

# OFFICIAL COUNCIL PROCEEDINGS

February 16, 2010  
7:00 p.m.

## ROLL CALL

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

**Absent:** Council Member Knickerbocker -1

## CALL TO ORDER

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

## INVOCATION

Council Member Janes gave the invocation.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Pro Tem Behymer. Motion was made by Council Member Janes to excuse Council Member Knickerbocker from the proceedings. Motion was seconded by Council Member Louderman.

Motion carried

## APPROVAL OF MINUTES

**Closed Session Council Meeting – January 5, 2010**  
**Regular Council Meeting – February 2, 2010**

Motion was made by Council Member Louderman to approve the minutes of the Closed Session that was held on January 5, 2010 and the regular Council Meeting of February 2, 2010. Motion was seconded by Council Member Barta.

Motion carried.

## APPROVAL OF PAYROLL AND CLAIMS

**First Half – February, 2010**

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

Motion carried.

**MARTIN MEYER – HANNIBAL PUBLIC SCHOOL DISTRICT #60**

**Re: Request, Cost Share – New Mark Twain School Project**

- **Hawkins Demolition - \$10,800**
- **Storm Sewer - \$35,000**
- **Widen Bird & Hill Streets - \$275,000**

Mr. Martin Meyer of Architechnics, Inc. in Quincy, IL presented the next item on the agenda, a request by the Hannibal Public School District #60 for the city's assistance in completing improvements to the site of the present Mark Twain Elementary School, located at 2717 Bird Street. Before he began, Mr. Meyer introduced Dr. Jill Janes, the Superintendent of Schools, who would begin the presentation.

Dr. Janes explained that the school district's long-range plan included passage of a bond issue in April, 2010, that would be used to build Mark Twain Elementary School, as well as making other improvements throughout the district. She continued by saying that, a community forum had been held in May, 2009 to determine if there was community support of the Mark Twain School Project. The results of the forum were very positive. After that time, according to Janes, two other meetings were held, one to elicit city support in which a variety of City officials were present, and the other with the Traffic Committee, to address issues with Hawkins Street and other infrastructure and street-work that would be necessary, as a result of the project at hand. These meetings had positive feedback, as well.

Dr. Janes proposed that the City collaborate with the school district to complete infrastructure and street work that is necessary in order to improve the area and prepare it for the construction of the new Mark Twain Elementary School building and the eventual demolition of the current building. She requested Council approval of this proposal, and then asked Mr. Meyer to address Council with the specifics.

Meyer showed several drawings, including an aerial view of the Bird/Hill/Hawkins Street area which is the site of the present Mark Twain Elementary School and the proposed site of the new school facility. He pointed out several areas of interest and explained the plan in detail.

Mr. Meyer made particular note of three specific points, in which the City's assistance is needed. These included:

➤ Closing Hawkins; demolition	\$ 10,800.00
➤ Storm sewer; connect site retention to buried storm sewer at St. Mary's Avenue	35,000.00
➤ Widen Bird and Hill; drop-off/pick-up lane within the public Right-of-way	<u>275,000.00</u>
<b>Requested City Share</b>	<b>\$320,800.00</b>

Meyer stated that an extensive amount of public infrastructure that is affected in this project. The first area to be addressed is the demolition of Hawkins Street, including addition of a sanitary sewer on Hill Street before demolishing the sanitary sewer on Hawkins. He explained

that Architechnics has worked with the BPW to devise a plan relocating a 1,380 volt overhead transmission line currently running down Hawkins and eliminating all overhead lines on the school side of Hill and Bird Streets so that streets in this area can be widened. According to Meyer, AT&T and cable lines will need to be relocated. Since there is currently no storm sewer, the plan includes a proposal for site retention and construction of a new storm sewer toward St. Mary's Avenue.

The proposal provides for a safe place for students to be picked-up and dropped-off. This area is to be isolated from other traffic. Meyer added that the current roads are not wide enough for one parking lane, with 2-way traffic.

He concluded his presentation by saying that it should be noted the school district is bucking the national trend for a district this size by maintaining its neighborhood schools, based on the desire of patrons. This was also done at Stowell School, as well.

Council Member Janes questioned if the widening on pf the streets utilized dedicated, public right-of-way or if it would encompass private property. Mr. Meyer responded that it would all be on dedicated, public right-of-way.

