

## NOTICE OF PUBLIC HEARING

August 17, 2010  
6:30 p.m.

### CALL TO ORDER

At the appointed time, Mayor Hark called the public meeting to order.

#### **JEFF LAGARCE – CITY MANAGER**

#### **Re: Amendment, Chapter 32, Article XII**

#### ***Tree Preservation & Planting, Parking Lot Landscaping Requirements & Landscaped Buffers***

City Manager Jeff LaGarce was asked to speak with regard to the amendment to Chapter 32, Article XII – Tree Preservation and Planning, Parking Lot Landscaping Requirements & Landscaped Buffers. He began by explaining that the Tree Board has worked for approximately 1 ½ years on this project development. The purpose of this ordinance is to help preserve trees within Hannibal. Currently, Hannibal has no development related landscape provisions. The new requirements will impact development costs; therefore, much provision was considered very carefully, according to the City Manager.

LaGarce stated that during development of this ordinance, the Tree Board wanted to be pro-business but environmentally friendly, as well. He pointed out that trees have numerous benefits, including:

- Provide shade
- Temper heat
- Help in stormwater management and erosion
- Provide wildlife habitat
- Dampen noise pollution
- Prevent auto headlights and business lighting from casting onto homes

LaGarce then shared a power-point presentation, highlighting site landscaping pros and cons and continued by explaining that the ordinance consists of three components:

- The ***Site Planning*** component (deals with tree replacement/preservation). Requires that all trees with a diameter of 8” or more be marked on a site plan. If any of these trees are removed they must be replaced at a 3:1 ratio. (6 trees with 8” diameters or 48” of trees must be replaced with 16” of trees). The total replacement requirement shall not exceed one-hundred fifty (150) inches per acre, or one-hundred fifty (150) inches caliper per acre.
- The ***Parking Lot Landscaping*** component. Requires that if any parking lot includes more than twenty (20) parking spaces, it must include interior landscaping of the parking lot. A minimum of five percent (5%) of the total square footage of total

parking stalls shall be landscaped or one of every 20 parking spaces is to be landscaping.

- The ***Landscape Buffer*** component. Requires that all commercial and industrial properties adjoining property zoned or used residentially, or adjoining property prescribed for future residential use by the City's Comprehensive Plan, provide a landscape buffer of trees to abate noise, heat, and to prevent direct automobile headlights from casting onto surrounding residential units. Unless natural landscape buffers already exist, such landscaped area shall consist of a row of evergreen trees not less than seven (7) feet in height, planted on ten (10) foot centers. Certain species of evergreen, such as full-size pine and spruce, may be planted on twenty (20) foot centers. Shrubs and other live planting material may be used to complement the tree landscaping.

LaGarce explained that some exemptions do exist for current parking lots, properties and developments. He concluded by detailing other requirements of the proposed ordinance, including requirements for development site tree surveys and landscape plans.

## **PUBLIC COMMENTS**

A question was posed regarding requirements for existing buffers between businesses and residential areas. The example cited was the removal of a line of trees between a group of apartments and the former Steve & Barry's Store. Is a situation such as this addressed in this ordinance?

A suggestion was made to include a requirement for replacement of existing buffers that are removed and also the addition of a requirement regarding protection of natural waterways with trees. LaGarce agreed that this was a valid point, but indicated that the ordinance could be given a first reading and then amended prior to the second and final reading, if desired.

There were no individuals who spoke in opposition to this amendment.

Kristy Trevathan, President of the Tree Board thanked Council for the opportunity to amend Chapter 32 of the City Code - Tree Preservation and Planning, a task that has taken over two years to complete. She introduced herself and other members of the Tree Board that were in attendance. These were: Ed Tamerius, Eric Happekotte and Raymond Witt, a former member. She added that the members of the Board take these issues very seriously, citing the value that trees provide to a community, which include safety, environmental protection and stormwater issues.

## **ADJOURNMENT**

There being no other comments for or in opposition to the amendment of Chapter 32, Article XII – Tree Preservation and Planning, Parking Lot Landscaping Requirements & Landscaped Buffers, Mayor Hark adjourned the public hearing.

**NOTICE OF PUBLIC MEETING  
COUNCIL AGENDA**

**August 17, 2010  
7:04 p.m.**

**ROLL CALL**

**Present:** Mayor Pro Tem Knickerbocker, Council Members Dobson, Barta, Mayor Hark and Council Members Louderman, Hark and Lyng – 7

**Absent:** -0-

**CALL TO ORDER**

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

**INVOCATION**

Mayor Pro Tem Knickerbocker gave the invocation.

**PLEDGE OF ALLEGIANCE**

Council Member Lyng led the Pledge of Allegiance to the Flag.

