

OFFICIAL PROCEEDINGS OF THE PUBLIC HEARING

September 6, 2011
6:45 P.M.

CALL TO ORDER

At 6:45 p.m., the appointed time, Mayor Hark called the public hearing to order.

DOUG WARREN – FINANCE DIRECTOR **Re: 2011 Ad Valorem Property Tax Rates**

Finance Director Doug Warren stated that the reason for the public hearing was to consider the 2011 property tax rate, required to be re-evaluated each year. He explained that this year the tax rate was decreasing as calculated by the Missouri State Auditor, certifying a total tax rate ceiling of \$1.1410 per \$100 of assessed value from \$1.2250 per \$100 of assessed value that was calculated last year. He added that this amount was staff's recommendation for 2011, totaling an 8/10 of a cent decrease over last year's levy. He continued by saying that on a medium dwelling in Hannibal (approximate value of \$89,530), assuming the assessed value remains the same, 2011 tax would total \$194.00, a decrease in property tax from last year's \$208.00. These amounts do not significantly impact the City's budget, according to Warren. He said that he would answer any questions from the public at this time.

PUBLIC COMMENTS

Mayor Hark asked if there were any questions or comments from those in attendance. No one voiced any questions or concerns.

ADJOURNMENT

There being no other comments for or in opposition to the proposed 2011 Ad Valorem Property Tax Rates, Mayor Hark adjourned the public hearing.

OFFICIAL COUNCIL PROCEEDINGS

September 6, 2011
7:00 p.m.

ROLL CALL

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

City Clerk Vance led the Pledge of Allegiance to the Flag.

APPROVAL OF MINUTES Regularly Scheduled Council Meeting – August 16, 2011

Motion was made by Council Member Draper to approve the minutes of the last regular Council meeting that was held on August 16, 2011. Motion was seconded by Council Member Louderman.

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS Second Half – August, 2011

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

Motion carried.

ROY G. HARK - MAYOR
Re: Approval of Appointment

Mayor Hark reminded Council of a candidate presented at the last regular Council meeting for the Hannibal Tree Board. This was:

HANNIBAL TREE BOARD

- Raymond Witt – Reappointment for a term to expire September, 2014

He asked Council for their approval of this nomination. Motion was made by Council Member Hark to approve this nomination. Motion was seconded by Mayor Hark.

Motion carried.

City Clerk Vance explained that she had been contacted earlier in the day by Ms. Dixie Forte, who was interested in holding a National Day of Prayer Parade on September 30th, 2011 at 3:00 p.m. Since she was unable to submit a timely request for a hearing before the date of the event and asked to have her request added to the evening's agenda for approval. Forte indicated, when speaking to Vance, that she had previously contacted the Police Department and Lieutenant Davis had agreed to provide police escorts. Lineup will begin at 11th & Broadway and the parade will march to Central Park where a related event will be held. Motion was made by Council Member Barta to add this request to the evening's agenda. Motion was seconded by Council Member Louderman.

Motion carried. Motion was made by Council Member Louderman to approve this request. Motion was seconded by Council Member Barta.

Motion carried.

JAMES LEMON – CITY ATTORNEY
LOU BARTA – THIRD WARD COUNCIL MEMBER
Re: Amendment, Bill No. 11-015 – Commercial Vehicle upon Residential Areas

Council Member Barta explained that, since the previous meeting, several Council Members and Mayor Hark had worked to amend Bill No. 11-015 to further clarify some of the issues that were still unclear and the subject of discussion.

The result is an amended bill, which includes the previous amendments, which include:

- Extending the variance process from fourteen (14) to twenty-one (21) days
- The removal of any deceased property owners from the total count
- The removal of any undeliverable mailing

and the addition of improvements that have been made since the last Council meeting, which include:

- Clarification to the 'Commercial Vehicle' definition

- Clarification of ‘kept’ to mean ‘to place, park, or allow to remain on the subject premises, for a period of time in excess of 24 hours, outside a building, garage, carport or other structure. Non-commercially used equipment and vehicles stored inside a fully enclosed residential garage are exempt from the provisions of this Ordinance.’

Mayor Hark clarified that this ordinance does not pertain to historic cars that have been or are being refurbished. He added that he believed that this was the result of a very good effort on the part of Council, to work with everyone that was affected. Bill No. 11-015 will be revisited for approval of a second and final reading later, during the meeting.

