

OFFICIAL COUNCIL PROCEEDINGS

February 7, 2012
7:00 p.m.

ROLL CALL

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

Absent: -0-

CALL TO ORDER

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

INVOCATION

Mayor Pro Tem Knickerbocker gave the invocation.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES Regularly Scheduled Council Meeting – January 17, 2012

Motion was made by Council Member Draper to approve the minutes of the last regular Council meeting that was held on January 17, 2012. Motion was seconded by Council Member Louderman.

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS Second Half – January, 2012

Motion was made by Council Member Barta to approve the payroll and claims for the second half of January, 2012. Motion was seconded by Council Member Dobson.

Motion carried.

O.C. LATTA – MARK TWAIN CORVETTE CLUB

Re: Approval, Plan B Street Closures

Annual Corvette Show – August 4, 2012 – 5:00 a.m. – 5:00 p.m.

Mr. O.C. Latta, representing the Mark Twain Corvette Club, came to Council with a request for Council permission for street closure during the Annual Corvette Show to be held on August 4, 2012. City Engineer Mark Rees commented that the Main Street Sidewalk Project was to begin next summer and there was a possibility that Main Street would be in the midst of construction during this time.

Mr. Latta was asked if he had a ‘Plan B’ in the event that Main Street was unavailable for the Corvette Show. He indicated that the Club did have a couple of alternative locations. He named two locations that had been discussed:

- Poage’s Auto Center
- South Main Street
- The large parking lot outside of the floodwall

Motion was made by Council Member Louderman to approve Latta’s request. Motion was seconded by Mayor Pro Tem Knickerbocker.

Motion carried.

**JOEL BOOTH, PRESIDENT – HANNIBAL COMMUNITY PROMOTIONS
COMMITTEE**

Re: Request, Campaign Support – Fireworks Show

Mr. Joel Booth, president of the Hannibal Community Promotions Committee came to Council with a request for the City’s support of their campaign to raise \$15,000 for the annual fireworks display during National Tom Sawyer Days. He added that this newly formed community group is taking on the responsibility of fundraising for this initiative and he asked Council for a commitment of \$5,000 from the City for this campaign. Council Member Louderman suggested that the City commit to a \$7,500 to be used for the fireworks display, instead of the initial amount of \$5,000. He put that suggestion in the form of a motion; and Council Member Hark seconded it. Council Member Draper suggested a revision that the City would provide a 50% match of the total cost, not to exceed \$7,500. City Attorney Lemon pointed out that this amount was not a donation of funds, but an agreement to purchase services; and, an exact amount of \$7,500 would allow for a cleaner contract. Louderman decided to leave the motion as it was.

Motion carried.

**CINDY LOVELL, EXECUTIVE DIRECTOR – MARK TWAIN
BOYHOOD HOME & MUSEUM**

Re: Request, Waiver of Sidewalk Costs & Building Permit Fees, Becky Thatcher House

Cindy Lovell, the Executive Director of the Mark Twain Boyhood Home and Museum came before Council at the request of her Board. She asked to have the sidewalk costs for the Foundation waived, since they are a non-profit venture with a limited budget. Lovell added that the Foundation is trying to closely watch their funds, since 2011 wasn't a great year with Museum attendance down.

She addressed two of her major concerns. The first was the brick project. She pointed out that all of the custom bricks that they have paid to install will need to be removed and replaced. An estimate for this project has been received from a company that installs the bricks totaled \$13,600, a cost that the Foundation is unable to bear, according to Lovell. The second was the actual cost of sidewalk replacement, since six of the eight properties are owned by the City, she indicated that the cost to replace the sidewalks on all of these properties would place an extra burden on their budget.

She reiterated that the Foundation had been hopeful that the current budget would support the additional costs, but in light of the Museum's decreased tourist activity in 2011 and the Foundation's plan to complete work on the Becky Thatcher House, they had decided to ask the City for this assistance.

