

OFFICIAL PROCEEDINGS OF CITY COUNCIL

**Tuesday, June 21, 2011
7:00 p.m.**

ROLL CALL

Present: Council Members Hark, Draper, Dobson, Barta, Mayor Hark and Council Member Louderman - 6

Absent: Mayor Pro Tem Knickerbocker - 1

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 Louderman led the Pledge of Allegiance to the Flag. Motion was made by Council Member Dobson to excuse Mayor Pro Tem Knickerbocker. Motion was seconded by Council Member Louderman.

Motion carried.

APPROVAL OF MINUTES Regularly Scheduled Council Meeting – June 6, 2011

Motion was made by Council Member Louderman to approve the minutes of the last regular Council meeting that was held on June 6, 2011. Motion was seconded by Council Member Hark.

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS
First Half – June, 2011

Motion was made by Council Member Dobson to approve the payroll and claims for the first half of June, 2011. Motion was seconded by Council Member Barta.

Motion carried.

GINNY WEBB – HANNIBAL CLINIC HEALTH SERVICES
Re: Request, One Lane Street Closure & Traffic Control
6th Annual Mississippi River Run
September 24, 2011

Since Ginny Webb, representative from the Hannibal Clinic Health Services, was not in attendance, the City Clerk presented the request for approval to hold the 6th Annual Mississippi River Run on September 24, 2011. City Clerk Vance indicated that the request was similar to those made in past years, adding that the request form had been circulated to the various departments, with no objection. The Fire Department gave their approval pending issuance of the appropriate permits. Street Department will assist, as needed. Motion was made by Council Member Louderman to approve this request, pending receipt of their Certificate of Insurance, including the Hold Harmless Document. Motion was seconded by Council Member Draper.

Motion carried.

KIM WAELDER – LUTHER MANOR
Re: Request - Fireworks Display
Annual Resident Celebration
July 1, 2011

Kim Waelder, on behalf of Luther Manor Nursing Home, presented the next item on the agenda, a request to have a fire works display as a part of their annual celebration for the residents at Luther Manor on July 1, 2011. She added that the required permits had already been obtained from the Hannibal Fire Department. Motion was made by Council Member Barta to approve Waelder's request. Motion was seconded by Council Member Hark.

Motion carried.

BRIDGET BLEIGH – BLEIGH READY MIX
Re: Concrete Streets versus Asphalt Streets

Mr. David Bleigh, came before Council on behalf of Bleigh Ready Mix, in place of Bridgett Bleigh, who was scheduled to appear. Mr. Bleigh explained that he wished to speak

regarding street compositions: concrete vs. asphalt. Adding that, being a native of Hannibal, he was seeking the best options for the City, with regard to its streets and roadways.

Bleigh stated that he felt comfortable in comparing these products and the differences between the two, since he had worked in this industry for many years. Things which can not have a dollar value placed upon them, such as: increased traction, heat resistance, upkeep and longevity were only some of the reasons favoring the use of concrete that Bleigh cited. Finishing is also a factor, including the use of dowel bars, testing of asphalt and/or concrete, what makes flat or smooth roads, combing of concrete to eliminate hydroplaning, etc.

He asked to be included in discussions regarding the concrete product and to be allowed to offer his input because of his knowledge of concrete, before any future decisions are made. He said that Continental Cement should be included in these discussions, and would be happy to offer their input, as well. Bleigh explained that his company obtains cement from Continental, adding that more than \$85,000 of this product was recently used on the West Ely Road Project. In this way, the local business, Continental Cement, is supported.

Bleigh believes that concrete streets are better quality product than asphalt streets, noting that in traveling around the City, he has noticed that there are still concrete streets in the Mark Twain School area that are probably in excess of 60 years old. He admitted that these were not in the best shape; however, guaranteed that no asphalt street would stand up for that length of time. He said that, in his opinion, the City should take another look at these two options and reconsider all factors of choosing concrete before they reject it because of dollars. He believes Continental Cement will concur.

He agreed that, during times of tight economy, tendencies to merely “fix” the problem for now, and return in several years to patch is less expensive; however, long term savings/payback must be considered.