Re: Acquisition of Property – 314-18 Broadway

Jim & Sheryl Love

Mayor Pro Tem Knickerbocker interjected on this item, the acquisition of property located at 314-318 Broadway. Knickerbocker reminded Council that this item was discussed during the last regular Council meeting and asked City Attorney Lemon to get some information together. Since that time, Mr. Lemon has raised some additional issues which, in Knickerbocker’s opinion, would allow this issue to be considered as a closed session discussion. For this reason, Mayor Pro Tem Knickerbocker made a motion to table this item until the next regular Council meeting; then place it on the agenda under ‘Closed Session’. Motion was seconded by Mayor Hark.

Motion carried

JEFF LAGARCE – CITY MANAGER

Re: Program Overview, Main Street Sidewalk Program

City Manager LaGarce explained that recently several Main Street sidewalk and street meetings had been held with the design teams of Architechnics and MECO, the Board of Public Works and City Council Members in attendance. The goal of these meeting, at least in part, is to attempt to keep costs at a minimum for the affected property owners. As a result, LaGarce stated that two contracts would be introduced to Council for approval.

He also introduced a tentative time-line for submission of the preliminary plans to MoDOT, as follows:

- Introduction of Architechnics (Design of sidewalk) and MECO (Design for street overlay) contracts (September 6th)
- BPW Board meeting – final waterline decisions to be made (September 21st)
- Final property owner meeting on design selection (September 22nd, 26th, or 27th)
- City Council meeting to vote on sidewalk design (October 4th)
- Preliminary plans due to MoDOT (November 2nd)

LaGarce explained that he is currently working on a process to handle private water services and will ask Council to approve a design concept on October 4th. This is only a program overview, according to the City Manager and is ‘informational only’ at this time.

Re: Residential Flood Buyout Real Estate Title Services – Standard Form of Agreement

*Wells Abstract Company
(Resolution No. 1751-11, to follow)*

LaGarce explained that the Residential Flood Buyout Program was moving along and recently sealed bids were received for real estate title services. As the result of the bidding process, three companies submitted bids, with the most favorable being received from Wells Abstract Company. Mr. LaGarce noted that Wells Abstract had just completed twenty-four (24) commercial acquisitions with the City of Hannibal and did a wonderful job.

He recommended approval of Resolution No. 1751-11, to follow, accepting the proposal of Wells Abstract Company to perform real estate title services for each of the twenty-three (23) residential flood buyout properties at an approximate cost of \$3,183 per property, and authorization for the Mayor to execute an agreement for same.

The City Manager stated that City Attorney James Lemon is a partial owner of Wells Abstract Company; however, no conflict-of-interest exists because proposals were sought competitively and the City, not City Attorney Lemon, initiated this project.

Re: Community Development Block Grant Amendment – Contract Amendment

*Missouri Department of Economic Development
(Resolution No. 1752-11, to follow)*

City Manager LaGarce's final item on the evening's agenda was request for approval of Resolution No. 1752-11, to follow, regarding a contract amendment with the Missouri Department of Economic Development regarding a contract amendment for the CDBG Commercial Flood Buyout Program. He explained that the City's grant, totaling \$2.5 million, was split into three (3) categories:

- Acquisition - \$2,000,000 (\$1,796,000 expended, savings to exceed \$200,000)
- Professional Services - \$158,000 (20% of properties found contaminated, \$160,000 in mitigation expenses through DNR expended)
- Demolition

LaGarce advised that a "categorical" transfer of the \$200,000 from *Acquisition* to *Other Professional Services* is necessary for further grant reimbursements. Resolution No. 1752-11, to follow would approve this amendment and authorize this transfer of funds.

DOUG WARREN – FINANCE DIRECTOR

Re: 2011 Tax Levy
(Bill No. 11-017, to follow)

Finance Director Doug Warren requested that Bill No. 11-017, regarding the 2011 Tax Levy, be given a first reading later, during the meeting. He explained that this tax rate is calculated through the State Auditor's Office and was the subject of a public hearing prior to the regular

Council meeting, earlier in the evening. He added that, overall, the 2011 tax rate of \$1.1410 per \$100 of assessed value will decrease \$.08 from last year's rate of \$1.2250 per \$100 of assessed value.

ANDY DORIAN – DIRECTOR, PARKS & RECREATION

Re: Request, Street Closure – Lighthouse Challenge

(September 17, 2011 – 5:00 a.m. – 1:00 p.m.)