Council Member Dobson commented that during initial negotiations, regarding the Main Street sidewalks, the Foundation was in favor of the most expensive (paver) option. Now, after all has been decided, they are suggesting that the City cover the cost of the sidewalks.

She agreed, saying that she was only relaying the Mark Twain Home Board's request. She added that, originally, the Board did support the pavers; however, since then they have been dealing with results of the recession, such as dismal Museum attendance. When the next meeting was held, Lovell reminded Council that Mark Twain Boyhood Home & Museum voted for the less costly sidewalk option. In the end, looking back on the previous year and anticipating the year ahead, the Board asked for consideration in light of their care for City-owned property without any financial support of the City. Lovell said that she was only in attendance to discuss and hear Council's recommendations.

When asked about revenue from these properties, Lovell responded that the Mark Twain Foundation receives all of the revenue. The City gets no revenue, except the tax dollars that are generated as a result of the visitors.

Council Member Barta questioned Ms. Lovell's concern regarding the cost for removal and replacement of the pavers, commenting that it was his understanding this cost was included in the agreement. He directed this question to the City Manager.

City Manager LaGarce stated that he was unsure; however, he would research this to determine if it was included or was merely listed as an alternate. If those costs are included, the Mark Twain Home Foundation will not have an additional expense for removal and replacement of these pavers. Mayor Pro Tem Knickerbocker advised that this information would significantly reduce Lovell's original amount. Council Member Dobson added that it was his understanding that the Foundation's total obligation was \$13,012. LaGarce agreed, adding that there would probably be some variation of that total because of a decision to add conduit.

Mayor Pro Tem Knickerbocker stated that there would be other individuals who would have similar assessments; and, as part of the contractual arrangement, the Foundation is required to upkeep and to maintain these properties, which includes sidewalk maintenance. He added, in all fairness, it was his opinion that the City should not waive this cost, since the City receives no income from these properties.

Council Member Dobson commented that he would like to see the breakdown of the City-owned properties; and, then Council could make a decision based on that information.

City Attorney Lemon advised that, according to the authorizing statute that allows the City to do the initial assessment, he did not believe the City would be allowed to waive the sidewalk assessment. He would review this to determine whether or not a waiver would be permitted. He added that there were alternatives, if the City wished to pursue them, such as payment to the Foundation for cost of maintenance.

Lovell stated that the total amount of assessed area was 5/8 of a block of City-owned property. This is a one-time request, according to Executive Director Lovell, adding that the Foundation does a very good job, overall. She explained that the bad year, compounded by the up-coming work at the Becky Thatcher House, the Foundation made the request to approach Council for assistance. (Nothing ventured, nothing gained.)

Mayor Pro Tem Knickerbocker commented that there were currently several unknown issues, including the responsibility of removing and replacing pavers. These unknown issues should be re-assessed and re-evaluated before the request is revisited.

Council Member Draper stated that two questions should be considered. These were:

1. Can we?
2. Should we?

A motion was made by Council Member Draper to table this request until Ms. Lovell obtains additional information and returns with the amended request, if she wishes. In the meantime, City Attorney Lemon will review the statute and determine whether this is an allowable request and City Engineer Rees will review the agreement to determine the responsibility of removing and replacing the existing pavers. Motion was seconded by Council Member Louderman.

Motion carried.

GEORGE WALLEY – NEMO DEVELOPMENT

Re: Operations, Goals & Outlooks

George Walley, representing the Northeast Missouri Development Authority, gave a brief overview of the entity's operations, goals and outlooks. He began saying that much of what the NEMO Development Authority does is confidential and cannot be shared in a public or recorded for a meeting venue, but continued by inviting each individual Council Member to come to the NEMO Development office for a thirty minute meeting. He assured Council that he could share his methods for selling the community, where it is sold, as well as confidential information on some of their current projects, during this time. He could also explain what the Northeast Missouri Development Authority is doing and why some projects are ultimately lost.