**APPROVAL OF MINUTES**

**Closed Session Meeting – September 1, 2009 (BPW Purchased Power Negotiations)**

**Closed Session Meeting – May 18, 2010 (FOP Labor Negotiations)**

**Regular Council Meeting – August 3, 2010**

Motion was made by Council Member Louderman to approve the minutes of the last regular Council meeting that was held on August 3, 2010 and Closed Sessions held on September 1 2009 and May 18, 2010. Motion was seconded by Council Member Barta.

Motion carried.

**APPROVAL OF PAYROLL AND CLAIMS**

**First Half – August, 2010**

Motion was made by Council Member Barta to approve the payroll and claims for the first half of August, 2010. Motion was seconded by Council Member Louderman.

Motion carried.

**MARLENE RODENBAUGH – SHINE ALIGHT ON AUTISM**

**Re: Request, Street Closure – Lighthouse Challenge**

*(September 18, 2010)*

Marlene Rodenbaugh, with Shine a Light on Autism, explained that her organization was partnering with the local news media, Northeast Missouri Independent Living Services and Hannibal Parks & Recreation in an attempt to create an annual fundraising event in the downtown area called ‘Shine a Light on Autism-Lighthouse Challenge’. Rodenbaugh added that the organization’s ultimate goal is to bring recreational opportunities, education and awareness to the community regarding autism. She added that, although the group’s focus and passion is on autism, they also embrace all *special needs* children. Her specific request was for Council approval to close a portion of North Street from Main Street to the Museum entrance beginning at 6:00 a.m. until 1:00 p.m. on Saturday, September 18, 2010 in order to hold this event.

Motion was made by Council Member Lyng to approve Rodenbaugh’s request. Motion was seconded by Council Member Dobson.

Motion carried.

**JAMES LEMON – CITY ATTORNEY**

**Re: Amendment, Chapter 3, Article I & III – Consumption of Alcohol in Public**

City Attorney James Lemon presented the next item on the agenda, an amendment to Chapter 3, Article I & III of the City Code, regarding the consumption of alcohol in public. Lemon explained that he was presenting a draft of this amended bill to Council for their consideration and/or questions, adding that he did not include the bill for a first reading because he wished to give department heads adequate opportunity to comment. He noted that he had talked with the Chief of Police who offered a few small changes that would be incorporated into the bill and the Fire Chief, who had no objections to the proposed bill.

Council Member Dobson commented that he was in favor of this draft, as presented by City Attorney Lemon.

Mayor Pro Tem Knickerbocker agreed that it was a good place to start; however, he would like to see a few additions, as well as the inclusion of convictions for certain violations, with details for suspensions and/or revocations of licenses. He said that he would like to hear input from the Police Chief with regard to these issues, prior to approval of the bill

Council Member Hark made the comment, referencing Section 3-120, (b) regarding the *designated area* for alcohol consumption. Hark’s concern was that this allowance would place an impossible standard on the license holder, since it was so vague. He explained that he did not believe a bar owner would be able to successfully manage the interior, as well as the exterior of his establishment.

City Attorney Lemon responded that upon application, the business owner would specifically state his plan for controlling the designated area, defined in his license application. Subsequently, there would be an avenue in which the Fire Chief, Police Chief, etc. could make comments and/or suggestions that may assist in the applicant’s duties. Once City staff and the business owner come to an agreement upon the proper designated area and the procedures for

enforcing City Code regarding this area, it would be set forth in the license, becoming a requirement of the City license, according to Lemon.

He continued by stating that procedures could not be included in the proposed bill, since every bar and restaurant have a different set of circumstances. He explained that it would be impossible to set an exact set of standards for all locations because of the diverse nature of each business.

Council Member Hark agreed with Mayor Pro Tem Knickerbocker in his concerns with the *violation* section of the bill, as well, noting some of his specific concerns. Mayor Pro Tem Knickerbocker suggested that each applicant appear before Council for approval, following completion of the initial application process with Staff. He also suggested a necessity for re-application following a temporary suspension, which is defined in the bill; and these would also be brought before Council for approval.

Council Member Lyng questioned whether or not it would be necessary for all business owners to appear before Council. Mayor Pro Tem Knickerbocker clarified his suggestion by saying that only a business owner who was seeking an outside liquor permit would be required to appear before Council for approval.

Council Member Lyng referenced Section 3-120 (a), commenting on the boundaries of the downtown area, as designated. He added that other establishments, such as Broadway Bar, Rookies or River City Billiards may also wish to have an outside liquor permit. Lemon responded that, per his instruction, Council's initial request was for these permits issued in the downtown area only. He added that, since this ordinance had been amended twice within a year, he believed that by placing the boundaries in the license section, if it is Council's pleasure to offer these permits, city-wide, this section can easily be omitted without disturbing the remainder of the bill.

