

OFFICIAL PROCEEDINGS OF THE PUBLIC HEARING

Monday, June 6, 2011
6:30 p.m.

CALL TO ORDER

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

DOUG WARREN – DIRECTOR OF FINANCE **Re: 2011-12 Fiscal Year Budget**

Mr. Doug Warren, Director of Finance, presented the 2011-12 Fiscal Year Budget and explained related points. He said that this year's budget totaled \$39.4 million, with expenditures of approximately \$28 million. General fund revenues equal \$10.8 million and expenses equal \$10.2 million. He stated that, included in this year's budget was a 1% 'across-the-board' raise for employees, with the exception of the firefighters, who have a longevity contract, with a built-in 1-2% increase. If City Departments remain within their budget, the City will realize a 17.5% reserve.

Warren stated that the reserve is no magic target number; but typically, in government accounting this amount represents how many weeks an entity is able to survive with no other source of income. The current reserve equates to 2.4 months.

Highlights of this year's budget, according to Finance Director Warren will include:

General Fund

- New sound system for Council Chambers
- Property identification software (Collector's Office)
- Main Street sidewalk grant
- Market Street stormwater
- Bear Creek clean-up
- Bear Creek greenway study
- Commercial and residential flood buyout
- Fire Department grants
- Police Department computer upgrade
- Airport terminal project
- Airport runway sealing

Capital Sales Tax

- Stardust Drive extension
- Paris Gravel Road
- Downtown mill & overlay
- Pavement resurfacing

Parks

- Flood Buyout “Fill-ins”
- Armory Improvements
- South Main Street Sports Fields
- Huckleberry Park Disc Golf
- Maintenance Shop Roof Replacement
- South Side Sand Volleyball Court

Warren concluded by saying that this year’s budget is extremely tight, especially the General Fund and added that all but necessary item had been removed. The proposed FY 2011-12 budget contains no extra superfluous items and no surprises.

PUBLIC COMMENTS

The public was given a chance to respond, at this time; however, no one wished to speak for or in opposition to the proposed budget.

ADJOURNMENT

Since there were no additional comments, Mayor Hark called the Public Hearing to a close.

**CITY COUNCIL
OFFICIAL PROCEEDINGS**

**Monday, June 6, 2011
7:00 p.m.**

Present: Council Members Louderman, Hark, Draper, Mayor Pro Tem Knickerbocker, Council Members Dobson, Barta and Mayor Hark
- 7

Absent: -0-

CALL TO ORDER

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

INVOCATION

Council Member Draper gave the invocation.

PLEDGE OF ALLEGIANCE

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

**APPROVAL OF MINUTES
Regular Council Meeting – May 17, 2011
CWC – Budget Work Session – May 25, 2011**

Motion was made by Council Member Draper to approve the minutes of the last regular Council meeting that was held on May 17, 2011 and the CWC meeting that was held on May 25, 2011. Motion was seconded by Council Member Hark.

Motion carried.

**APPROVAL OF PAYROLL AND CLAIMS
Second Half – May, 2011**

Motion was made by Council Member Dobson to approve the payroll and claims for the second half of May, 2011. Motion was seconded by Council Member Louderman.

Motion carried.

JASON JANES – CALVERY BAPTIST CHURCH

**Re: Request, Approval - Fireworks Display
Annual God & Country Celebration**

July 3, 2011

In the absence of Jason Janes, representative of Calvary Baptist Church, the Deputy Clerk presented his request, similar to the request that has been granted in previous years. The specific request was to hold the Annual God & Country Celebration on July 3rd, 2011 at the Hannibal LaGrange College Campus, complete with fireworks. Nothing was required from the City, since the event is held on the Campus; however, Mr. Janes was merely seeking Council support. Motion was made by Mayor Pro Tem Knickerbocker and seconded by Mayor Hark to approve Jane's request.

BRIAN POWELL & TAMMY HEIMER – HANNIBAL BOOSTER CLUB

Re: Request, Approval – Traffic Control

(5K Road Race – July 16, 2011 – 7:45 a.m. – 10:00 a.m.)

Mr. Brian Powell was not in attendance; however, Ms. Mary Lynn Richards accompanied Tammy Heimer in making the presentation to Council on behalf of the Hannibal Booster Club. Their request was for the assistance of a Police Officer in conjunction with a fund-raising event, known as the 5K Road Race on July 16, 2011 from 7:45 a.m. until 10:00 a.m. Motion was made by Mayor Hark to approve this request. Motion was seconded by Council Member Dobson.