Parks and Recreation Director Andy Dorian presented his request for street closure during an event known as the “Lighthouse Challenge” to be held on September 17, 2011 from 5:00 a.m. until 11:00 p.m. Dorian explained that this event was in support of the program known as *Shine Your Light on Autism* and added that this is the second year for this event that raises money to help in raising awareness. Funds raised will specifically be used for the all-inclusive playground that is being constructed.

He requested the closure of North Street from Highway 79 to North Main. Motion was made by Council Member Louderman to approve Dorian's request. Motion was seconded by Council Member Draper.

Motion carried.

Re: Bid Award Approval, Mason Sand Purchase

Central Stone Company

Dorian explained that recently the Parks Department had let bids for the purchase of Mason Sand to be used at South Side Recreation Park. He added this was the site of an old tennis court which is no longer utilized; therefore, the Parks Department has decided to replace it with new sand volleyball courts. According to Dorian, Mason Sand is often used in the creation of sand volleyball courts since it has a softer feel and there are no rocks in it. He stated that one bid was received from Central Stone Company, as a result of the bidding process and recommended that this bid, in the amount of \$9,945 be approved for the purchase of 900 tons of Mason Sand. Motion was made by Council Member Louderman to approve Dorian's request. Motion was seconded by Council Member Barta.

Motion carried.

MARK REES – CITY ENGINEER

Re: Hannibal Downtown Sidewalk Project – Supplemental Agreement No. 1

Architechnics

(Resolution No. 1753-11, to follow)

City Engineer Mark Rees had two items on the agenda, both regarding the Downtown Sidewalk and Resurfacing Project. The first, according to Rees, was for Council approval of a supplemental agreement with Architechnics, previously approved by MoDOT. This agreement, totaling \$30,960.62, was for the addition of curb and gutter to the scope of this project and would be approved with the approval of Resolution No. 1753-11, to follow.

Re: Hannibal Downtown Resurfacing Project – Authorization Agreement
(Resolution No. 1754-11 as amended, to follow)
MECO Engineering

The second item that Rees introduced was a request for approval of Resolution No. 1754-11, to follow, regarding an authorization agreement with MECO Engineering for additional services to the Downtown Overlay Resurfacing Project. The total amount for the extra services is \$8,500.00. Rees reminded Council that this project had been on hold for many months and recommended approval of this contract for the additional services by approving related Resolution No. 1754-11, to follow.

LYNDELL DAVIS – CHIEF OF POLICE
Re: Traffic Committee Recommendations

Police Chief Lyndell Davis presented the final item on the agenda, recommendation from the Traffic Committee. He explained that there were three recommendations, based on the August 25th meeting. These were:

1. Removal of the two-hour parking signs on Main Street and side streets for a trial period of one year.
2. Add directional signs pointing the way to additional free, long-term parking lots in the downtown/riverfront area (i.e. Public Parking signs)
3. Install *Handicap Parking* spaces at 423 Hill Street and 2226 Chestnut Street. Each resident's need is real and legitimate; and they do meet the guideline criteria.

Davis explained that if no action was taken by Council, these recommendations will become effective this date, September 6th, 2011.

Council Member Barta stated that the removal of the two-hour parking was a very hot topic for many people, he questioned, since this was proposed as a trial-period for one year, how this would be tracked over that period of time?

Chief Davis indicated that this would be one on a "complaint" basis, as least for now. He said that, at the current time, the Police Department is caught in the middle of bickering between businesses in the area adding that this is an attempt to remove that obstacle. He said that, in the process, another problem is corrected by giving people information regarding additional parking.

One way to evaluate this trial period, according to Davis, would be to examine complaints (after removal of two-hour parking) vs. current complaints being lodged. City Manager LaGarce agreed that public feedback was the only avenue discussed regarding tracking the two-hour parking removal.

Chief Davis added that prior to this decision, he sent a Lieutenant downtown to speak with various businesses in the area; and, of the nine or ten that were spoken to, all were in favor of removing the two-hour parking signs. He added that obviously, there were business owners

who were of a different opinion. Council Member Dobson inquired about the amount of citations that had been issued. Again, Chief Davis indicated that enforcement was on a complaint basis only; adding that he believes this is counter-productive to the businesses in that area. Mayor Pro Tem Knickerbocker stated that, even though the trial-period is for one year, if problems should arise, signs can be replaced at any time.