In response to a comment, the City Attorney agreed that setting a different set of standards for each location, such as ropes vs. fences, may cause problems in the future. He advised that, if it was Council's pleasure, a specific set of standards could be propagated; however, it is his concern that with the varied characteristics of each establishment, it would be easier to work with a flexible standard from location to location. In conclusion, Lemon said that one of two things would have to be done:

- Set a very strict, mandatory set of standards – establishments that do not apply would be prevented from obtaining an outdoor liquor permit
- Set flexible standard with each establishments diverse characteristics in mind – sensitive to need so that no one is 'cut-out' of the application process if they so desire, but only working within the confines of safety to protect the public

Council Member Lyng questioned the issue of property liability. In the event that several establishments are participating and, since being outside, there is a danger of people with alcohol moving down the street. If this should happen, authorities would be unsure which location it came from, if a problem should arise. City Attorney Lemon responded that a requirement of the outside liquor permit could be to provide a proof of insurance certificate, naming the City as additional insured, addressing this issue within the permit/license requirements instead of in the bill. The bill would only require obtaining the license/permit, but the license/permit would require the insurance certificate. He added that the insurance requirement could be written into the bill, if Council desired.

Mayor Hark voiced a concern regarding the possibility of altercations, as the result of intoxicated individuals standing outside, being bumped by a passerby. Tempers may flair causing this to happen. His main concern is with a tourist and/or children caught in the middle of a situation where individuals are on the sidewalks drinking and smoking. He doesn't want to see this happen in the downtown area, as a result of this provision.

Mayor Pro Tem Knickerbocker addressed the issue of space, explaining that since space is so limited, he believes that only a limited amount of tables and chairs should be allowed per square footage of area, to avoid over-crowding.

Council Member Louderman commented that, in his opinion, Council should not consider granting any requests until a procedure is in place. He added that he did not wish to see these areas become trashy with beer bottles and garbage lying around. All these things that have been discussed must be considered before approving any requests of this nature, according to Louderman.

Council Member Dobson pointed out this practice is already being done in front of the Mark Twain home every Thursday night; however, it was noted that the Thursday night "Music Under the Stars" are merely special events and are only temporary as opposed to the Outside Liquor Permit that will be a permanent license.

**PAUL LEWELLEN – MAIN STREET WINE STOPPE LLC**  
**Re: Request, Extension of Liquor License to Sidewalk**  
*(303 North Main)*

Mayor Hark recognized Paul Lewellen, owner of the Main Street Wine Stoppe, LLC, who was present with a request for Council approval of an extension of his liquor license to include the sidewalk in front of his establishment. Mayor Hark suggested that Mr. Lewellen's request be tabled until the bill regarding outside liquor permits has been approved.

Mr. Lewellen asked to speak, and then applauded Council for considering his request, since this issue has been shunned in the past. At least, the process has begun for possible approval. He explained that he was being selfish in wanting Council to approve his request because he knows the character of his establishment and is sure that the outside liquor issue would work there.

He continued by stating that Council was making many requirements including requirement for ropes and/or fences, however, he is not aware of any bar that has the room to install velvet ropes or fences. He suggested yellow police tape or a white line, both of which would look tacky. Lewellen requested that Council begin the process by involving the bar owners in making decisions regarding any restrictions. According to Mr. Lewellen, the restrictions are making it impossible to attain.

Council Member Hark addressed Mr. Lewellen by saying that his establishment was the exception' however, Council would have to consider the ramifications on all. Council Member Dobson suggested forming a committee, including some willing bar owners and Mr. Lewellen in order to take a look at this issue. Mayor Pro Tem Knickerbocker did not wish to sit on a committee, but he suggested meeting together to discuss the matter. Council Member Lyng stated that if a committee is formed, notices must be posted and minutes taken.

City Attorney Lemon suggested formation of a task force, such as the one held for the noise ordinance issue. As a result, a task force was formed, consisting of:

- Mayor Pro Tem Knickerbocker
- Council Member Dobson
- Council Member Louderman
- City Attorney Lemon
- Paul Lewellen
- Other willing bar owners

Motion was made by Mayor Hark to form a task force as previously detailed. Motion was seconded by Council Member Hark.

Motion carried. Motion was made by Mayor Hark to table Mr. Lewellen's request until the related ordinance is finalized. Motion was seconded by Mayor Pro Tem Knickerbocker.

Motion carried.

### **ROY G. HARK – MAYOR**

#### *PRESENTATION TO JAMES BEHYMER, IN APPRECIATION OF HIS YEARS OF DEDICATED SERVICE AND COMMITMENT TO THE CITY OF HANNIBAL*

Mayor Hark asked the James Behymer, the former 5<sup>th</sup> Ward Council Member, come forward. The Mayor presented Behymer with a plaque commemorating ten years of dedicated service to the City Council.

Mr. Behymer thanked all who were serving on Council and for their commitment to the City, recognizing the difficult choices that they were asked to make. He continued by saying that it has been a pleasure serving on Council and he had no regrets. He also commended the department heads for their dedication. He encouraged more people to get involved in City government, rather than complaining. He concluded by challenging the audience to, "Give back what has been given to you".