Motion carried.

JERRY WELCH – AMERICAN DÉCOR, INC.

Re: Main Street Sidewalk Program

Mr. Jerry Welch, owner of American Décor, Inc, requested to be heard by Council, regarding the Main Street Sidewalk Project. He began by giving a brief history of their presence in the downtown area. He explained that he and his wife, Jan, were not in attendance to oppose progress, but to help find a common sense solution to the sidewalk issues. After citing what was now being proposed and the impact it would have on him, Welch gave a respectful 'no', adding that it was irresponsible to spend money that he does not have. He said that he was not alone in his opinion, that there were others who could not afford this, as well. Welch said that he was aware that others in the area were in favor of paver brick sidewalks; however, he would resist in any means available, since he did not believe there was an added benefit to pavers.

Welch also explained that, "The sewer has been and continues to be the number one problem in our downtown." He stated that this is not fair, since they pay a big sewer tax. Welch said that the City has an opportunity to fix the problems in the right order and to fix them right the

first time. He suggested that all outdated utilities from North Street to Warren Barrett, not stopping at Church Street, should be replaced in order to avoid returning at a later time to dig up a new sidewalk to fix “something gone wrong”. He realizes that, at that time, property owners would have to correct their own plumbing to connect to City sewers in order to run efficiently from within. He said that, “This is the single best thing we could do for our old buildings...Then and only then, should new sidewalks and streets be poured.”

In conclusion, Welch said that putting in paver brick walks before addressing the sewer issue would be short-sighted and extremely wasteful of not only City money, but of the downtown property owner’s, as well.

SARAH NORTH – CITIZEN
Re: Main Street Sidewalk Program

Ms. Sarah North, another citizen and downtown business owner, also addressed Council regarding the proposed Main Street Sidewalk Program. She echoed Mr. Welch’s opinion that the portion of their cost for these sidewalks was over their budget. She stated that when the owners of the Main Street properties were asked to sign a document affirming their willingness to participate, two years ago, she believed that it meant they would be participating in a collaborative and cost effective involvement.

During her presentation, North expressed that the commitment required in maintaining the old, but historic structures, though costly, is a priority. Because of this, she was in opposition to some of the measures that will be taken in this venture. One, in particular, is the removal of the coal chutes from these old buildings, which now serve as vents for their “soggy basements”. She added that any replacement will be at the owner’s expense. Even though, in North’s opinion, this is probably a cost saving measure on the City’s part, it is definitely a mistake, since these vents are not optional to the buildings well-being. The lack of ventilation will cause damage and encourage rot, according to North. She suggested that, prior to construction, the City should seek an outside, objective opinion and she suggested that of Esley Hamilton, who is well-versed in historic preservation and design.

North detailed the two public hearings that had previously been held, with regard to the sidewalks, one in December, 2009 and the second May, 2011. During the last hearing the cost estimates for each plan were presented. North shared her results, which were:

- Plain sidewalks - \$600.00
- Pavers - \$10,500.00

After a vote was taken, of the nine property owners in attendance, City Manager LaGarce and Council Member Barta insisted that more effort be taken to poll all those who would be affected. North continued by pointing out how these votes, in her opinion, were secured. She added that the City has done great work in securing grant, or tax, dollars with which to complete much of the project.

Ms. North also spoke in opposition of placing trees along the sidewalks. She stated that, although “the plan uses techniques that are designed to contain their growth”, there has been

no discussion regarding the added cost to sidewalk repairs which will inevitably disturb the elements designed to contain those trees and who will be responsible for this additional expense. She asked what plan the City had if structural damage to sidewalk or foundation is caused by a failure of the design to contain the growth of these trees. As an alternative, North suggested businesses could have topiary in front, such as cactus which, as she pointed out, also well represents Hannibal.

Mayor Hark thanked both Mr. Welch and Ms. North for their input, adding that no action could be taken, since this subject was not on the evening's agenda. He said that most of Council did not even know the outcome of the voting. Mayor Pro Tem Knickerbocker stated that each person had given them much information to consider and asked for copies of both presentations for further review.

PENNY NUNLEY – CITIZEN
Re: Downtown Brick Sidewalks

Since Ms. Nunley was not in attendance, Mayor Hark asked that this item be removed from the agenda. Motion was made by Mayor Pro Tem Knickerbocker to remove this item and move to the next item on the agenda. Motion was seconded by Council Member Draper.