Walley said that a common practice of NEMO Development , especially during the past twelve months and with the current economy, is to leverage their money with regional and/or state efforts. Last winter, they began leveraging visits by tagging on with the State of Missouri's marketing company, known as the Missouri Partnership, an agency contracted by the state to do all of their recruiting and develop the state's annual marketing plan.

Missouri Partnership allows communities, large and small, to choose co-op opportunities, and Walley had participated in one of these co-op opportunities at no cost except travel expenses. These are pre-planned events where the state explains their approach of various programs and two or three communities are in attendance, also included are known consulting firms. Missouri Partnership does research on the clients and knows their target industry segment. During Walley's visit, a Dallas consultant visit, he was able to introduce the Hannibal community, explaining what is available in Hannibal and what the community (through Walley) is promoting.

Walley, during a separate event, partnered with Missouri Bio-Science Initiative, a separate group also funded through the State of Missouri. In this instance, he traveled to Washington, D.C. for International Bio Show with participants from around the globe. At this show, Missouri had a very strong bio-science presence, according to Walley who added that he was able to work the exhibitors, introducing the Hannibal community and region to a number of different manufacturers.

Walley also participated in a group known as the Rural Economic Development Alliance, another leveraging agency. This company attends a series of shows throughout the year and NEMO Development's regional group along with others buys into a fund. The group then selects shows that will be attended. Walley, himself, attended a show in Anaheim, CA that envelops a number of industries, including military, shipping and handling, warehousing, and plastics. Watlow Industries was also in attendance, as well as another local company, from Quincy, IL. He continued by detailing several current projects in which NEMO Development was involved, including an upcoming reception that Walley and his peers would be hosting in Jefferson City, MO. This legislative reception, with a theme, "Falling in Love with Northeast Missouri", is the first for Walley's group. Walley concluded by saying that, at the end of the fiscal year, he would provide a full, written report with details of the year's activities.

Following his presentation, Council Member Barta commended him for his efforts regarding his marketing efforts in Hannibal; and inquired how the City could assist in the process. He asked Walley to identify of the challenges he faced that hindered the relocation of businesses to the Hannibal area. Walley responded that he kept the City Manager and Mayor Hark abreast of any hindrances, adding that he believed his organization and the City were on the same page regarding Hannibal's shortcomings.

Mr. Jay Tharp, representative of the Loafer's Car Club, had requested that he be added to the evening's agenda to present the Club's "Plan B" regarding the relocation of the upcoming Car Show. At this time, Mayor Hark asked Council approval of Tharp's request. Motion was made by Council Member Draper to add Tharp to the agenda. Motion was seconded by Council Member Hark.

Motion carried.

JAY THARP – LOAFER’S CAR CLUB
Re: “Plan B” Relocation of Loafers Car Show
(Saturday, May 12, 2012 – 5:00 a.m.-5:00 p.m.)

Due to the Main Street Sidewalk Improvement Project, Jay Tharp requested approval of an alternate, Plan B, for the relocation of the upcoming Loafers Car Show. In the event that Main Street was unavailable on this date, Tharp proposed the following:

- Use of both sides of Broadway, from Third Street to Fifth Street (Third Street would remain open’ however Fifth Street would be utilized)
- Use of Fourth and Fifth Streets from Church to Center
- Use of Central Park to erect the club’s tent
- Use of Central Park Pavilion

Cars would be angle parked on both sides of the streets to allow the passage of emergency equipment, if needed.

Parks & Recreation Director Andy Dorian suggested that possibility of the pavilion’s unavailability, since it may already be reserved on that date. He agreed to check the park and pavilion’s availability and notify Tharp, who questioned the possibility of using the old Wareco lot. After some discussion, regarding the Club’s options, motion was made by Mayor Pro Tem Knickerbocker to approve their “Plan B” with the stipulation that they work with Andy Dorian regarding availability of Central Park and the pavilion. Motion was seconded by Council Member Draper.