#### **Re: Appointment, Building Commission**

- James Hark

Since there was a vacancy on the Building Commission for a Council Member, Mayor Hark made a motion to appoint Council Member Hark to the Building Commission. Motion was seconded by Council Member Barta.

Motion carried.

### **JEFF LAGARCE – CITY MANAGER**

#### **Re: Request, Set Public Hearing – Acquisition of Demolition Properties**

*(September 7, 2010 – 6:30 p.m.)*

City Manager LaGarce addressed Council with a request to hold a public hearing regarding the acquisition of demolition properties on September 7, 2010 at 6:30 p.m. LaGarce stated that, in the past several months, the Building Commission's meetings have centered on some possibility of acquiring lots within the City on which structures that were demolished were

located, since usually these lots are left with large liens against them. The Commission's intention is to convert these lots to productive use. As a result, the Building Commission has devised an ordinance to rectify this problem. The draft ordinance contains over a dozen possibilities for acquisition/conversion to productive use. This will be the topic of the proposed public hearing. Motion was made by Council Member Louderman to approve the City Manager's request to set the public hearing on September 7, 2010 at 6:30 p.m. Motion was seconded by Mayor Hark.

Motion carried.

**Re: CDBG Commercial Flood Buyout Phase II Environmental Site Assessments –  
Standard Form of Agreement**

*Terracon Consultants  
(Resolution No. 1675-10, to follow)*

City Manager LaGarce explained that the commercial flood buyout project is progressing well, with Phase I Environmental Site Assessments completed last May. Phase II of this process, limited site inspections, are necessary for ten of the 25 properties involved, according to LaGarce.

In July, requests for proposals were sought from qualified engineering firms and as a result, three Phase II Environmental Site Assessment Proposals, were received. Terracon Consultants, Inc. scored the best overall proposal, which considered qualification, specialized experience, methodology, familiarity with the Hannibal community, past record of performance, non-employment of illegal immigrants and price, according to LaGarce. Their fee for the service is \$36,075; and funds are allocated in the grant award. LaGarce also noted that these site investigations are due in 30 days, and once these are complete, the City will make offers.

LaGarce concluded by saying the staff's recommendation is for Council approval of Resolution No. 1675-10, to follow, which would accept the proposal of Terracon Consultants, Inc. in the amount not-to-exceed \$36,075 to conduct Phase II Limited Site Investigations for each of the ten commercial flood buyout properties warranted, and authorization for the Mayor to execute the related agreement.

**Re: Amendment, Chapter 32, Article XII – Tree Preservation & Planting, Parking Lot  
Landscaping Requirements & Landscaped Buffers**

*(Bill No. 10-028, to follow)*

LaGarce's next item on the agenda was a request for Council to give a first reading to Bill No. 10-028, regarding the amendment of Chapter 32-Zoning, Article XII of the City Code, entitled Tree Preservation & Planting, Parking Lot Landscaping Requirements & Landscaped Buffers. He explained that this item had been the subject of the public hearing that was held prior to the Council Meeting.

**Re: Payroll Amendment**

- **Management Assistant – HPD \$37,368**
- **Management Assistant – DPW \$34,523**

*(Bill No. 10-029 – Emergency Reading, to follow)*



LaGarce's final agenda item was a request to give an emergency reading to Bill No. 10-028, to follow, that would amend the Payroll Ordinance adopted on July 6<sup>th</sup>, by increasing the compensation of the two Management Assistant employees who have been reclassified. LaGarce reminded Council that this reclassification had previously been approved during the August 3, 2010 Council Meeting.

**ANGELICA VANCE – CITY CLERK**

**Re: Phone Services, Internet & Features - CompleteLink 2.0 Agreement**

*AT&T*

*(Resolution No. 1672-10, to follow)*

City Clerk Vance made a request for Council approval of Resolution No. 1672-10, to follow, regarding a three-year CompleteLink 2.0 agreement with AT&T for telephone service and internet usage. Vance explained that implementation and approval of this agreement will provide the City departments with the continuation of existing phone and internet services.

AT&T, according to Vance, being a Missouri State Prime Vendor, has agreed to provide monthly phone, internet and special features at volume discounted pricing and has been determined the company to best suit our phone service needs. Approval of this Resolution No. 1672-10, to follow, will authorize Mayor Hark to execute the contract with AT&T.