Stewart Parker, representative from Continental Cement, was also recognized by the Mayor and came forward to comment. He explained that Continental is a local business, who strives to support the community and the local economy, employing Hannibal citizens who pay City taxes. He believed that this fact should be considered, as well as, the product itself when making decisions. As far as product and the design are concerned, the lifetime of concrete will far exceed asphalt. He added that the City must look at the entire investment and not just the initial costs. In doing this, dollars will ultimately be saved resulting in the ability to complete more projects in the long run.

KIM KESNER CADDELL – PROPERTY OWNER
Re: Clarification, Ordinance #4570 Variance Procedures

Property owner Kim Caddell came before Council with questions, regarding the recently passed Ordinance # 4570 and its variance procedure. Caddell was seeking clarification of this process; and explained that, upon receiving a letter from the City, she proceeded to

complete the required steps in order to obtain a variance that would allow her to keep a piece of equipment at her residence. The letter simply stated that, Caddell would be required to:

- Utilize a certified title company to secure a list of individuals who owned property within 185 feet of her property line
- Submit the list to the City of Hannibal, Property Maintenance

Postcards would then be sent to these property owners, to be returned with a “Yes” or “No” vote. Property owners were given fourteen (14) days to respond.

Caddell questioned whether the votes not returned within the fourteen days were “Yes” votes or “No” votes. City Manager LaGarce responded that the votes not returned did not count either way, “Yes” or “No”; however, the ordinance reads that 75% of property owners lying within the 185 feet of Caddell’s property must respond favorably. To grant a variance, LaGarce indicated that he wanted to be very sure that 75% of the people within that range have no objection. He clarified that the 75% of “Yes” votes must include, not only the people who return the postcards, but all the property owners who have received cards. This is required since the variance goes with any successive owners, as well as the current owner.

Mayor Hark asked Caddell whether or not she had gotten the necessary 75% affirmative votes and she indicated that she had. She added that twenty-one (21) votes were returned, sixteen (16) were “Yes” votes, five (5) “No” votes, which equaled 76%. Council Member Barta responded that there were, indeed, sixteen (sixteen) affirmative votes; however, he pointed out that there were thirty-two (32) property owners who were notified. Using these totals, Caddell only received 50% approval.

Caddell read a portion of the ordinance, with regard to the variance. It read, “... *That only those postmarked within fourteen (14) days of the city’s notification to property owners seeking their vote will be counted toward the appeal.*” LaGarce clarified that if a vote is received three weeks later, it won’t be counted either way, only the votes returned within the fourteen day period can be counted.

Mayor Hark asked City Attorney Lemon for his input, and he agreed that the language was a little unclear. He added that the City Manager’s interpretation offers the stronger argument; however, after speaking with Ms. Caddell, he believes there are some grounds for argument in her interpretation. Lemon suggested that, since it is Council’s ordinance, they should determine the interpretation.

Mayor Hark said that he wanted the terms to be fair, adding that one property owner is deceased, and he owns two of the properties within this area. He questioned how variances had been handled in the past. Lemon responded that, in the past, “no shows” or “no comments” had been regarded as having no problem with the variance; however, this is a different type of variance and Council has the right to choose the procedure, if they wish. He suggested that Council make those wishes known and he would draft a revision to this ordinance.

City Manager LaGarce stated that he had written the bill and was aware of its intention. This bill was developed after consulting with the residents at the public information workshops. He clarified that the fourteen day section was in place so that 'late votes' would be automatically void; therefore, would not have to be counted after a decision was made. The intention was never to consider ONLY votes that were returned. Mayor commented that he did not wish to take sides; however, added that "fair is fair", and if that was the intention, the ordinance should have been written that way.

Caddell explained that the variance was almost unattainable, since she had two lots, but was not allowed any voting privileges, even though she pays taxes.

Mayor Hark asked Caddell for details of the request; and Caddell replied that she owned a backhoe that was stored on her back lot, only visible from four vacant lots, two of which are property of a deceased individual, George Danforth. Council Member Barta disagreed and said that Caddell had an immediate neighbor who shares a driveway and looks at this equipment every day, when looking out their back door.

Mayor Hark asked Caddell if she had any options, and Caddell responded that she could buy property outside the city limits to store this equipment. She added that, according to the ordinance, the equipment can not be "kept or stored" at her residence, and inquired if there were a garage on her property, whether or not she could keep the backhoe inside without violating the ordinance. LaGarce responded that the ordinance did not address this option. City Attorney Lemon stated that this, too, would be subject to interpretation.