Motion carried.

JEFF LAGARCE - CITY MANAGER
Re: Production Opportunity, *Today in America*

City Manager LaGarce explained about a recent telephone interview that he and Gail Bryant, the HCVB Director, had with a television program called *Today in America with Terry Bradshaw*. During the interview the producers expressed their interest in spotlighting Hannibal in their “Discover America” series.

LaGarce commented that, during the interview, they were excited until they discovered that there would be a \$19,800 fee to the participant. He added that he was not personally inclined to expend this amount, since it has not been budgeted and he is unsure that the potential benefit the City might receive as a result of this endeavor would outweigh the costs.

Since he did not believe that he should make the final decision, he came to Council for their direction, stating that he had no recommendation with regard to this production opportunity. He stated that there was a follow-up interview on February 8th.

Mayor Pro Tem Knickerbocker commented that this would be a five minute segment, adding that the Outdoor Channel taped an entire half-hour production during National Tom Sawyer Days a

few years ago. It was televised nationwide, at no cost to the City. LaGarce agreed, adding that production could be put together for a fraction of this cost.

Knickerbocker stated that he was not inclined to proceed with this project. All agreed that the City could obtain much better advertising at a lower cost. All agreed; however, no vote was taken.

Re: Commercial Property Appraisal Review, 1107 Carr Street – Standard Form of Agreement
B&B Appraisals
(Resolution No. 1793-12, to follow)

LaGarce explained that Resolution No. 1793-12, to follow, would approve an agreement with B&B Appraisals for a commercial property appraisal review for 1107 Carr Street. He added that, recently, City Council had awarded the appraisal contract to Rubison Appraisal Services, then requests were solicited for appraisal reviews; however, no proposals were received. Because of this, the CDBG office permitted the City to choose an appraisal reviewer, using their non-competitive procurement process. LaGarce chose B&B Appraisal, who conducted twenty-five appraisal reviews for the City in 2010 without any problem.

B&B Appraisal submitted a proposal in the amount of \$400.00 for this work. CDBG has approved the proposal; therefore, City Manager LaGarce recommended Council's acceptance of this proposal and approval of Resolution No. 1793-12, to follow that would authorize the Mayor to enter into an agreement with B&B Appraisal for completion of the appraisal review of 1107 Carr Street.

GAIL BRYANT – HCVB DIRECTOR
Re: Brand Development Strategy – Agreement
Hoffman-Lewis
(Resolution No. 1791-12, to follow)

HCVB Director Gail Bryant came before Council, at this time, to request their approval for a public relations agency to provide assistance to the HCVB in developing a branding strategy. She explained that the Bureau had conducted a brand perception and marketing assessment study last fall to determine the perception of Hannibal from visitors and non-visitors within a 120 mile radius. It determined that Hannibal was recognized for:

- History regarding Mark Twain
- Outdoor recreation
- Natural beauty
- Friendliness

What people don't know is:

- Hannibal's Location
- Hannibal is more than just a day-trip

For this reason, a 'brand' is needed to develop a message which would be similar to the McDonald's "Golden Arches" or Nike's "check mark".

Bryant recommended that the award for this brand development strategy be awarded to Hoffman-Lewis because they offered the best value for the lowest bid of \$25,300. This would be approved, with the approval of Resolution No. 1791-12, to follow. At this time, Bryant also distributed a copy of their new visitor guide to Council and introduced the 2012 HCVB campaign, “Short Drive, Big Adventure”.

BILL MADORE – FIRE CHIEF

Re: Code Amendment, Chapter 12, Article II, Division I

Sick Leave and Personal Days for Fire Department Personnel

(Bill No. 12-005, to follow)

Fire Chief Bill Madore came before Council to introduce Bill No. 12-005, a code amendment to Chapter 12, Article II, Division I of the Hannibal City Code, regarding sick leave and personal days for Fire Department personnel. Madore explained that in reviewing the Code he discovered these employee benefits that he believed were in place prior to the City of Hannibal Employees Guide to Success and the Union Agreement between Local 1211 and the City. These are out-dated and not binding, according to the Chief.

