

## OFFICIAL COUNCIL PROCEEDINGS

**May 3, 2011  
7:00 P.M.**

### ROLL CALL

**Present:** Council Member Barta, Mayor Hark, Council Members Louderman, Hark, and Mayor Pro Tem Knickerbocker - 5

**Absent:** Council Members Lyng and Dobson - 2

### CALL TO ORDER

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

### INVOCATION

Council Member Louderman gave the invocation.

### PLEDGE OF ALLEGIANCE

Council Member Hark led the Pledge of Allegiance to the Flag at this time. Motion was made by Mayor Pro Tem Knickerbocker to excuse Council Member Dobson from the meeting. Motion was seconded by Council Member Louderman.

Motion carried.

### APPROVAL OF MINUTES

**Closed Session Minutes November 2, 2010**

**Closed Session Minutes December 7, 2010**

**Closed Session Minutes February 15, 2011**

**Regular Council Meeting – April 19, 2011**

Motion was made by Council Member Hark to approve the minutes of the last regular Council meeting that was held on April 19, 2011 and the Closed Session minutes dated November 2, 2010, December 7, 2010 and February 15, 2011. Motion was seconded by Council Member Louderman.

Motion carried.

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

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

Motion carried.

**ANGELICA N. VANCE – CITY CLERK**  
**Re: Certification of Elections**

➤ Municipal Election - April 5, 2011

Mayor Hark asked City Clerk Vance to read the Certification of the April 5, 2011 Municipal Election, at this time. She read:

**CERTIFICATION OF ELECTION**  
**Results of the Municipal Election of**  
**April 5, 2011**

For Council Member – Fifth Ward:

	<u>Marion</u>	<u>Ralls</u>	<u>TOTAL</u>
<b>James R. Hark</b>	<b>139</b>	<b>14</b>	<b>153</b>

**Declaring James R. Hark winner of the Fifth Ward Council seat.**

For Council Member – Sixth Ward

<b>Jefferson Lyng</b>	<b>169</b>	<b>169</b>
<b>Richard Draper</b>	<b>290</b>	<b>290</b>

**Declaring Richard Draper winner of the Sixth Ward Council seat.**

**Proposition 1**

Shall the Fire Board of the City of Hannibal be abolished; thereby placing the Fire Chief of the City of Hannibal under the authority of the City Manager, with “Chapter 12, Division 2. FIRE BOARD” of the Charter of the City of Hannibal to be repealed and Section and Section 4.09 of the Charter of the City of Hannibal to be amended to provide for the appointment of the Fire Chief by the City Manager, with the advice and consent of the City Council with Section 4.09 to read as follows:

4.09 The Chief of the Fire Department shall be designated as the Fire Chief of the City of Hannibal. The Fire Chief shall be appointed by the City Manager, subject to the approval of the Council and shall serve until his successor is appointed. The Fire Chief shall be in charge of the Fire Department, its equipment and personnel. The Fire Chief shall receive such salary and be required to give such bond as may be provided by ordinance. There shall be such other members of the Fire Department divided into such ranks and grades as are now or may hereafter be provided by ordinance and receiving such compensation as may be fixed by ordinance.

	<u>Yes</u>	<u>No</u>
<b>Marion County</b>	602	580
<b>Ralls County</b>	<u>3</u>	<u>11</u>
<b>TOTAL VOTES</b>	<b>605</b>	<b>591</b>

**Showing a total vote of 1,196 for Proposition 1 for the City of Hannibal: 605-YES and 591-NO votes; declaring Proposition 1 having passed by 14 votes.**

Motion was made by Mayor Pro Tem Knickerbocker to approve the Certification of Election for the April 5, 2011 Municipal Election. Motion was seconded by Council Member Barta.

Motion carried.

**BILL NO. 11-011**  
*(as amended)*

**AN ORDINANCE OF THE CITY OF HANNIBAL, AMENDING CHAPTER 3, ARTICLE I AND ARTICLE III RELATIVE TO CONSUMPTION OF ALCOHOL IN PUBLIC**

**SECOND AND FINAL READING**

Motion was made by Council Member Louderman to give Bill No. 11-011 a second and final reading, as amended, and call the roll for adoption. Motion was seconded by Council Member Barta.