Lemon again suggested that modifications could be made to clarify the issues with this ordinance. Mayor Hark stated that there should be no doubt regarding his feelings toward this ordinance' however, he would leave the decision to the wisdom of Council.

Council Member Hark stated that he would hate to think he would need a 75% vote of constituents in order to win a municipal election; however, Council Member Barta argued that 75% of all property owners must agree, since this is a residential neighborhood and should remain residential. Mayor Hark rebutted that, of the sixteen voters, only five were opposed to this change, adding that if others were that concerned, they should have voted.

A comment was made that this was a 66% voter turnout, and a question posed whether or not there was support for Ms. Caddell's request to keep the backhoe at her residence. How the votes are obtained is not the primary question, but how people feel, and getting to the bottom of this issue. Council Member Draper commented that, in all due respect, it was not specified how that tally was fairly obtained.

Council Member Barta stated that the Building Inspector's Department made an honest effort by sending out postcards and all had the same opportunity to return them. He said that it should have been explained that this is a change or variance to the current zoning laws and they should have been encouraged to vote. He then restated the intention of this ordinance, explaining that these are currently residential neighborhoods that should remain residential,

giving a detailed speech supporting his reasoning. Variances, such as these, may decrease property values when neighbors wish to sell and there is always the possibility of annoyance issues, as well; however, Mayor Hark stood his ground, stating that, in his opinion, Caddell had obtained the required number of votes.

Caddell explained that she had gone to these neighbors, talked to them, and even returned to some of them. One resident was on vacation during the fourteen day period and no notification was received at two of the residences on the list. She argued that the “Yes” votes received were not from friends and family, as previously suggested. Most of these residents didn’t even know where she lived or that she owned a backhoe. She again questioned why she did not get her variance. Barta reiterated that, instead of a 75% “Yes” vote, she had only obtained 50% (16 “Yes” votes out of 32 postcards sent).

Mayor Hark asked Caddell how the backhoe was used since the area is zoned residential with no allowance for commercial business. Caddell responded that her husband had wished to retire and start his own business at one time. She added that the backhoe had been used for property cleanup and assured Council that she had no one coming to her home requesting use of the backhoe.

Council Member Barta questioned why she did not sell the vehicle, since cleanup had already been completed. Caddell responded that it had since been used at her sister’s residence to alleviate some driveway problems and at her parents’ home, as well. This is a piece of equipment that is used from time to time, so she does not want to sell it.

City Manager LaGarce read from the City Code,

“The City of Hannibal Codes allow certain permitted uses to be built and operated in their appropriate zoning districts, whether residential, commercial or industrial and

Whereas, any city’s objective, through the provision of zoning, is to segregate incompatible land uses, thereby maintaining the unique character, compatibility, and quality-of-life in residential neighborhoods, avoiding their commercialization or industrialization, and

Whereas, the keeping of certain commercial vehicles and construction or commercial-grade equipment at or upon residential property exceeds the use provisions reasonably intended for residential property (i.e.: trash trucks, cement trucks, backhoes) and causes such property to be effectively used as a commercial staging and/or storage area; and

Whereas, it is appropriate that certain commercial vehicles and construction or commercial-grade equipment be kept or stored at locations zoned commercial or industrial, not at locations built, used and intended for residential living; and

Whereas, the commercialization/industrialization of residential neighborhoods has a significant impact on the property values of homes, salability of homes, and overall quality-of-life factors, including safety, noise, compatibility, and preserving residential character.”

He listed the types of vehicles included in the ordinance as defined, “Commercial Vehicles”. These included:

- Busses
- Tractors
- Farm Machinery
- Livestock Trailers
- Semi-Tractor/Trailers
- Mobile Homes (not used as the primary residence)
- Commercial Vehicles (licensed in excess of 18,000# gross vehicle weight)
- Commercial Fleet Vehicles

There is a section in the code, according to LaGarce, used in this process, which says it is unlawful to, not only, build a building but use any property for any use, other than which is intended by that district. This means you can't build a McDonald's building in that area, and live in it, nor can you build a residential home and operate a restaurant out of it. If it is zoned residential, that means residential, according to LaGarce. This ordinance was passed to try and preserve residential character.

