng, Knickerbocker, Janes and Barta – 7

No: -0-

Absent: -0-

Mayor Hark declared Resolution No. 1636-10, duly approved and adopted on this date.

RESOLUTION NO. 1637-10

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF HANNIBAL, PARKS AND RECREATION AND AMERICAN GLASS IN THE AMOUNT OF \$49,912 FOR THE REMOVAL AND REPLACEMENT OF THE WALL PANELS, PHASE II OF THE RENOVATION PROJECT AT THE ADMIRAL COONTZ ARMORY

Motion was made by Mayor Pro Tem Behymer to have the City Clerk read Resolution No. 1637-10, and call the roll for adoption. Motion was seconded by Council Member Barta.

Motion carried.

Roll Call

Yes: Mayor Hark, Council Member Louderman, Mayor Pro Tem Behymer, Council Members Lyng, Knickerbocker, Janes and Barta – 7

No: -0-

Absent: -0-

Mayor Hark declared Resolution No. 1637-10, duly approved and adopted on this date.

RESOLUTION NO. 1638-10

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF HANNIBAL, PARKS AND RECREATION AND SCHUTJER HEATING & COOLING IN THE AMOUNT OF \$10,074 FOR THE REMOVAL AND REPLACEMENT OF THE HANGING HEATING UNITS AT THE ADMIRAL COONTZ ARMORY, PHASE III OF THE RENOVATION PROJECT

Motion was made by Mayor Pro Tem Behymer to have the City Clerk read Resolution No. 1638-10, and call the roll for adoption. Motion was seconded by Council Member Barta.

Motion carried.

Roll Call

Yes: Mayor Hark, Council Member Louderman, Mayor Pro Tem Behymer, Council Members Lyng, Knickerbocker, Janes and Barta – 7

No: -0-

Absent: -0-

Mayor Hark declared Resolution No. 1638-10, duly approved and adopted on this date.

RESOLUTION NO. 1639-10

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF HANNIBAL PARKS & RECREATION AND AMERICAN GLASS FOR THE REMOVAL AND REPLACEMENT OF SEVEN GARAGE DOORS IN THE AMOUNT OF \$9,997 AT THE PARKS AND RECREATION MAINTENANCE FACILITY ON 1993 ORCHARD AVENUE

Motion was made by Mayor Pro Tem Behymer to have the City Clerk read Resolution No. 1639-10, and call the roll for adoption. Motion was seconded by Council Member Janes.

Motion carried.

Roll Call

Yes: Mayor Hark, Council Member Louderman, Mayor Pro Tem Behymer, Council Members Lyng, Knickerbocker, Janes and Barta – 7

No: -0-

Absent: -0-

Mayor Hark declared Resolution No. 1639-10, duly approved and adopted on this date.

RESOLUTION NO. 1640-10

A RESOLUTION ACCEPTING THE PROPOSAL OF TERRACON CONSULTANTS, INC. IN THE AMOUNT OF \$24,750 TO CONDUCT ASTM PHASE I ENVIRONMENTAL SITE ASSESSMENTS OF EACH COMMERCIAL FLOOD BUYOUT PROPERTY AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR SAME

Motion was made by Mayor Pro Tem Behymer to have the City Clerk read Resolution No. 1640-10, and call the roll for adoption. Motion was seconded by Council Member Barta.

Motion carried.

Roll Call

Yes: Mayor Hark, Council Member Louderman, Mayor Pro Tem Behymer, Council Members Lyng, Knickerbocker, Janes and Barta – 7

No: -0-

Absent: -0-

Mayor Hark declared Resolution No. 1639-10, duly approved and adopted on this date.

RESOLUTION NO. 1641-10

A RESOLUTION AMENDING THE FISCAL YEAR 2009-2010 BUDGET RELATIVE TO PARKS AND RECREATION AND THE REVOLVING LOAN FUND WITH THE GENERAL MILLS WAREHOUSE AND THE STREET BOND ISSUANCE

Motion was made by Mayor Pro Tem Behymer to have the City Clerk read Resolution No. 1641-10, and call the roll for adoption. Motion was seconded by Council Member Louderman.

Motion carried.

Roll Call

Yes: Mayor Hark, Council Member Louderman, Mayor Pro Tem Behymer, Council Members Lyng, Knickerbocker, Janes and Barta – 7

No: -0-

Absent: -0-

Mayor Hark declared Resolution No. 1641-10, duly approved and adopted on this date.

RESOLUTION NO. 1642-10

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR THE CONVEYANCE TO THE CITY OF HANNIBAL OF LOTS 32B AND 33 IN IRENE D. S. WILLIS SUBDIVISION - VESPER STREET CUL-DE-SAC

Motion was made by Council Member Janes to have the City Clerk read Resolution No. 1642-10, and call the roll for adoption. Motion was seconded by Council Member Knickerbocker.

Motion carried.

Roll Call

Yes: Mayor Hark, Council Member Louderman, Mayor Pro Tem Behymer, Council Members Lyng, Knickerbocker, Janes and Barta – 7

No: -0-

Absent: -0-

Mayor Hark declared Resolution No. 1642-10, duly approved and adopted on this date.

RESOLUTION NO. 1643-10

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER NO 4 WITH BLEIGH CONSTRUCTION RESULTING IN AN INCREASE AMOUNT OF \$6,593.75 FOR REVISIONS MADE TO THE PRIVATE DRIVES FOR THE WEST ELY ROAD IMPROVEMENT PROJECT

Motion was made by Council Member Louderman to have the City Clerk read Resolution No. 1643-10, and call the roll for adoption. Motion was seconded by Council Member Knickerbocker.

Motion carried.