**Roll Call**

**Yes:** Council Member Barta, Mayor Hark, Council Members Louderman, Hark, and Mayor Pro Tem Knickerbocker – 5

**No:** -0-

**Absent:** Council Members Lyng and Dobson - 2

Mayor Hark declared Bill No. 11-011, as amended, duly approved and adopted on this date.

**ROY G. HARK – MAYOR**  
**Re: Recognition of Municipal Clerk’s Week**

At this time, Mayor Hark honored City Clerk Angelica Vance by reading a proclamation in recognition of Municipal Clerk’s Week, May 1-7, 2011. He read:

*WHEREAS, the office of Municipal Clerk, a time-honored and vital part of local government, exists throughout the world, and*

*WHEREAS, the office of Municipal Clerk is the oldest among public servants, and*

*WHEREAS, the office of Municipal Clerk provides a professional link between the citizens, the local governing bodies and the agencies of government at other levels, and*

*WHEREAS, Municipal Clerks have pledged to be ever-mindful of their neutrality and impartiality, rendering equal services to all*

*WHEREAS, the Municipal Clerk serves as the information center on functions of local government and community,*

*WHEREAS, Municipal Clerks continually strive to improve the administration of the affairs of the office of the Municipal Clerk, through the participation in the education programs, seminars, workshops and annual meetings of their state, providence, county and international professional organizations,*

*WHEREAS, it is most appropriate that we recognize the accomplishments of the office of Municipal Clerk.*

***NOW THEREFORE, I, ROY G. HARK, MAYOR OF THE CITY OF HANNIBAL, DO RECOGNIZE THE WEEK OF MAY 1<sup>st</sup> THROUGH MAY 7<sup>th</sup>, 2011, AS MUNICIPAL CLERK'S WEEK, AND FURTHER EXTEND APPRECIATION TO OUR MUNICIPAL CLERK, ANGELICA N. VANCE; AND TO ALL MUNICIPAL CLERK'S FOR THE VITAL SERVICE THEY PERFORM AND THEIR EXEMPELAY DUTY TO THE COMMUNITIES THEY REPRESENT.***

*In witness, whereof, I here unto set my hand and cause to be affixed the official seal of the City of Hannibal, MO this 3<sup>rd</sup> day of May, 2011.*

*Signed – Roy G. Hark, Mayor*

*Attested – Jeffrey LaGarce, City Manager*

#### **ADJOURNMENT**

#### ***Sine-Die***

Motion was made by Council Member Louderman to adjourn the meeting, sine-die. Motion was seconded by Council Member Hark.

Motion carried.

#### **FREDRICH J. CRUSE – MUNICIPAL JUDGE**

#### **Re: Oath of Office**

- *5<sup>th</sup> Ward Council Member – James Hark*
- *6<sup>th</sup> Ward Council Member – Richard Draper*

Fredrich J. Cruse administered the Oath of Office to James Hark, being sworn in as the 5<sup>th</sup> Ward Council Member and Richard Draper, being sworn in as 6<sup>th</sup> Ward Council Member.

## ROLL CALL

**Present:** Council Member Barta, Mayor Hark, Council Members Louderman, Hark, Draper and Mayor Pro Tem Knickerbocker - 6

**Absent:** Council Member Dobson - 1

## CALL TO ORDER

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

### **JASON STANDBRIDGE – POPS CLUB OF HANNIBAL**

#### **Re: Street Closure, Alcohol Consumption**

*(Muddy River BBQ Fest – June 3-4, 2011)*

Jason Standbridge, representative for the POP's Club, came before Council with a request for permission to close Hill Street to Main and use of the Y-Men's Shelter for the 5<sup>th</sup> Annual Muddy River BBQ Fest. He also requested Council permission for alcohol consumption during the event to be held on June 3-4, 2011. It was noted that all consumption of alcohol must be confined to the designated areas of the street. Motion was made by Mayor Pro Tem Knickerbocker to approve Standbridge's request. Motion was seconded by Council Member Draper.