Council Member Barta asked about positioning/ replacing of utility poles and underground feeds. Meyer responded that all poles would not be replaced, but power would be redirected to almost every house in the neighborhood.

Council Member Louderman asked if the plan would be affected, should the City be unable to assist with the entire amount that is requested. Meyer responded that drawings are still in beginning stages. He explained that bid forms for the project will include lines to identify each item. These will also include alternate bids and will be completed by interested contractors. The school will let/award the bids and Architechnics will do all the design work, with these costs being absorbed by the school district. The district will determine what they can afford before bids will be awarded, accepting or not accepting options, based upon funds they have available. The resulting bids will be lump-sum so the exact scope of work vs. cost can be determined. He added that tonight's proposal was 'worst-case' scenario; if bids are higher, the City will not be obligated for any more funding, but if bids are less, the City will pay contribute less funding.

Mayor Pro Tem Behymer questioned what would be omitted from the original plan if the City were not able to provide funding. Meyer responded that, obviously, some things must happen, but possibly a section of storm sewer may be omitted or the streets may not be widened.

City Manager Jeff LaGarce stated that the \$275,000 street project would be completed through the City's bond issue, as well as the \$10,800, that is also street-related. The remaining \$35,000 would need to be taken from the City's general fund. The inclusion of this project would mean that the City would be unable to complete one street of the projected street improvements. Mayor Hark admitted that Bird and Hill Streets are very narrow; adding that omitting this project jeopardized the safety of the children in this district.

Council Member Janes commented that there was no argument in the benefits, and pointed out the sizeable investment that the school district was making. He added that, in his opinion, it is the City's responsibility to partner with the school and lend a hand. With the addition of the new school building and street improvements, property values in this neighborhood should increase, as well.

Council Member Louderman commented that, as a resident of the South Side, he watched the construction of Stowell School from start to finish, and commended the district for the enhancement that the new school brought to the South Side neighborhood.

With all this in mind, Mayor Hark asked if there was a motion to approve the request for funding. Council Member Janes made a motion to approve the School District's request for funding. Motion was seconded by Council Member Louderman.

Motion carried.

### **JEFF LAGARCE – CITY MANAGER**

#### **Re: Recognition, John S. Hark – Missouri Certified Emergency Manager Certification**

City Manager LaGarce congratulated John Hark for his recent accomplishment in receiving the Missouri Certified Emergency Manager Certification. LaGarce explained that the Missouri Emergency Preparedness Association indicated that this designation reaffirms Hark's commitment to the standards of excellence in emergency management in the State of Missouri.

LaGarce said that this accomplishment shows John's dedication to the profession and the service of the citizens of Hannibal. He noted that this is a three-year certification.

#### **Re: Approval, Financial Task Force Recommendations**

Next, City Manager LaGarce presented the recommendations for approval of the financial task force that was created in November of 2009. The purpose of the task force, according to LaGarce was to conduct an in-depth review of city operations, processes, and procedures, with the intent to identify means of achieving long-term cost savings for the City. LaGarce began by explaining that recommendations consist of a two-page report and related chart; the result of an 8-week process. He gave a brief detail of these recommendations, developed during two months of team meetings in which \$542,000 have been identified in permanent operating margin to be achieved through process changes, expenditure reductions, and user-fee (i.e. Non-tax) increases.

Motion was made by Mayor Pro Tem Behymer to approve these recommendations. Motion was seconded by Council Member Louderman. Council Member Lyng questioned whether fee increased required a vote by the citizens. LaGarce responded that this was a possibility, adding that taxi fees would not require a vote; however, building permits is an area of concern.

Council Member Lyng also questioned item #6 on the listing (HFD paying overtime vs. new hire). He elaborated that there was a vacancy within the department with that person still receiving pay. In response to Lyng's concerns, it was noted that this was a decision of the Fire Board. Mr. Lyng then requested a written explanation of details for this decision.

City Attorney Lemon answered that, since this is a personnel issue, the employee is entitled to a certain amount of confidentiality; however, it is probably within Lyng's right, as a Council Member, to have the information. He continued by saying that, being a personnel issue, it is not a matter of public record. The official statement for public record, as stated by Council Member Janes was, "The Fire Chief was placed on administrative leave for an undetermined amount of time".

Council Member Janes stated that he had previously given Council Member Lyng the information that he had requested. Mayor Pro Tem Behymer asked the Mayor to call the question.

