

# OFFICIAL COUNCIL PROCEEDINGS

**July 17, 2012  
7:00 p.m.**

## ROLL CALL

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

**Absent:** Council Member Hark - 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 Louderman to excuse Council Member Hark. Motion was seconded by Council Member Draper.

Motion carried.

## APPROVAL OF MINUTES

### **Closed Session Minutes – June 5, 2012 Regularly Scheduled Council Meeting – July 3, 2012**

Motion was made by Council Member Draper to approve the minutes of the Closed Session held on June 5, 2012 and the regularly scheduled Council meeting that was held on July 3, 2012. Motion was seconded by Council Member Louderman.

Motion carried.

**APPROVAL OF PAYROLL AND CLAIMS**  
**First Half – July, 2012**

Motion was made by Council Member Dobson to approve the payroll and claims for the first half of July, 2012. Motion was seconded by Council Member Louderman.

Motion carried.

**GAIL BRYANT – HCVB DIRECTOR**  
**Re: Certificate of Appreciation – Hannibal Jaycee’s**

HCVB Director Gail Bryant came before Council to present a Certificate of Appreciation to the Hannibal Jaycees for their efforts with regard to the National Tom Sawyer Days Celebration that just completed. She called the representatives for the Jaycees that were present, adding that she had the opportunity to work with them during this celebration and thanked them for their part in providing the extensive organization and coordination that has been a key factor in making this event a success for the past fifty-seven years.

**ROY G. HARK – MAYOR**  
**Re: Approval of Appointment**

Mayor Hark reminded Council of a candidate presented at the last regular Council meeting for the Employee Benefit Trust Board. This was:

**EMPLOYEE BENEFIT TRUST BOARD**

- **Ryan Rapp –Re-appointment for a term to expire May, 2015**

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

Motion carried.

**JEFF LAGARCE – CITY MANAGER**  
**Re: Approval of Appointment**

City Manager LaGarce presented the next agenda item, an approval of appointment to the Planning and Zoning Commission. He reminded Council of a candidate presented at the last regular Council meeting. This was:

**PLANNING & ZONING COMMISSION**

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

He asked Council for their approval of this nomination. Motion was made by Mayor Pro Tem Knickerbocker to approve this nomination. Motion was seconded by Council Member Dobson.

Motion carried.

**Re: Recommendation of Appointment**

At this time, City Manager LaGarce made the following recommendation:

PARK BOARD

- **David Bleigh – re-appointment for a term to expire July, 2015**

This nomination will be considered for approval at the next regular Council meeting.

**Re: Request, Set Public Hearing – H-1 Zoning District Permitted Use**

*Farmers Market*

*August 7, 2012 – 6:45 p.m.*

City Manager LaGarce presented the next item on the agenda, a request to set a public hearing on August 7, 2012 at 6:45 p.m. He explained that the City wished to sponsor an amendment to the H-1 Zoning District, referenced in Chapter 32 of the Hannibal City Code. If approved, this would amend the Code, regarding the H-1 District to expressly permit farmers' markets within that District. This amendment, according to the City Manager would permit, as well as define, farmers' market.

LaGarce stated that this issue would be heard by the Planning and Zoning Commission on Thursday, July 19<sup>th</sup>; and he requested a public hearing to be set on August 7<sup>th</sup>, prior to the next regular Council meeting. Motion was made by Council Member Louderman to approve LaGarce's request to set a public hearing on August 7, 2012. Motion was seconded by Council Member Draper.

Motion carried.

**Re: Residential Flood Buyout Demolition – Demolition Contract**

*Roberts Demolition & Roll-Off*

*(Resolution No. 1837-12, to follow)*

Recently, bids were let for the demolition of all the residential flood buyout properties; and, according to City Manager LaGarce, as a result eight bidders responded. Bids required submittal of bid bond and OSHA safety compliance certificate, a state-mandated requirement for public works' contracts. LaGarce explained that since Sutton Disposal, the lowest bidder has not completed the mandatory OSHA safety course, they have been disqualified from the bidding process; therefore, Roberts Demolition is the lowest qualified bidder with a bid

amount totaling \$81,800, well below the \$122,000 demolition allocation. The following is a listing of the properties that are scheduled for demolition:

- 1718 Patchen
- 605 Sycamore
- 818 Ely
- 913 Vermont
- 1205 Ely
- 1225 Ledford
- 416 Jefferson
- 1910 29<sup>th</sup> Street
- 721 South Arch
- 1219 Vermont
- 821 Vermont
- 719 sycamore
- 822 Vermont
- 801 Sycamore
- 919 Vermont

Resolution No. 1837-12, to follow, if approved would accept the low bid, provided by Roberts Demolition, allow the Mayor to execute demolition contracts with Roberts for each of these properties, authorize him to issue Notices of Award and Notices to Proceed at the proper time to Roberts for each respective property.