For that reason, Madore requested approval of Bill No. 12-005, to follow, which is only a housekeeping ordinance to clean-up the discrepancies between the Code, the Employee Manual and the Union Agreement with regard to the Fire Department’s sick leave and personal days. With Council approval, Bill No. 12-005 would be given a first reading later, during the meeting.

Re: Code Amendment, Chapter 12, Article II

Opening Burning

(Bill No. 12-006, to follow)

Madore’s second item was also a code amendment to Chapter 12, Article II. This amendment related to open burning within the City and would be completed with the adoption of Bill No. 12-006, to follow. Madore explained that he had been researching this issue for quite some time; trying to decide what was best for the Fire Department, the citizens of Hannibal and the City, as a whole. Chapter 12, Article II, Section 12-78. ***Additions to the Code***, according to Madore is antiquated, unclear and problematic to the Fire Department and to Hannibal Citizens.

He said that he had initially made minor changes, but ultimately overhauled the entire section regarding open burning. One area that he pointed out was:

Landscape waste means any accumulation of grass or shrubbery cuttings, tree limbs and other materials accumulated as the result of the care of lawns, shrubbery, vines and trees, but not including leaves.

He explained that later, in this section, ‘Prohibitions’ and ‘Exceptions’ are covered in which there is an exception for burning of leaves and somewhat different criteria for the burning of landscape waste. Typically, in looking at the International Fire Code, these are considered the same; because the way it is written, when two topics are covered the more stringent applies. Since landscape waste is the more stringent of the two, leaves would be considered under the same umbrella. Things, such as these, needed clarification. From an operational standpoint, the issue of Burn

Permits was examined; and Madore explained that this procedure was revised. He continued by pointing out other areas of concern and advised Council of his revisions.

In conclusion, Madore commended the Fire Department for their efforts, adding that during the process of issuing permits and overseeing burning within the City, they continue to be very public oriented in getting the word out with regard to the City Code and its provisions.

Council Member Draper questioned the Fire Department's justification for burning within the City limits. Fire Chief Madore responded that, Hannibal is a working class town. He added that the city leaf lot that the Street Department oversees is a viable option, adding that when speaking with a citizen regarding burning, the leaf lot is always offered as a first choice; however, some individuals do not have the means to utilize the City lot. He believed that the City has made positive strides in code enforcement and have made this a priority, to keep property clean. To accomplish this, burning may be the only viable option for some folks at this point in time, and Madore was not willing to eliminate this option for them. In the future, this may be an issue to revisit, but he believes that the revised ordinance is the best solution at the current time. He asked Council to approve a first reading for Bill No. 12-006, to follow.

MARK REES – CITY ENGINEER
Re: Traffic Committee Recommendations

City Engineer Rees presented recommendations from the Traffic Committee. He explained that as the result of their recent meeting, the Committee made the following recommendations:

- To increase the school zone speed limit on St Mary's Avenue for Mark Twain School from 15 mph to 20 mph.
- To install a handicap parking space at 505 Walnut Street for Joe Wilcutt, since Mr. Wilcutt's need is real and legitimate and he meets the guideline criteria.

Since no action was taken by Council these recommendations became effective on February 2, 2012.

Re: Downtown Sidewalk Project – Supplemental Agreement No. 2
Architechnics
(Resolution No. 1792-12, to follow)

Rees explained that the design of the Downtown Sidewalk Project is getting very close to completion. As a housekeeping item, Robert Manzke of MoDOT has requested that the City extend the time allotted for design. MoDOT has drafted a Supplemental Agreement (No. 2) to increase this timeline. Rees stated that this was not increasing it forward, but the supplemental agreement was only addressing what had previously happened. The Preliminary Design phase will be increased from 60 days to 280 days and the Final Design phase will be increased from 60 days to 90 days. This is a no-cost supplemental agreement, according to Rees, who has reviewed the agreement and recommends acceptance of the additional time and Resolution No. 1792-12, to follow.