Motion carried.

**Re: Historic Recordation Report – 101 Church Street – Standard Form of Agreement**

*Ruth Keenoy Historic Preservation Consultant*

*(Resolution No. 1627-10, to follow)*

City Manager LaGarce explained the purpose of his final item on the evening's agenda, the Historic Recordation Report for 101 Church Street, the former site of Bubba's Restaurant. LaGarce said that all commercial flood buyout properties were cleared by the Missouri State Historic Preservation Office or SHPO, except this one. This property lies on the National Register of Historic Places, according to the City Manager. In order to demolish this property as part of the flood buyout program, SHPO requires this report to be completed by a 36 CFR 61 qualified Historian or Architectural Historian.

Specifications were developed and bids were let, with four bidders responding. Ruth Keenoy of St. Louis, MO was the low bidder with a bid amount totaling \$2,313. References and credentials were checked for Ms. Keenoy, and there are no problems or objections, according to LaGarce. In answer to Council Member Janes question regarding the process, LaGarce responded that the City is mandated to complete this step before demolition can be done, and since it is not a reimbursable project, this is an unfunded mandate. He added that money was available in to budget to complete this project and asked Council approval of Resolution No. 1627-10, to follow regarding this recordation report.

**CHRIS ATKINSON – DIRECTOR, PARKS & RECREATION**

**Re: 911 Wabash Property Acquisition – Contract for the Sale of Real Estate**

*Waunita D. Bowen*

*(Resolution No. 1626-10, to follow)*

The Director of Parks and Recreation, Chris Atkinson came before Council with a request for approval of Resolution No. 1626-10, to follow. This resolution would approve a contract with Waunita D. Bowen for the acquisition of property known a 911 Wabash. The purchase of property on the south side of Riverview Park has been an ongoing process to resolve sewer and beautification issues in the park, according to Atkinson. With Council approval, following this purchase, there will only be one piece of property left for the Parks Department to purchase in this area. Atkinson explained that the entire cost, including purchase and demolition, is a 50/50 split between the Parks and Recreation and the Board of Public Works. The contract with Ms. Bowen for the purchase of this property is \$27,000, an amount that was within the range approved by Council for acquisition of this real estate.

In response to a question from Council, Atkinson admitted that the appraisal for the property was actually \$13,500 for this property; however, he added that the price of \$27,000 was in line with his expectations. According to the past history of purchases in the area, Atkinson said that the actual negotiated amount of purchase was usually above the appraisal value. He pointed out that the property encompassed four lots, and so was four times larger that the other properties purchased for \$15,000-\$20,000.

**LYNDELL DAVIS – CHIEF OF POLICE**

**Re: Approval, Surplus Property**

*TREK Public Safety Bikes (6)*

Chief Lyndell Davis presented the next items on the agenda, his request for the approval the sale of 6 TREK public safety bikes. Davis reminded Council of the Police Department's recent purchase of new Cannondale bikes and added that the funding for that purchase was provided by the U.S. Department of Justice (JAG) grant that the department was awarded in August, 2009.

In order to make the old bikes eligible for sale, Chief Davis needed Council's permission to declare them as surplus material. At that time, according to Davis, they would be sold by sealed bid with select dates and times to be announced in advance to view the bikes for those interested in submitting a bid. He added that, if approved, the minimum asking price for the police bikes would be \$100.00. This is only a starting point, since a higher price would be accepted, if offered during the bidding process. Chief Davis concluded by saying that some of the bikes are as much as 15 years old and mentioned that some were originally received from the Department of Public Safety, as well as the Housing Authority. Contact was made with them several months ago and they did not object to the Police Department's disposal of these bikes.

Mayor Hark suggested that, at the time of sale, the Police Department obtain a waiver stating that the City is not liable for anything. Davis responded that this could be done if Council desired, adding that, if these were purchased by an individual the Department would remove the police insignia. Motion was made by Mayor Pro Tem Behymer to approve Chief Davis' request to declare these bikes as surplus property and allow the sale. Motion was seconded by Mayor Hark.

Motion carried.