Motion carried.

### **JEFF LAGARCE – CITY MANAGER**

#### **Re: Recommendation of Appointment**

City Manager Jeff LaGarce made the following recommendations:

#### **BOARD OF ADJUSTMENT**

- Robert Saxbury – Re-appointment for a term to expire May, 2016

LaGarce explained that this appointment would be considered for approval at the next regular Council meeting.

#### **Re: Request, Declaration of Surplus Property with Intent to Sell**

*1999 Chevy Lumina*

The City Manager explained that, sometime between 2003 and 2005, the Executive Department obtained a 1999 gold Chevrolet Lumina from the Hannibal Police Department. Since that time, it has served its purpose, now registering 119,000 miles. Currently, this vehicle is barely operational; therefore, it was staff's intention to sell it at the City auction this year. Since the auction was

cancelled, LaGarce requested Council approval to declare the 1999 Chevrolet Lumina surplus property so that it can be advertised for sale 'as is' to the highest bidder.

Motion was made by Council Member Barta to approve City Manager LaGarce's request. Motion was seconded by Mayor Pro Tem Knickerbocker.

Motion carried.

**Re: Residential Flood Buyout Program Grant Administrative Services – Standard Form of Agreement**

*Mark Twain Regional Council of Governments  
(Resolution No. 1727-11, to follow)*

The City Manager's final item on the agenda was a contract award. He explained that when FEMA/SEMA awarded the City's residential flood buyout grant last fall, the State CDBG office offered to fund grant administration services for this program.

According to the City Manager, a Request for Proposals (RFP) was prepared and distributed to over 30 agencies certified to administer CDBG grants in Missouri. As a result, only one proposal was received. This was submitted by the Mark Twain Regional Council of Governments, who met all mandatory qualification factors, and was favorably reviewed and approved by the CDBG Office in Jefferson City; therefore, the City Manager recommended approval of Resolution 1727-11, to follow, authorizing the Mayor to execute an agreement with the Mark Twain Regional Council of Governments in the amount of \$23,700 for professional grant administration services relative to the Residential Flood Buyout Program.

**ANGELICA N. VANCE – CITY CLERK**

**Re: Charter & Code Amendments – New Governing Provision for Hannibal Fire Board**

*(Bill No. 11-012, to follow)*

City Clerk Vance presented Bill No. 11-012, regarding the governing provisions for the Hannibal Fire Board. As was read in the Certification of Election, the Fire Board was abolished by voters, effective July 1, 2011. To finalize this process, sections relating to and referencing the Fire Board must be repealed from the City of Hannibal Charter and Code of Ordinances. Approval of Bill No. 11-012 would allow this to be accomplished. Vance requested Council approval of a first reading, when Bill No. 11-012 is revisited later in the meeting.

**MEGAN RAPP – INTERIM DIRECTOR, HCVB**

**Re: Budget Amendment HCVB - \$35,000 from Reserve Account**

*(Resolution No. 1725-11, to follow)*

Interim HCVB Director Megan Rapp introduced Resolution No. 1725-11 and asked for Council approval of this Resolution that would authorize taking \$35,000 from the HCVB end-of-the-year projected reserve and place it into expense account 48.48.569-Advertising and Promotions. This approval would allow the HCVB to continue promotion of the City of Hannibal and fulfill the Department's obligations for annual advertising campaigns that are currently in effect.

**MARK REES – CITY ENGINEER**  
**Re: Traffic Committee Recommendations**

- 2412 Chestnut – Handicapped Parking
- 2007 Hope – Handicapped Parking

City Engineer Mark Rees presented the recommendations of the Traffic Committee, which were the results of their recent meeting, held on April 28, 2011. Handicapped parking spaces were considered in two separate areas:

- 2412 Chestnut Street
- 2007 Hope Street

These spaces were granted by the Traffic Committee and will be installed in the near future if there is no objection raised by Council. The residents' needs, in both areas, are real and legitimate, and they have now provided all the necessary paperwork. Since no action was taken by Council, those recommendations would be put into effect.