Motion carried.

ROY G. HARK – MAYOR
Re: Approval of Appointments

Mayor Hark reminded Council of two candidates presented at the last regular Council meeting for the Hannibal Library Board. These were:

HANNIBAL LIBRARY BOARD

- Jeanie Powers – Re-appointment for term to expire June, 2014
- John M. Hark – Appointment for a term to expire June, 2014

He asked Council for their approval of these nominations. Motion was made by Council Member Louderman to approve the nominations of Jeanie Powers and John M. Hark. Motion was seconded by Council Member Barta.

Motion carried

Re: Recommendation of Appointment

Mayor Hark made the following recommendations:

HANNIBAL MUNICIPAL ASSISTANCE CORPORATION

- George Walley – Re-appointment for a term to expire June, 2014
- Randy Park - Re-appointment for a term to expire June, 2014

He explained that these nominations would be considered for approval at the next regular Council meeting.

JEFF LAGARCE – CITY MANAGER
Re: Approval of Appointments

City Manager Jeff LaGarce reminded Council of a nomination for the Board of Adjustment and a nomination for the Hannibal Board of Public Works. Both were presented at the last regular Council meeting. These were:

BOARD OF ADJUSTMENT

- Jerry Irick – Appointment for a term to expire May, 2015

HANNIBAL BOARD OF PUBLIC WORKS

- Dr. Erv Harder – Re-Appointment for a term to expire July, 2015

He asked Council for their approval of these nominations. Motion was made by Mayor Pro Tem Knickerbocker and seconded by Council Member Hark to approve the nomination of Jerry Irick to the Board of Adjustment.

Motion carried. Motion was made by Council Member Barta, seconded by Council Member Dobson to approve the nomination of Dr. Erv Harder to the Hannibal Board of Public Works.

Motion carried.

Re: Recommendation of Appointment

City Manager Jeff LaGarce made the following recommendation:

PLANNING & ZONING COMMISSION

- John Ravenscraft – Appointment for a term to expire June, 2015

This appointment would be considered for approval at the next regular Council meeting.

Re: Bid Award Approval, Sale of 1999 Chevrolet Lumina
Scott Gollaher

LaGarce reminded Council that during a recent Council meeting they had declared a 1999 Chevrolet Lumina as surplus property so that it could be placed out for bids, adding that this car was the one that he had driven.

Since no minimum was noted when advertising for bids of this vehicle, there was a chance that someone could bid \$5.00 and the department would be hard-pressed to sell. For that reason, LaGarce explained he was returning for approval to award the bid. Four bids were received, with the highest bid coming from Scott Gollaher in the amount of \$1,050.00; therefore, the City Manager recommended the bid be awarded to Gollaher for this amount.

Motion was made by Council Member Hark to award this bid to Scott Gollaher, with a bid amount of \$1,050.00. Motion was seconded by Council Member Barta.

Motion carried.

Re: Fiscal Year 2011/2012 Payroll Ordinance
(Bill No. 11-013, to follow)

Next, the City Manager presented Bill No. 11-013, regarding the first reading for the adoption of the 2011-12 officers' and civilian employees' annual, budgeted salaries. Employees' salaries, with the approval of Bill No. 11-013 will increase by 1%, with the exception of longevity based employees in the Fire Department who already have a 1-2% raise built-in, to be received on the employee's anniversary date. This is a yearly requirement of the City Charter, according to City Manager LaGarce.

Re: 2011/2012 Appropriations Ordinance
(Bill No. 11-014, to follow)

LaGarce also presented Bill No. 11-014, regarding the 2011-12 Fiscal Year Budget appropriations to be given a first reading with Council's approval. Final reading and adoption is scheduled for the next meeting, to be held on June 21, 2011.

REBECCA GRAVES – DEPUTY CITY CLERK
Re: Bid Award Approval, City of Hannibal/BPW Life Insurance
Kansas City Life Insurance Co.

Deputy City Clerk Rebecca Graves explained that May 9th, bids were opened for the City and the Board of Public Works group life insurance benefits. Several bids were received, and after reviewing the results, the Employee Benefit Trust Board made the recommendation to accept the lowest bid meeting all requirements of the bid specifications. Kansas City Life Insurance Company submitted this bid in the amount of \$.18/\$1,000 of coverage. Graves noted that the City carries \$20,000 of coverage on all full-time employees and an additional \$30,000 on Police and Fire ranking officers. Kansas City Life will meet all of these needs.