**BEAU HICKS - DIRECTOR, HANNIBAL CONVENTION & VISITORS BUREAU**

**Re: Purchasing Policy/Bid Guidelines HCVB Advertising**

*(Bill No. 10-003, to follow)*

Beau Hicks, Director of the Hannibal Convention and Visitors Bureau, requested Council approval of a first reading for Bill No. 10-003, to follow, regarding the purchasing policy and bid guidelines for HCVB advertising. Hicks explained that passage of this bill would solve advertising issues that HCVB had been faced with and never addressed for eighteen years. He added that, when the City Code was written departmental advertising costs totaling \$12,000-\$15,000 was not taken into consideration.

In striving to comply with the current code, and bid on various advertising pieces, the resulting response is the receipt of a 'rate card', or the lowest advertised rate that a publication will offer. A negotiated rate is sometimes 45% less than the amount on a 'rate card'.

Hicks stated that the purchasing policy and bid guidelines detailed in Bill No. 10-003, to follow, would solve the problems of bidding and still maintain the HCVB's ability to 'negotiate' ad rates. This policy, according to HCVB Director, was developed with the aid of City Attorney James Lemon and would follow City bid procedures by soliciting and advertising for bids from any advertisers that may be used for the following year's advertising

needs. Each company would be asked to submit their 'rack rates' for the following year. These rates would be brought before Council for approval; and these companies would become the approved advertising vendors for the year. Rate cards submitted by these approved vendors would be the maximum amount that would be paid for any add with these publications. (Hicks could still negotiate for lower rates with these approved vendors.)

Pro Tem Behymer and Council Member Lyng questioned if this procedure was compliant to Charter guidelines. City Attorney Lemon responded that this procedure was very similar to the procedure followed for airport fuel purchases and assured Council that it would be in compliance with the City Charter.

### **RESOLUTION NO. 1626-10**

#### **A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR THE SALE OF REAL ESTATE BETWEEN THE CITY OF HANNIBAL, PARKS AND RECREATION DEPARTMENT AND WAUNITA D. BOWEN FOR THE PURCHASE OF PROPERTY KNOWN AS 911 WABASH, IN THE AMOUNT OF \$27,000 PLUS UNKNOWN CLOSING COSTS FOR THE PURPOSE OF EXTENDING THE BOUNDARIES OF RIVERVIEW PARK**

Motion was made by Council Member Janes to have the City Clerk read Resolution No. 1626-10, and call the roll for adoption. Motion was seconded by Council Member Barta.

Motion carried.

#### **Roll Call**

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

**No:** -0-

**Absent:** Council Member Knickerbocker -1

Mayor Hark declared Resolution No. 1626-10, duly approved and adopted on this date.

### **RESOLUTION NO. 1627-10**

#### **A RESOLUTION ACCEPTING THE BID OF RUTH KEENOY HISTORIC PRESERVATION CONSULTANT IN THE AMOUNT OF \$2,313 TO PREPARE AND SUBMIT A RECORDATION REPORT OF 101 CHURCH STREET 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. 1627-10, and call the roll for adoption. Motion was seconded by Council Member Louderman.

Motion carried.

#### **Roll Call**

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

**No:** Council Member Lyng – 1

**Absent:** Council Member Knickerbocker -1

Mayor Hark declared Resolution No. 1627-10, duly approved and adopted on this date.

**BILL NO. 10-003**

**AN ORDINANCE OF THE CITY OF HANNIBAL ESTABLISHING BID GUIDELINES FOR THE PURCHASE OF ADVERTISING BY THE HANNIBAL CONVENTION AND VISITOR'S BUREAU**

**FIRST READING**

Motion was made by Council Member Louderman to give Bill No. 10-003 a first reading. Motion was seconded by Council Member Janes.

Motion carried.

**BILL NO. 10-002**

**AN ORDINANCE AMENDING THE BID LIMITS IN ACCORDANCE TO SECTION 9.13 (b) OF THE CITY OF HANNIBAL CHARTER**

**SECOND AND FINAL READING**

Motion was made by Council Member Louderman to give Bill No. 10-002 a second and final reading and call the roll for adoption. Motion was seconded by Mayor Hark.

Motion carried.

**Roll Call**

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

**No:** -0-

**Absent:** Council Member Knickerbocker -1

Mayor Hark declared Bill No. 10-002 duly approved and adopted on this date.

**CLOSED SESSION**

*In Accordance with RSMo. 610-021 (1) (3)*

At this time, motion was made by Council Member Louderman to table the scheduled closed session portion of the agenda. Motion was seconded by Council Member Janes.

Motion carried.

**ADJOURNMENT**

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

Motion carried.