Prior to introduction of the next agenda item, City Manager LaGarce asked to make a brief statement. He explained that a public information meeting would be held at 600 p.m. on August 24<sup>th</sup> in the courtroom of the Marion County Courthouse, located at 10<sup>th</sup> & Broadway. He added that SEMA officials, FEMA officials and the area's State Representative will be in attendance at this meeting to discuss public assistance regarding the recent flooding damages. They will explain the process for receiving this funding and federal assistance for property damages, once a declaration is made. Council Member Louderman has people in place to notify the public with regard to the meeting

**ANDY DORIAN – INTERIM DIRECTOR, PARKS & RECREATION**

**Re: Armory Roof Replacement Project Construction Observation –  
Engineering/Architectural Service Agreement**

*Poepping, Stone, Bach & Associates*

*(Resolution No. 1673-10, to follow)*

Interim Parks & Recreation Director Andy Dorian presented the first of two items on the agenda regarding the Admiral Coontz Armory. His first item was a request for approval of an engineering/architectural agreement with Poepping, Stone, Bach & Associates for construction observation of the armory roof replacement project. Dorian explained that, in the past year, many improvements have been made to the armory, including windows, doors, and restrooms. The most important issue at the current time is the leaking roof, since each heavy rain results in water in every room of the building.

Dorian stated that the P&R Department has been working with PSBA for several months on the design and bid process for the asbestos removal and roof replacement at the armory. They would like to continue using this company to assist in the execution, review and documentation of the construction contract, to review shop drawings, participate in on-site inspections, handle pay requests and facilitate any additional communication between the P&R Department and the contractor. PSBA has submitted a lump sum, not-to-exceed construction observation contract totaling \$7,638.

Dorian concluded by saying that the Parks & Recreation Department recommends that Council authorize the Mayor to execute an agreement with Poepping, Stone, Bach & Associates, Inc. (PSBA) for the construction observation contract in the amount of \$7,638 to be approved with Resolution No. 1673-10, to follow.

**Re: Armory Roof Replacement & Asbestos Removal - Standard Form of Agreement**  
*Shay Roofing, Inc.*  
*(Resolution No. 1674-10, to follow)*

The next agenda item was a request for approval of a contract with Shay Roofing, Inc. for the actual roof replacement and asbestos removal at the armory. Resolution No. 1674-10, if approved would give the Mayor authorization to execute this contract. Dorian explained that in June, bids were let for the project; however no responsive bids were received. Since the June attempt resulted in no bids, it was re-advertised for bids. According to Dorian, two companies responded, both out of town contractors. Lowest of the two was Shay Roofing, Inc. The engineers estimate for this project was \$170,000-\$190,000; however, PSBA explained that the added costs were probably due to the contractor's out-of-town location.

Since the original amount budgeted for the project was \$250,000 and the cost for PSBA's contract to oversee the project and the amount of the actual project totals \$220,329, or approximately \$30,000 under the budgeted amount. It is the Parks & Recreation Department's recommendation that the bid for asbestos removal and roof replacement be awarded to Shay Roofing, Inc. in the amount of \$212,691 and the Mayor be authorized to execute a contract with same, as approved with the approval of Resolution No. 1674-10, to follow.

**BILL MADORE – ACTING FIRE CHIEF**  
**Re: Amendment Chapter 12, Article II – Residency Requirement**  
*(Bill No. 10-027, to follow)*

Interim Fire Chief Bill Madore came before Council to seek approval for a first reading of Bill No. 10-027, to follow. This bill, as explained by Madore, relates to qualifications of Fire Department personnel, since individuals applied to the recent hiring pool who resided over 30-40 miles from the department. As a result, administration believes that the residency requirement is needed. This has been discussed by Fire Board members, as well as Local 1211, and they agree that, being an emergency unit, the residency limitation is required.

In response to a question posed by Council Member Lyng regarding a previous residency requirement, Madore responded that, in the past, there has been no formal requirement, only an informal one, but he believes that a requirement should be in the ordinance. Once Bill No. 10-127 has been approved by Council, it can not be arbitrarily changed. Mayor Hark stated that when he was Fire Chief the department had a five-mile, fifteen minute policy in place.

According to Madore, the current firefighters will be grandfathered in; however, if they move, they must meet the residency requirement. Council Member Lyng questioned the difference between 15 mile radius and 20 miles by road requirement. The City Attorney responded that this requirement may be interpreted as 15 miles as the crow flies; however, this may be 20 miles of road to the city limits, within that 15 mile radius.

**BEAU HICKS – DIRECTOR, HANNIBAL CONVENTION & VISITOR’S BUREAU**  
**Re: Mark Twain Boyhood Home & Museum Sponsorship/Loan**

Since HCVB Director, Beau Hicks was not in attendance; Mayor Hark entertained a motion to table this item until the September 7, 2010 Council meeting. Motion was made by Council Member Louderman to table this item, as Mayor Hark suggested. Motion was seconded by Council Member Hark.

Motion carried.