She recommended acceptance of the low bid of \$.18 per \$1,000 of benefit submitted by Kansas City Life. Motion was made by Council Member Draper to approve the Deputy Clerk's request. Motion was seconded by Mayor Pro Tem Knickerbocker.

Motion carried.

DOUG WARREN – DIRECTOR OF FINANCE
Re: Request, Approval of Bond Payment

Director of Finance Doug Warren presented the next item on the agenda, the approval of a bond principal & interest payment for the 2008 Street Bond Issue that is due on July 1st. This is only a house-keeping request, since money is not expended without prior Council

approval. Warren requested this approval in order to make the payment by a bank wire transfer on July 1, 2011. This payment will be expended from the upcoming (FY 2011-12) budget, according to Warren. Total amount to be paid is \$667,958.75 which is \$525,000.00 of the principal amount and \$142,958.75 in interest. Motion was made by Mayor Pro Tem Knickerbocker to approve Warren's request. Motion was seconded by Council Member Louderman.

Motion carried.

MARK REES – CITY ENGINEER

Re: Update, Palmyra Road Repairs

City Engineer Mark Rees presented his first item on the evening's agenda, a continuation of the discussion from the previous Council meeting, regarding the Palmyra Road repairs. Rees introduced the Magruder representative, Donnie Mantle, who was in attendance.

Rees explained that Palmyra Road was overlaid last fall by Magruder Paving; however, since that time, several pavement failures have been discovered. DPW had been working with Magruder to resolve this issue. Mr. Mantle came forward and presented a proposal from Magruder.

He began by stating that he had observed the problems on Palmyra Road; then he spoke with Mark Magruder to work out some type of solution. At this time, he offered two options, which were:

- Option No. 1 – Cold mill the deteriorated areas, then offer a two-year extended warranty from the date that milling is completed and repairs are made.
- Option No. 2 – Repair the damaged areas and place a Black Beauty sand sealer on the entire roadway.

He stated that he had no qualms about offering the two-year extended warranty, explaining that there had been no change since he had observed it three months prior.

In response to a question regarding the number of areas that would be repaired, Mantle commented that there were three areas of concern; but they are in such close proximity that when milled they will become one larger area.

Knickerbocker stated that, in his opinion the first option, that carried the two-year extended warranty was the most favorable and Council Member Dobson agreed.

Council Member Barta asked Mantle to elaborate on the repair process that he had suggested, to which Mantle responded that the problem areas would be cold milled out to two inches so the joints would be back to where they previously were. Then two inches of material would be placed back in the milled areas.

Barta inquired about the subsurface of the roadway, asking if it presented a problem. Rees responded that underneath the top surface, Palmyra Road contained good concrete pavement, so he did not believe this was a subsurface problem. He added that Mantle told him there must have been a utility trench, or something of that nature along one section. He also assured Council that his department would inspect prior to material being replaced.

Motion was made by Mayor Pro Tem Knickerbocker to put Option No. 1 into a formal agreement and place on the next Council agenda to approve by Resolution. Motion was seconded by Mayor Hark.

Motion carried.

Re: 2011 Annual Stormwater Management Report – Engineering Services Agreement
Poepping, Stone, Bach & Associates
(Resolution No. 1729-11, to follow)

Rees' next item on the agenda was in regard to the annual DNR report pertaining to stormwater management. This is a requirement of the Missouri Department of Natural Resources and is due in July. He asked Council approval to enter into an engineering services agreement with Poepping, Stone, Bach & Associates for completion of the necessary report and evaluation of the City's MS4 permit in advance of the next required application cycle. This contract, in the amount of \$2,500.00 would be approved by Resolution No. 1729-11, to follow. Rees added that he saw a "new energy" in this company and assured Council that he had the utmost confidence in PSBA's abilities.

Re: Paris Gravel Road – Change Order No. 2
(Resolution No. 1730-11, to follow)
Chester Bross Construction

The City Engineer explained that the DPW wished to place additional traffic control on Highway 61 S, to inform the motoring public of the Paris Gravel Road detour. He said that the road would be closed for a couple of months longer, adding that proposed Change Order No. 2 would be utilized to place message boards, directing traffic to Route MM, Veterans Road, then on to Paris Gravel Road from the back side. Money is available in ½ Cent Sales Tax Fund, according to Rees.