**Re: Main Street Side Walk Program, Additional Funding – Supplemental Agreement #2**  
*Missouri Highways & Transportation Commission*  
*(Resolution No. 1726-11, to follow)*

Rees' final item on the agenda was regarding the Main Street Sidewalk Program. The City Engineer explained that the Department of Public Works has been working with the Missouri Highways & Transportation Commission in order to receive transportation enhancement funding to aid in the construction of sidewalks along Main Street. He added that in July, 2010, an ordinance was enacted approving \$67,232.27 in Small Urban enhancement funding for sidewalk construction.

Since that time, additional funds, also in the form of an STP (Small Urban Funding), have also become available. MoDOT has given the City of Hannibal the right to add an additional \$67,232.27 to its current enhancement project on Main Street.

Robert Manzke, of MoDOT, stated that the City could use the previous ordinance (Ordinance No. 4536) to accept the additional funds. The Department of Public Works recommends acceptance of Supplemental Agreement #2, regarding the additional funds. Approval of Resolution No. 1726-11, to follow, would authorize the Mayor to execute Supplemental Agreement #2.

**RESOLUTION NO. 1725-11**

**A RESOLUTION AMENDING THE FISCAL YEAR 2011 BUDGET RELATIVE TO THE  
HANNIBAL VISITORS AND CONVENTION BUREAU FOR A SUPPLEMENTAL  
APPROPRIATION OF \$35,000 TO BE TAKEN FROM HCVB RESERVES PLACED IN THE  
EXPENDITURE ACCOUNT 48.48.569**

Motion was made by Council Member Barta to have the City Clerk read Resolution No. 1725-11, and call the roll for adoption. Motion was seconded by Council Member Hark.

Motion carried.

**Roll Call**

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

**No:** -0-

**Absent:** Council Member Dobson - 1

Mayor Hark declared Resolution No. 1725-11, duly approved and adopted on this date.

**RESOLUTION NO. 1726-11**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A PROGRAM AGREEMENT BETWEEN THE CITY OF HANNIBAL AND THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR THE RECEIPT OF AN ADDITIONAL \$67,232.27 IN TRANSPORTATION ENHANCEMENT FUNDING RELATIVE TO THE CONSTRUCTION OF SIDEWALKS ALONG MAIN STREET**

Motion was made by Council Member Louderman to have the City Clerk read Resolution No. 1726-11, and call the roll for adoption. Motion was seconded by Council Member Barta.

Motion carried.

**Roll Call**

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

**No:** -0-

**Absent:** Council Member Dobson - 1

Mayor Hark declared Resolution No. 1726-11, duly approved and adopted on this date.

**RESOLUTION NO. 1727-11**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE MARK TWAIN REGIONAL COUNCIL OF GOVERNMENTS IN AN AMOUNT OF \$23,700 FOR PROFESSIONAL GRANT ADMINISTRATION SERVICES RELATIVE TO THE RESIDENTIAL FLOOD BUYOUT PROGRAM**

Motion was made by Council Member Draper to have the City Clerk read Resolution No. 1727-11, and call the roll for adoption. Motion was seconded by Council Member Hark.

Motion carried.

**Roll Call**

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

**No:** -0-

**Absent:** Council Member Dobson - 1

Mayor Hark declared Resolution No. 1727-11, duly approved and adopted on this date.

**BILL NO. 11-012**

**AN ORDINANCE REVISION THE GOVERNING STRUCTURE OF THE HANNIBAL FIRE DEPARTMENT, AND ABOLISHING THE FIRE BOARD OF THE CITY OF HANNIBAL BY REPEALING CHAPTER 12, DIVISION 2-FIRE BOARD OF THE CHARTER OF THE CITY OF HANNIBAL AND AMENDING SECTION 4.09 OF THE CHARTER SETTING FORTH NEW GOVERNING PROVISIONS**

**FIRST READING**

Motion was made by Mayor Pro Tem Knickerbocker to give Bill No. 11-012 a first reading. Motion was seconded by Council Member Barta.

Motion carried.

**ADJOURNMENT**

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

Motion carried.