Roll Call

Yes: Mayor Hark, Council Member Louderman, Mayor Pro Tem Behymer, Council Members Knickerbocker, Janes and Barta – 6

No: Council Member Lyng - 1

Absent: -0-

Mayor Hark declared Resolution No. 1643-10, duly approved and adopted on this date.

BILL NO. 10-004
(as amended)

AN ORDINANCE OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT AMENDMENT BETWEEN THE CITY OF HANNIBAL AND THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR THE PURPOSE OF EXTENDING THE PROJECT TIME PERIOD FOR THE TERMINAL BUILDING FUNDED BY STATE AVIATION GRANT FUNDING

SECOND AND FINAL READING

Motion was made by Mayor Pro Tem Behymer to give Bill No. 10-004, as amended, a second and final reading and call the roll for adoption. Motion was seconded by Council Member Knickerbocker.

Motion carried.

Roll Call

Yes: Mayor Hark, Council Member Louderman, Mayor Pro Tem Behymer, Council Members Lyng, Knickerbocker, Janes and Barta – 7

No: -0-

Absent: -0-

Mayor Hark declared Bill No. 10-004, as amended, duly approved and adopted on this date.

BILL NO. 10-005

AN ORDINANCE AMENDING CHAPTER 18, ARTICLE I, OF THE CODE OF THE CITY OF HANNIBAL, AUTHORIZING PRISONER LABOR ON PUBLIC WORKS FOR THOSE CONVICTED AND SENTENCED BY THE HANNIBAL MUNICIPAL COURT

FIRST READING

Motion was made by Council Member Barta to give Bill No. 10-005 a first reading. Motion was seconded by Council Member Louderman.

Motion carried.

BILL NO. 10-006

AN ORDINANCE AMENDING CHAPTER 17, ARTICLE VIII, OF THE CODE OF THE CITY OF HANNIBAL, REGARDING SPECIFICATIONS FOR SUN SCREENING DEVICES APPLIED TO WINDSHIELD OR WINDOWS

FIRST READING

Motion was made by Council Member Janes to give Bill No. 10-006 a first reading. Motion was seconded by Council Member Knickerbocker.

Motion carried.

BILL NO. 10-007

AN ORDINANCE AMENDING CHAPTER 3, ARTICLE I, SECTION 3-1 OF THE CODE OF THE CITY OF HANNIBAL RELATIVE TO THE CONSUMPTION/POSSESSION OF ALCOHOLIC BEVERAGES IN PUBLIC LOCATIONS DURING CHARITABLE SPONSORED EVENTS

FIRST READING

Motion was made by Council Member Knickerbocker to give table Bill No. 10-007 until a later date. Motion was seconded by Council Member Louderman.

Roll Call

Yes: Mayor Hark, Council Member Louderman, Mayor Pro Tem Behymer, Council Members Lyng, Knickerbocker and Barta – 6

No: Council Member Janes - 1

Absent: -0-

Motion to table carried.

BILL NO. 10-008

***THIS BILL HAS BEEN VOIDED AND PRESENTED IN THE FORM OF A
RESOLUTION***

BILL NO. 10-009

AN ORDINANCE APPROVING THE ISSUANCE BY HANNIBAL MUNICIPAL ASSISTANCE CORPORATION OF ITS \$3,400,000 PRINCIPAL AMOUNT OF LEASEHOLD REVENUE BONDS SERIES 2010 (CITY OF HANNIBAL, MISSOURI, LESSEE) (TAXABLE BUILD AMERICA BONDS – DIRECT PAY); AUTHORIZING CONVEYANCE OF CERTAIN REAL PROPERTY TO HANNIBAL MUNICIPAL ASSISTANCE CORPORATION; AUTHORIZING AND APPROVING CERTAIN DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF SAID BONDS; MAKING CERTAIN FINDINGS AND DETERMINATIONS; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF SAID BONDS AND THE EXECUTION OF THE DOCUMENTS APPROVED HEREIN

FIRST READING

Motion was made by Council Member Louderman to give Bill No. 10-009 a first reading.
Motion was seconded by Council Member Knickerbocker.

Roll Call

Yes: Mayor Hark, Council Member Louderman, Mayor Pro Tem Behymer, Council Members Knickerbocker, Janes and Barta – 6

No: Council Member Lyng - 1

Absent: -0-

Motion to read carried.

BILL NO. 10-010

AN ORDINANCE AUTHORIZING THE MAYOR TO EXTEND THE LEASE AGREEMENT TO NOVEMBER 5, 2048 BETWEEN THE CITY OF HANNIBAL AND HANNIBAL SPORTS AND ENTERTAINMENT, LLC FOR USE OF THE CLEMENS FIELD STADIUM COMPLEX AND FACILITIES

FIRST READING

Motion was made by Council Member Knickerbocker to give Bill No. 10-010 a first reading. Motion was seconded by Council Member Louderman.

Roll Call

Yes: Mayor Hark, Council Member Louderman, Mayor Pro Tem Behymer, Council Members Knickerbocker, Janes and Barta – 6

No: Council Member Lyng - 1

Absent: -0-

Motion to read carried.

CLOSED SESSION

In Accordance with RSMo. 610-021 (12)

At this time, Mayor Hark entertained a motion to go into closed session, in accordance with RSMo 610-021, subparagraph 12, admitting himself, the rest of Council, City Manager LaGarce, City Attorney Lemon, City Clerk Angelica Vance and Police Chief Lyndell Davis. Motion was made to go into closed session as Mayor Hark directed by Council Member Knickerbocker. Motion was seconded by Council Member Louderman.

Roll Call

Yes: Mayor Hark, Council Member Louderman, Mayor Pro Tem Behymer, Council Members Lyng, Knickerbocker, Janes and Barta – 7

No: -0-

Absent: -0-

Motion carried.

OPEN SESSION

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

Motion carried. .

ADJOURNMENT

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

Motion carried.