**MARK REES – CITY ENGINEER**  
**Re: Request, Waive Bidding Process – Manchester Tank Building**  
**Seal Coating & Striping**  
*Charlton Paving*

City Engineer Rees apologized to Council for coming to them to request a waiver, after work had been completed. Rees explained that three quotes were received for the seal coat and striping project at the Manchester Tank building. The apparent low bidder was Charlton Paving in the amount of \$5,050. It was determined that this project was categorized as ‘repairs on light equipment & buildings’ with a bid limit of \$11,032. After the work was completed, the Department was informed that this type of work falls under the bid limit category of ‘service contracts’ with a limit of \$4,969. The bid requirement was categorized higher than it actually was; therefore he is asking for a waiver of the bid requirement. He assured Council that the job was a good value for the money spent, adding that the completed job was very nice. Motion was made by Council Member Louderman to approve Rees’ request. Motion was seconded by Council Member Barta.

Motion carried.

**Re: Bid Award Approval – Hannibal Regional Airport Terminal**  
*Bleigh Construction*

Rees explained that bids were opened on August 11<sup>th</sup> for the new Hannibal Regional Airport Terminal project. As a result, eight bids were received with the apparent low bidder being Bleigh Construction with a base bid of \$533,000, which Rees believed was slightly high. He noted that several alternates were bid, ranging from carport to geo-thermal; however, in light of the base bid being over budget, it was not feasible to consider any of the alternates.

Rees added that he had summarized the financing in his packet. He explained that George Walley previously informed the City that the Hannibal Industrial Development Authority is willing to assist with this project if conditions were right. They have \$10,000 to contribute and Rees included this ‘letter of obligation’ in his packet. MoDOT will fund the terminal, at a maximum amount of \$600,000 and with the City’s portion; the maximum amount available would be slightly more than \$631,000.

With the bid amount of \$533,000, the architectural/engineering design cost of \$50,000 and the construction observation cost of \$31,000 (as mandated by MoDOT), the total projected cost would be \$614,000, which allows a possible 3% contingency, an amount that Rees is not entirely comfortable with, since his desire was to have around 5% contingency.

Rees continued by explaining that the day following the bid opening, the Airport Committee examined the possibility of value engineering of the project. He presented this list to Council for consideration that could reduce the project cost.

Rees' request was for Council approval to accept Bleigh Construction as low bidder and to allow him to begin negotiations on both value engineering and contract negotiations. Once this is done, according to Rees, the full contract will then be brought back to Council. He added that negotiation of bidders is fairly common. Motion was made by Council Member Louderman to approve Rees' request and to allow him to enter into contract negotiations. Motion was seconded by Mayor Hark.

Motion carried. Motion was made by Council Member Louderman to accept Bleigh Construction as low bidder. Motion was seconded by Mayor Pro Tem Knickerbocker.

Motion carried.

**Re: Traffic Committee Recommendations**

*Hawkins Street Parking*

The City Engineer's third agenda item was a recommendation from the Traffic Committee, as the result of a recent meeting with representatives from the Hannibal Public Schools and Architechnics. The engineers submitted a parking and traffic phase control and the Traffic Committee's recommendation is that this be accepted. This plan will eliminate some parking on Hawkins, Bird and Hill Street on Phase 1; however, Rees assured Council that parking would be back to normal in Phase 2. Construction is to begin the first of 2011.

Since no action was taken by Council, this recommendation became effective, on this date.

**Re: West Ely Road – Change Order No. 6**

*Bleigh Construction*

*(Resolution No. 1676-10, to follow)*

Rees' final item on the agenda was for Council approval of Change Order No. 6 of the contract with Bleigh Construction for the West Ely Road Improvement project. This change order was largely due to property owner's entrances that should have been concrete as designated on the plans. The City has made good on the promises made to these land owners.

Rees added that staff has reviewed this project and it appears that the project is nearing 5% of over-run. It looks like there will be some savings in a couple of categories, most notable is temporary entrances that have not been used, which could amount to around \$8,000 by the end of the project, according to the City Engineer.

He noted that there will be possibly two more segments before the project is completed. Completion of the project will be prior to winter, or in approximately two months. Approval of this change order will occur with the approval of Resolution No. 1676-10, to follow.

**BOB STEVENSON – BPW GENERAL MANAGER**

**Re: City of Hannibal/BPW Website Design & Implementation**

*ETC Computerland*

*(Resolution No. 1677-10, to follow)*

Mr. Bob Stevenson, BPW General Manager, presented the final item on the evening's agenda which was approval of Resolution No. 1677-10, to follow, regarding a contract with ETC Computerland for the City of Hannibal/BPW website design and implementation. Stevenson explained that this item is a joint venture between the Board of Public Works, the Parks & Recreation Department and the City, combining budgets to construct a website.

Recently proposals were sought, and as a result, three proposals were received. Subsequently, demonstrations of the products were viewed from two of the bidders. Afterward, a committee consisting of representatives from the three departments jointly chose ETC Computerland to provide the services for website design and implementation.