(The argument is with regard to two steps in the appeal process, which read:

(d)5. That the appeal will be approved if seventy-five (75)% of property owners within a 185 foot distance support the variance, and will be denied if less than seventy-five (75)% of property owners within a 185 foot distance support the variance. - Clear

(d)7. That only those postmarked within fourteen (14) days of the city's notification to property owners seeking their vote will be counted toward the appeal. - Unclear)

In response to a statement by Mayor Hark, City Attorney Lemon stated that he had not reviewed this section, prior to it being voted on originally, adding that this should reflect ALL of Council's intent and not just the intent of the author. He did agree that Item #7 “muddies the water”, even though Item #5 is very clear.

Council Member Hark stated that this discussion had lasted almost ½ hour, with no resolution forthcoming. If Council can not make a decision, how can we direct citizens to compliance? He added that he was not in favor from the beginning and commented that, with this ordinance, Council is telling the working man, who uses the tools of his trade, “sorry, you can't park here...move it out of the city”.

Council Member Barta argued that these business owners were not being asked to move from town, only to abide by the City's existing zoning laws, which had been in place since 1952. Mr. Green, a local business owner was present. When asked how long his business had been in operation, he responded that his business had been operating out of his home in a residential zone for forty years.

Caddell's stood by her argument, contending that she had done as she was told, but she was not told that every vote not coming back would automatically be considered a “No” vote.

The Mayor agreed and advised Caddell that it is wrong for her to have her equipment at her residence; however, maybe the City should refund the money she spent to acquire the variance.

Council Member Draper questioned whether there is a well-defined process by which variances are addressed. LaGarce responded that a typical variance would go before the Board of Adjustment; however, LaGarce argued that this is not a traditional variance, but should be called an exception to the existing zoning law.

Draper commented that he doesn't understand how Council can give citizens instruction to do something, and then interpret the instructions to benefit Council and the City. He added that he didn't care how it is stacked, a non-returned vote acts as a "No" vote, there is no way around it. Mayor Hark commented that it was "spelled out to suit us!"

City Manager LaGarce reiterated that it was "adopted and applied the way that it was originally intended." The question was posed by Council Member Draper, "Are we trying to do what is right or are we trying to do what is less expensive?"

Council Member Barta responded that, in his opinion, the City had gone "above and beyond" in making allowances for this occurrence. Draper agreed that the "intent" was fine, but the way it was accomplished was all wrong. He said that he considered himself reasonably intelligent, but he was confused about this process and understood how Ms. Caddell would be confused, as well.

Ms. Caddell asked how morally or ethically right it is to count non-returned votes as "no" votes.

The argument continued for an extended length of time; however no resolution was found. Council Member Louderman suggested that this item should be tabled until clarification could be made and this process corrected. Council Member Barta offered that this process was devised so that the decision would be placed into the hands of the property owners affected, not to be a political stance.

City Attorney Lemon suggested that an amendment be put into a Resolution form for Council to vote on during the next meeting. Motion was made by Council Member Louderman to table this discussion, pending clarification at the next regular Council meeting. Motion was seconded by Council Member Hark.

Motion carried.

STEVE AYERS – PROPERTY OWNER
Re: Sidewalks

Mr. Ayers was not in attendance; therefore, Mayor Hark moved on to the next item on the agenda.

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 Municipal Assistance Corporation. These were:

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 asked Council for their approval of these nominations. Motion was made by Council Member Dobson to approve the nominations of George Walley and Randy Park. Motion was seconded by Council Member Hark.

Motion carried.

Re: Recommendation of Appointment

Mayor Hark made the following recommendation:

HISTORIC DEVELOPMENT DISTRICT COMMISSION

- Mike Kettelkamp – Re-appointment for a term to expire May, 2016

He explained that this appointment 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 candidate for the Planning & Zoning Commission. This nomination was presented at the last regular Council meeting. It was:

PLANNING & ZONING COMMISSION

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

He asked Council for their approval of this nomination. Motion was made by Council Member Dobson and seconded by Mayor Hark to approve the nomination of John Ravenscraft to the Planning & Zoning Commission.

Motion carried.

Re: Request, Supplement Commercial Flood Buyout Funds

City Manager LaGarce explained that, as Council was aware, he had been holding out on moving forward with the Flood Buyout acquisitions because the environmental costs the City had undertaken to meet the DNR requirements was likely to take grant funding “down to the wire”, financially. LaGarce added that he believed the City would have sufficient monies to purchase all of the properties, but he was not yet certain and he didn’t want to end up short on grant funding, making it necessary to utilize City funds to complete the project.