Council Member Dobson commented that the business owners should be able to communicate with their vendors and assist them in locating these facilities. Rees responded that they were communicating; however, some have much truck traffic from different out-of-town vendors, so two message boards placed strategically south of Paris Gravel Road and north of Highway MM would afford a much better chance of finding their way. He commented that if workers could avoid instances where motorists turn down Paris Gravel into the construction zone it would be helpful. Change Order No. 2 would be approved with the approval of Resolution No. 1730-11, to follow.

LEON WALLACE – STREET SUPERINTENDENT
Re: Annual Bid Award Approvals - Street Department Materials

Street Superintendent Leon Wallace asked for Council approval of his recommendations to award the following bids for FY 2011-12 Street Department materials. These were:

- Gasoline & Diesel Fuel to Big River Oil Company
- Aggregates to Central Stone Company
- Snow Removal Salt to Hutchinson Salt Company
- Liquid Calcium Chloride to Sicalco, Ltd
- Concrete to Mark Twain Redi Mix Company
- CLSM (Flowable Fill) to Mark Twain Redi Mix & Bleigh Ready Mix
- Asphalt to C.B. Asphalt
- Cold Patch – Diamond Construction Co.

Motion was made by Council Member Draper to approve Wallace’s recommendations.
Motion was seconded by Council Member Hark.

Motion carried.

RESOLUTION NO. 1729-11

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT
BETWEEN THE CITY OF HANNIBAL AND POEPPING, STONE, BACH AND
ASSOCIATES IN THE AMOUNT OF \$2,500 FOR ENGINEERING SERVICES
RELATIVE TO THE 2011 ANNUAL STORMWATER MANAGEMENT REPORT
REQUIRED BY THE MISSOURI DEPARTMENT OF NATURAL RESOURCES**

Motion was made by Council Member Louderman to have the Deputy City Clerk read Resolution No. 1729-11, and call the roll for adoption. Motion was seconded by Council Member Hark.

Motion carried.

Roll Call

Yes: Council Members Louderman, Hark, Draper, Mayor Pro Tem Knickerbocker, Council Members Dobson, Barta AND Mayor Hark - 7

No: -0-

Mayor Hark declared Resolution No. 1729-11, duly approved and adopted on this date.

RESOLUTION NO. 1730-11

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER
NO. 2 BETWEEN THE CITY OF HANNIBAL AND CHESTER BROSS
CONSTRUCTION IN THE AMOUNT OF \$9,800.00 FOR THE PARIS GRAVEL
ROAD IMPROVEMENT PROJECT**

Motion was made by Council Member Louderman to have the Deputy City Clerk read Resolution No. 1730-11, and call the roll for adoption. Motion was seconded by Council Member Draper.

Motion carried.

Roll Call

Yes: Council Members Louderman, Hark, Draper, Mayor Pro Tem Knickerbocker, Council Members Dobson, Barta AND Mayor Hark - 7

No: -0-

Mayor Hark declared Resolution No. 1730-11, duly approved and adopted on this date.

BILL NO. 11-013

**AN ORDINANCE TO PAY OFFICERS AND EMPLOYEES OF THE CITY OF
HANNIBAL, MISSOURI FOR THE FISCAL YEAR 2011/2012**

FIRST READING

Motion was made by Council Member Barta to give Bill No. 11-013 a first reading. Motion was seconded by Council Member Hark.

Motion carried.

BILL NO. 11-014

**AN ORDINANCE APPROPRIATING TO THE VARIOUS DEPARTMENTS,
BOARDS, COMMISSIONS AND AGENCIES OF THE CITY GOVERNMENT OF
THE CITY OF HANNIBAL, MISSOURI FOR THE FISCAL YEAR ENDING JUNE
30, 2012**

FIRST READING

Motion was made by Council Member Louderman to give Bill No. 11-014 a first reading. Motion was seconded by Council Member Hark.

Motion carried.

CLOSED SESSION
In Accordance with RSMo. 610-021 (3)

At this time, Mayor Hark entertained a motion to go into closed session in accordance with RSMo 610-021, sub-paragraph three (3), admitting himself, rest of Council, City Manager LaGarce, City Attorney James Lemon and Deputy City Clerk Graves. Motion was made by Council Member Barta to go into Closed Session, as directed by Mayor Hark. Motion was seconded by Council Member Hark.

Roll Call

Yes: Council Members Louderman, Hark, Draper, Mayor Pro Tem Knickerbocker, Council Members Dobson, Barta AND Mayor Hark - 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 Council Member Hark.

Motion carried.

ADJOURNMENT

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

Motion carried.