RESOLUTION NO. 1791-12

**A RESOLUTION AUTHORIZING THE CITY OF HANNIBAL, HANNIBAL
CONVENTION & VISITOR'S BUREAU TO ACCEPT THE PROPOSAL OF A BRAND
DEVELOPMENT STRATEGY FROM HOFFMAN-LEWIS IN THE AMOUNT OF \$25,300
FURTHER AUTHORIZING THE MAYOR TO
ENTER INTO AN AGREEMENT**

Motion was made by Council Member Louderman to have the City Clerk read Resolution No. 1791-12, and call the roll for adoption. Motion was seconded by Council Member Draper.

Motion carried.

Roll Call

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

No: -0-

Absent: -0-

Mayor Hark declared Resolution No. 1791-12, duly approved and adopted on this date.

RESOLUTION NO. 1792-12

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE SUPPLEMENTAL
AGREEMENT NO. 2 WITH ARCHITECHNICS FOR ADDITIONAL TIME TO
COMPLETE DESIGN SERVICES FOR THE HANNIBAL DOWNTOWN SIDEWALK
PROJECT**

Motion was made by Council Member Draper to have the City Clerk read Resolution No. 1792-12, and call the roll for adoption. Motion was seconded by Council Member Barta.

Motion carried.

Roll Call

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

No: -0-

Absent: -0-

Mayor Hark declared Resolution No. 1792-12, duly approved and adopted on this date.

RESOLUTION NO. 1793-12

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH B&B APPRAISALS IN THE AMOUNT OF \$400 FOR A COMMERCIAL PROPERTY APPRAISAL REVIEW OF 1107 CARR STREET RELATIVE TO THE FLOOD BUYOUT PROGRAM

Motion was made by Council Member Louderman to have the City Clerk read Resolution No. 1793-12, and call the roll for adoption. Motion was seconded by Council Member Draper.

Motion carried.

Roll Call

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

No: -0-

Absent: -0-

Mayor Hark declared Resolution No. 1793-12, duly approved and adopted on this date.

BILL NO. 12-005

AN ORDINANCE AMENDING CHAPTER 12, ARTICLE II, DIVISION 1, BY REMOVING SECTIONS 12-26 and 12-29 OF THE CODE OF THE CITY OF HANNIBAL RELATIVE TO SICK LEAVE AND PERSONAL DAYS FOR FIRE DEPARTMENT PERSONNEL

FIRST READING

Motion was made by Council Member Draper to give Bill No. 12-005 a first reading. Motion was seconded by Council Member Barta.

Motion carried.

BILL NO. 12-006

AN ORDINANCE AMENDING CHAPTER 12, ARTICLE III, OF THE CODE OF THE CITY OF HANNIBAL, REGARDING THE FIRE CODE FOR THE CITY OF HANNIBAL RELATIVE TO OPEN BURNING

FIRST READING

Motion was made by Council Member Dobson to give Bill No. 12-006 a first reading. Motion was seconded by Council Member Louderman.

Motion carried.

CLOSED SESSION

In Accordance with RSMo. 610-021 (1)

At this time, Mayor Hark entertained a motion to go into closed session in accordance with RSMo 610-021, sub-paragraph one (1), admitting himself, rest of Council, City Manager LaGarce, City Attorney James Lemon, City Clerk Vance and Police Chief Davis. 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 Member Draper, Mayor Pro Tem Knickerbocker, Council Members Dobson, Barta, Mayor Hark, Council Members Louderman and Hark – 7

No: -0-

Absent: -0-

Motion carried. At some point, during the Closed Session, Mayor Pro Tem Knickerbocker left the meeting.

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 Dobson to adjourn the meeting. Motion was seconded by Council Member Draper.

Motion carried.