Stevenson explained that, even though ETC was not the lowest bidder, but today's websites are dynamic as opposed to the static ones currently being used. Since dynamic websites require maintenance which is costly; however, ETC Computerland's software and architecture will allow BPW and the City to the maintenance. Stevenson stated that an administrator would be in each of the departments who would be responsible for modifying content, such as baseball schedules, little league plans, announcements regarding street closures, etc. In this way, no website developer would need to be hired to make this type of changes. In this way, the City, Parks and the Board will save the dollars otherwise spent on a developer.

Mr. Stevenson also explained that the software used by ETC will allow the addition of pages to the current website, on the theory that other departments may choose to join in the combined effort which will be visually pleasing, user friendly and more economical to use. For that reason, what would seem to be the more expensive option was chosen; however ultimately the cheaper of the three. A cost-sharing arrangement is to be worked out yet, but the result will be well below the sum of the three, combined budget amounts, according to Stevenson.

Mayor Pro Tem Knickerbocker questioned the \$1,100 difference in the initial costs of the apparent low bidder as opposed to ETC Computerland. He asked if the low bidder's package was conducive to the City/BPW being able to alter, update or make changes. Stevenson said that was not an option with their package, adding that this was a component of the RFP that was distributed. There were degrees of freedom in each package; however, ETC Computerland's proposal had more freedom, according to Stevenson. He said that the biggest component was when pages were added to the website.

He said that the low bidder would charge an hourly fee, each time an update was made. ETC software is set up to make it simple for staff to add content, for instance meeting minutes can be added internally. Later, any additional fees that may be incurred are much lower with ETC. Approval of this agreement with ETC Computerland will accomplished with the approval of related Resolution No. 1677-10, to follow.

## **RESOLUTION NO. 1672-10**

### **A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A TWO (2) YEAR COMPLETELINK 2.0 AGREEMENT BETWEEN THE CITY OF HANNIBAL AND A T & T FOR THE PURPOSE OF PROVIDING REDUCED RATE PHONE SERVICES AND FEATURES**

Motion was made by Council Member Louderman to have the City Clerk read Resolution No. 1672-10, and call the roll for adoption. Motion was seconded by Council Member Barta.

Motion carried.

**Roll Call**

**Yes:** Mayor Pro Tem Knickerbocker, Council Members Dobson, Barta, Mayor Hark, Council Members Louderman, Hark and Lyng - 7

**No:** -0-

Mayor Hark declared Resolution No. 1672-10, duly approved and adopted on this date.

**RESOLUTION NO. 1673-10**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN ENGINEERING/ARCHITECTURAL SERVICE AGREEMENT BETWEEN THE CITY OF HANNIBAL, PARKS & RECREATION AND POEPPING, STONE, BACH & ASSOCIATES, INC. FOR CONSTRUCTION OBSERVATION RELATING TO THE ASBESTOS REMOVAL AND ROOF REPLACEMENT PROJECT AT THE ADMIRAL COONTZ ARMORY FOR A SUM NOT TO EXCEED \$7,638**

Motion was made by Council Member Barta to have the City Clerk read Resolution No. 1673-10, and call the roll for adoption. Motion was seconded by Mayor Pro Tem Knickerbocker.

Motion carried.

**Roll Call**

**Yes:** Mayor Pro Tem Knickerbocker, Council Members Dobson, Barta, Mayor Hark, Council Members Louderman, Hark and Lyng - 7

**No:** -0-

Mayor Hark declared Resolution No. 1673-10, duly approved and adopted on this date.

**RESOLUTION NO. 1674-10**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE STANDARD FORM OF AGREEMENT BETWEEN THE CITY OF HANNIBAL, PARKS & RECREATION AND SHAY ROOFING, INC FOR THE REMOVAL AND REPLACEMENT OF THE ROOF AT THE ADMIRAL COONTZ ARMORY IN THE AMOUNT OF \$212,691**

Motion was made by Council Member Dobson to have the City Clerk read Resolution No. 1674-10, and call the roll for adoption. Motion was seconded by Council Member Barta.

Motion carried.

**Roll Call**

**Yes:** Mayor Pro Tem Knickerbocker, Council Members Dobson, Barta, Mayor Hark, Council Members Louderman, Hark and Lyng - 7

**No:** -0-

Mayor Hark declared Resolution No. 1674-10, duly approved and adopted on this date.

**RESOLUTION NO. 1675-10**

**A RESOLUTION ACCEPTING THE PROPOSAL OF TERRACON CONSULTANTS, INC. IN THE AMOUNT OF \$36,075 TO CONDUCT PHASE II ENVIRONMENTAL SITE ASSESSMENTS FOR TEN COMMERCIAL FLOOD BUYOUT PROPERTIES AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR SAME**

Motion was made by Council Member Louderman to have the City Clerk read Resolution No. 1675-10, and call the roll for adoption. Motion was seconded by Council Member Hark.

Motion carried.