LaGarce offered a solution, suggesting that since \$185,000 was budgeted in the FY 2011-12 Parks Department budget for parkland acquisition and \$85,000 of this amount was to be used to eliminate checker-boarding around the flood buyout properties anyway; he asked for Council approval to use this \$185,000 as a back-up, allowing the acquisitions to move forward after the July test results are obtained. The acquired properties must be used for permanent outdoor recreation space.

LaGarce said that he had no expectation of having to use these funds; however, they could provide a necessary buffer which would allow the project to move forward with confidence, subject to the July test results, of course. Motion was made by Council Member Louderman to approve the City Manager’s request. Motion was seconded by Council Member Barta.

Motion carried.

Re: Senior Meals & Related Services – Contract for Services

*Hannibal Nutrition Center
(Resolution No. 1732-11, to follow)*

City Manager LaGarce explained that this request is similar to one made each year and regarded a service agreement with the Hannibal Nutrition Center in the amount of \$18,357. This was a continuation of the agreement that we have had in the past between the City and the Nutrition Center. The approval of Resolution No. 1732-11 would also approve this contract and allow the City to make the budgeted payment.

MARK REES – CITY ENGINEER
Re: Approval, FBO Contract Extension
Baron Aviation

City Engineer Mark Rees explained that his request was regarding FBO negotiations at the Hannibal Municipal Airport. He stated that, although negotiations have been ongoing, DPW has not yet succeeded in reaching an acceptable agreement at this time. Rees added that the final “sticking point” was in regard to fuel vending, since he believes that it is in the best interest of the City to transfer this responsibility to the FBO, as it has been in the past.

Rees’ specific request was for Council approval to continue under the current contract for an additional ninety (90) days in order to complete these negotiations. City Manger LaGarce

detailed the reasoning behind the decision, regarding fuel vending. Motion was made by Council Member Dobson to approve Rees' request. Motion was seconded by Council Member Hark.

Motion carried.

PHYLLIS NELSON – CITY COLLECTOR

Re: Budget Amendment – General Fund

*Municipal Court; Building Inspector; City Hall; Fire Department
(Resolution No. 1731-11, to follow)*

City Collector Phyllis Nelson reminded Council that, as the current fiscal year closes; she has been given the authority to adjust expenditure lines as necessary. She added that this year she found it necessary to ask for a budget amendment since four expenditure lines have far exceeded their expected budget because of unforeseen events.

Nelson requested Council approval of Resolution No. 1731-11, to follow, regarding these budget amendments. City Manager LaGarce explained the specific reasons for these amendments.

JOEY BURNHAM – BUILDING INSPECTOR

Re: Request, Set Public Hearing – Moberly Avenue, B – Multiple Family

August 2, 2011 – 6:30 p.m.

In Building Inspector Joey Burnham's absence, City Engineer Rees presented his requests. Rees explained that Burnham's first request was for Council to approve setting a public hearing for re-zoning of Moberly Street on August 2, 2011 at 6:30 p.m.

Recently, it was discovered that all of Moberly Street was zoned F-Industrial; however, the majority of the street from 29th Street to the Altorfer property is residential in use. The City of Hannibal is requesting that Moberly Avenue be re-zoned to B-Multiple Family which would be conforming to its current use. The current zoning does not allow for residential. Motion was made by Council Member Hark to approve this request. Motion was seconded by Council Member Louderman.

Motion carried.

Re: Old Baptist Cemetery Mowing – Contract Agreement

Richard Dunker

(Resolution No. 1733-11, to follow)

Rees also presented the next agenda item, the contract agreement with Richard Dunker for the Old Baptist Cemetery mowing. He explained that an invitation for this bid was published. As a result, two sealed bids were received and opened on June 15th. Rees stated

that it was the recommendation of the Building Inspection Department to award this contract to Richard Dunker, with a contract amount of \$2,795. This contract would be approved with the approval of related Resolution No. 1733-11, to follow.