Council Member Louderman contended that the City's Police have more important things to do than keeping peace between business owners, regarding the traffic issue. He believes that there is ample parking and if given time the downtown business owners will find that this is not really a problem. He added that, in his opinion, the trial should be given a full year before a permanent decision is made.

Knickerbocker commented that during a field day with his daughter's school class, he toured the various historic attractions downtown and it took them more than two hours to complete. He continued by saying that he did not agree with forcing a tourist to return to his car after two hours, possibly causing them to leave. Other Council Member agreed, adding this was not the correct way to treat a visiting tourist.

RESOLUTION NO. 1751-11

A RESOLUTION ACCEPTING THE PROPOSAL OF WELLS ABSTRACT COMPANY TO CONDUCT REAL ESTATE TITLE SERVICES RELATIVE TO THE RESIDENTIAL FLOOD BUYOUT PROGRAM AND AUTHORIZING THE MAYOR TO EXECUTE A STANDARD FORM OF AGREEMENT IN AN ESTIMATED AMOUNT OF \$3,183 FOR SAME

Motion was made by Council Member Draper to have the City Clerk read Resolution No. 1751-11, and call the roll for adoption. Motion was seconded by Council Member Hark.

Motion carried.

Roll Call

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

No: -0-

Mayor Hark declared Resolution No. 1751-11, duly approved and adopted on this date.

RESOLUTION NO. 1752-11

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT AMENDMENT WITH THE MISSOURI DEPARTMENT OF ECONOMIC DEVELOPMENT, COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM,

**RELATIVE TO GRANT ALLOCATIONS WITHIN CERTAIN FUNDING
CATEGORIES**

Motion was made by Council Member Louderman to have the City Clerk read Resolution No. 1752-11, and call the roll for adoption. Motion was seconded by Council Member Barta.

Motion carried.

Roll Call

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

No: -0-

Mayor Hark declared Resolution No. 1752-11, duly approved and adopted on this date.

RESOLUTION NO. 1753-11

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE SUPPLEMENTAL
AGREEMENT NO. 1 FOR ADDITIONAL SERVICES IN THE AMOUNT OF
\$30,960.62 WITH ARCHITECHNICS FOR THE HANNIBAL DOWNTOWN
SIDEWALK PROJECT**

Motion was made by Council Member Dobson to have the City Clerk read Resolution No. 1753-11, and call the roll for adoption. Motion was seconded by Council Member Hark.

Motion carried.

Roll Call

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

No: -0-

Mayor Hark declared Resolution No. 1753-11, duly approved and adopted on this date.

RESOLUTION NO. 1754-11

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN
AUTHORIZATION AGREEMENT FOR ADDITIONAL SERVICES IN THE
AMOUNT OF \$8,500 FOR THE HANNIBAL DOWNTOWN RESURFACING
PROJECT BETWEEN THE CITY OF HANNIBAL AND MECO ENGINEERING**

Motion was made by Council Member Draper to have the City Clerk read Resolution No. 1754-11, and call the roll for adoption. Motion was seconded by Council Member Hark.

Motion carried.

Roll Call

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

No: -0-

Mayor Hark declared Resolution No. 1754-11, duly approved and adopted on this date.

BILL NO. 11-015

(as amended)

AN ORDINANCE AMENDING CHAPTER 19, ARTICLES I AND II OF THE HANNIBAL CITY CODE RELATIVE TO KEEPING OR PARKING CERTAIN COMMERCIAL VEHICLES AND CONSTRUCTION OR COMMERCIAL-GRADE EQUIPMENT AT OR UPON RESIDENTIAL PROPERTY

SECOND AND FINAL READING

Motion was made by Council Member Barta to give Bill No. 11-015, as amended, a second and final reading and call the roll for adoption. Motion was seconded by Mayor Pro tem Knickerbocker.

Roll Call

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

No: -0-

Mayor Hark declared Bill No. 11-015, as amended, duly approved and adopted on this date.

BILL NO. 11-017

AN ORDINANCE FIXING AND ADOPTING THE RATE OF TAXATION FOR THE YEAR OF 2011 AND LEVYING TAXES THEREFORE

FIRST READING

Motion was made by Council Member Louderman to give Bill No. 11-017 a first reading. Motion was seconded by Council Member Hark.

Motion carried.

ADJOURNMENT

Motion was made by Mayor Pro Tem Knickerbocker to adjourn the meeting. Motion was seconded by Mayor Hark.

Motion carried.