**Roll Call**

**Yes:** Mayor Pro Tem Knickerbocker, Council Members Dobson, Barta, Mayor Hark, Council Members Louderman, Hark and Lyng - 7

**No:** -0-

Mayor Hark declared Resolution No. 1675-10, duly approved and adopted on this date.

**RESOLUTION NO. 1676-10**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER NO 6 WITH BLEIGH CONSTRUCTION RESULTING IN AN INCREASE AMOUNT OF \$15,926.31 FOR ADDITIONAL WORK NEEDED FOR THE WEST ELY ROAD IMPROVEMENT PROJECT**

Motion was made by Mayor Pro Tem Knickerbocker to have the City Clerk read Resolution No. 1676-10, and call the roll for adoption. Motion was seconded by Council Member Barta.

Motion carried.

**Roll Call**

**Yes:** Mayor Pro Tem Knickerbocker, Council Members Dobson, Barta, Mayor Hark, Council Members Louderman and Hark - 6

**No:** Council Member Lyng - 1

Mayor Hark declared Resolution No. 1676-10, duly approved and adopted on this date.

**RESOLUTION NO. 1677-10**

**A RESOLUTION ACCEPTING THE PROPOSAL OF ETC COMPUTERLAND TO DESIGN AND IMPLEMENT A JOINT WEBSITE FOR THE CITY OF HANNIBAL AND THE HANNIBAL BOARD OF PUBLIC WORKS IN THE AMOUNT OF \$17,460**

Motion was made by Council Member Barta to have the City Clerk read Resolution No. 1677-10, and call the roll for adoption. Motion was seconded by Mayor Pro Tem Knickerbocker.

Motion carried.

**Roll Call**

**Yes:** Mayor Pro Tem Knickerbocker, Council Members Dobson, Barta, Mayor Hark, Council Members Louderman, Hark and Lyng - 7

**No:** -0-

Mayor Hark declared Resolution No. 1677-10, duly approved and adopted on this date.

**BILL NO. 10-027**

**AN ORDINANCE AMENDING CHAPTER 12, ARTICLE II, OF THE CODE OF THE CITY OF HANNIBAL, REGARDING QUALIFICATIONS OF MEMBERS FOR THE HANNIBAL FIRE DEPARTMENT RELATING TO RESIDENCY REQUIREMENTS**

**FIRST READING**

Motion was made by Council Member Louderman to give Bill No. 10-027 a first reading. Motion was seconded by Mayor Hark.

Motion carried.

**BILL NO. 10-028**

**AN ORDINANCE AMENDING CHAPTER 32, ARTICLE XII OF THE HANNIBAL CITY CODE BY CREATING A NEW DIVISION 5 PERTAINING TO TREE PRESERVATION AND PLANTING, PARKING LOT LANDSCAPING REQUIREMENTS, AND LANDSCAPED BUFFERS**

**FIRST READING**

Motion was made by Council Member Barta to give Bill No. 10-028 a first reading. Motion was seconded by Council Member Dobson.



Motion carried.

**BILL NO. 10-029**

**AN ORDINANCE AMENDING THE FISCAL YEAR 2011 PAYROLL ORDINANCE  
OF THE CITY OF HANNIBAL PERTAINING TO MANAGEMENT ASSISTANT  
POSITIONS IN THE POLICE DEPARTMENT AND BUILDING INSPECTOR'S  
DEPARTMENT**

**EMERGENCY READING**

Motion was made by Council Member Hark to give Bill No. 10-029 an emergency reading and call the roll for adoption. Motion was seconded by Council Member Louderman.

Motion carried.

**Roll Call**

**Yes:** Mayor Pro Tem Knickerbocker, Council Members Dobson, Barta, Mayor Hark, Council Members Louderman, Hark and Lyng - 7

**No:** -0-

Mayor Hark declared Bill No. 10-029, duly approved and adopted on this date.

**CLOSED SESSION**

*In Accordance with RSMo. 610-021 (1)  
Potential Litigation*

At this time, Mayor Hark entertained a motion to go into closed session in accordance with RSMo 610-021, sub-paragraphs one (1), admitting himself, rest of Council, City Manager Jeff LaGarce, City Attorney James Lemon, City Clerk Vance and City Engineer Rees. Motion was made by Council Member Louderman to go into Closed Session, as directed by Mayor Hark. Motion was seconded by Council Member Hark.

**Roll Call**

**Yes:** Mayor Pro Tem Knickerbocker, Council Members Dobson, Barta, Mayor Hark, Council Members Louderman, Hark and Lyng - 7

**No:** -0-

Motion carried.

**OPEN SESSION**

Motion was made by Council Member Louderman to return to open session at this time. Motion was seconded by Mayor Pro Tem Knickerbocker.

Motion carried.

## **ADJOURNMENT**

Motion was made by Mayor Pro Tem Knickerbocker to adjourn the meeting. Motion was seconded by Council Member Louderman.

Motion carried.