BILL MADORE – FIRE CHIEF
Re: Bid Award Approval (Sale of), Nozzles & Foam Equipment
Hannibal Rural Fire Protection District

Fire Chief Bill Madore presented the final item on the evening’s agenda, the approval of a bid award for the sale of nozzles and foam equipment to the Hannibal Rural Fire Protection District. He explained that, as the result of an ‘Assistance to Fire Fighters Grant’ award, the Fire Department was able to replace their firefighting nozzles. Council recently approved a sealed bid process to sell the surplus nozzles that were created when replacements were purchased. Madore explained that following the bidding process, his staff recommended approval to sell the surplus nozzles and foam equipment to Hannibal Rural Fire with a bid amount of \$1,526.76. Madore commented that he would have preferred to receive more; however, the sale amount covered the match portion of the grant. Motion was made by Council Member Draper to approve Madore’s request. Motion was seconded by Council Member Barta.

Roll Call

Yes: Council Members Hark, Draper, Barta, Mayor Hark and Council Member Louderman - 5

No: -0-

Abstain: Council Member Dobson - 1

Absent: Mayor Pro Tem Knickerbocker - 1

Motion carried.

RESOLUTION NO. 1731-11

A RESOLUTION AMENDING THE FISCAL YEAR 2010-2011 BUDGET RELATIVE TO THE GENERAL FUND IN THE AMOUNT OF \$97,900.00

Motion was made by Council Member Louderman to have the City Clerk read Resolution No. 1731-11, and call the roll for adoption. Motion was seconded by Council Member Hark.

Roll Call

Yes: Council Members Hark, Draper, Dobson, Barta, Mayor Hark and Council Member Louderman - 6

No: -0-

Absent: Mayor Pro Tem Knickerbocker - 1

Mayor Hark declared Resolution No. 1731-11, duly approved and adopted on this date.

RESOLUTION NO. 1732-11

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A SERVICE AGREEMENT WITH THE HANNIBAL NUTRITION CENTER IN THE AMOUNT OF \$18,357 FOR SENIOR MEALS AND RELATED SERVICES

Motion was made by Council Member Hark to have the City Clerk read Resolution No. 1732-11, and call the roll for adoption. Motion was seconded by Mayor Hark.

Roll Call

Yes: Council Members Hark, Draper, Dobson, Barta, Mayor Hark and Council Member Louderman - 6

No: -0-

Absent: Mayor Pro Tem Knickerbocker - 1

Mayor Hark declared Resolution No. 1732-11, duly approved and adopted on this date.

RESOLUTION NO. 1733-11

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF HANNIBAL AND RICHARD DUNKER FOR 2011-2012 OLD BAPTIST CEMETERY MOWING, IN THE AMOUNT OF \$2,795.00

Motion was made by Council Member Draper to have the City Clerk read Resolution No. 1733-11, and call the roll for adoption. Motion was seconded by Council Member Hark.

Roll Call

Yes: Council Members Hark, Draper, Dobson, Barta, Mayor Hark and Council Member Louderman - 6

No: -0-

Absent: Mayor Pro Tem Knickerbocker - 1

Mayor Hark declared Resolution No. 1733-11, 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

SECOND AND FINAL READING

Motion was made by Council Member Barta to give Bill No. 11-013 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Louderman.

Roll Call

Yes: Council Members Hark, Draper, Dobson, Barta, Mayor Hark and Council Member Louderman - 6

No: -0-

Absent: Mayor Pro Tem Knickerbocker - 1

Mayor Hark declared Bill No. 11-013 duly approved and adopted on this date.

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

SECOND AND FINAL READING

Motion was made by Council Member Louderman to give Bill No. 11-014 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Hark.

Roll Call

Yes: Council Members Hark, Draper, Dobson, Barta, Mayor Hark and Council Member Louderman - 6

No: -0-

Absent: Mayor Pro Tem Knickerbocker - 1

Mayor Hark declared Bill No. 11-014 duly approved and adopted on this date.

CLOSED SESSION
In Accordance with RSMo. 610-021 (2)
Real Estate Acquisition

At this time, Mayor Hark entertained a motion to go into closed session in accordance with RSMo 610-021, sub-paragraph nine (2), admitting himself, rest of Council, City Manager LaGarce, City Attorney James Lemon and City Clerk Vance. 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: Council Members Hark, Draper, Dobson, Barta, Mayor Hark and Council Member Louderman - 6

No: -0-

Absent: Mayor Pro Tem Knickerbocker - 1

Motion carried.

OPEN SESSION

Motion was made by Council Member Dobson to return to open session at this time. Motion was seconded by Council Member Hark.

Motion carried.

ADJOURNMENT

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

Motion carried.