**ANDY DORIAN – PARKS & RECREATION DIRECTOR**  
**Re: Acquisition of Property, 418 South 3<sup>rd</sup> Street – Contract for the Sale of Real Estate**

*Jack and Lisa Greathouse*  
*(Resolution No. 1838-12, to follow)*

Parks and Recreation Director Andy Dorian came before Council to present the next item on the evening's agenda, a contract with Jack and Lisa Greathouse regarding real estate, known as 418 South 3<sup>rd</sup> Street. Dorian explained that he was recently contacted by Greathouse, who was interested in selling this property, located between Ringer Park and Admiral Coontz Armory, adding that 418 South 3<sup>rd</sup> Street has been highly coveted by the Parks Department for a number of years because of its location.

Dorian expressed his desire to acquire this property and convert it, as well as the adjacent Ringer Park, into one large parking lot. He added that the horseshoe pits, now located in Ringer Park, would be re-located to the South Main area and expanded to 16 pits which would allow for sanctioned tournaments. Using this lot and the park, Dorian estimates that a minimum of 100 parking spaces directly adjacent to the Armory can be added. He asked Council for approval of Resolution No. 1838-12, to follow, which would approve the purchase agreement between the City and Greathouse for the purchase of 418 South 3<sup>rd</sup> Street at a price of \$48,000 plus unknown closing costs. He added that the Parks Department budgeted \$50,000 for property purchases in the current fiscal year 2012-13 budget.

**MARK REES – CITY ENGINEER**  
**Re: Code Amendment, Chapter 17, Article II – Traffic Committee**  
*(Bill No. 12-029, to follow)*

City Engineer Mark Rees reminded Council of traffic recommendations that had been presented at the last Council meeting. One recommendation in particular was in regard to changes to the Traffic Committee membership. With Council approval, this will be done by an amendment to Chapter 17, Article II of the Hannibal City Code, entitled *Traffic Committee*. Rees said that the change would read as follows:

**Sec. 17-59. Membership**

**The committee for the management of traffic problems shall consist of the city manager or his designee, the chief of police or his designee, the street superintendent or his designee, the fire chief or his designee, and the city engineer or his designee.**

Rees added that, if approved by Council, Bill No. 12-029, to follow, would have a first reading later, during the meeting.

**Re: Bid Award Approval**

- **Hannibal Downtown Sidewalk Project – Bleigh Construction**

Rees presented a request for approval of a bid award to Bleigh Construction for the Hannibal Downtown Sidewalk Project. He explained that sealed bids were recently sought and a bid opening was conducted on July 6, 2012. Two bids were received with the apparent low bidder being Bleigh Construction in the amount of \$828,000.

Payment, in the total amount of \$828,807 for this project is from two sources:

- DPW - \$467,075
- Sales Tax Capital Fund - \$361,732

His recommendation is to accept the bid from Bleigh Construction. He added that, if Council approves this bid, his department will then proceed with the MoDOT approval process and bring a construction contract before Council in the near future. Motion was made by Mayor Pro Tem Knickerbocker to approve Rees' request for bid approval. Motion was seconded by Council Member Dobson.

Motion carried. In response to a question posed by Council, Rees explained that the company would attempt to work around upcoming festivals. He estimated that work would begin in approximately 30-60 days.

**LEON WALLACE – STREET SUPERINTENDENT**

**Re: Bid Award Approvals**

- **New Multi-Terrain Loader** – *Altorfer, Inc.*
- **Used Hydraulic Excavator** – *Altorfer, Inc.*

Street Superintendent Leon Wallace completed the bidding process for assorted equipment with the following results.

- **SD/2012-06** – One (1) new multi-terrain loader – One bid was submitted in the amount of \$58,193.00, received from Altorfer, Inc.
- **SD/2012-07** – One (1) used hydraulic excavator – One bid was submitted, in the amount of \$108,170.00, received from Altorfer, Inc.

Wallace recommended that these bids be awarded to Altorfer, the sole bidder for these pieces of equipment by approval of his recommendations. Motion to approve Wallace’s recommendations was made by Mayor Hark. Motion was seconded by Council Member Louderman.

Motion carried.

**RESOLUTION NO. 1837-12**

**A RESOLUTION ACCEPTING THE LOW BID OF ROBERTS DEMOLITION & ROLL-OFF IN THE AMOUNT OF \$81,800 FOR DEMOLITION OF FIFTEEN (15) RESIDENTIAL FLOOD BUYOUT PROPERTIES, AUTHORIZING THE MAYOR TO EXECUTE SEPARATE DEMOLITION CONTRACTS FOR EACH INDIVIDUAL PROPERTY IN TOTAL AMOUNT OF \$81,800, AUTHORIZING THE MAYOR TO EXECUTE APPROPRIATE NOTICES OF AWARD FOR EACH PROPERTY, AND AUTHORIZING THE MAYOR TO ISSUE NOTICES TO PROCEED FOR EACH PROPERTY TO ROBERTS DEMOLITION & ROLL-OFF**

Motion was made by Council Member Louderman to have the City Clerk read Resolution No. 1837-12, and call the roll for adoption. Motion was seconded by Council Member Lionberger.

Motion carried.

**Roll Call**

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

**No:** -0-

**Absent:** Council Member Hark - 1

Mayor Hark declared Resolution No. 1837-12, duly approved and adopted on this date.

**RESOLUTION NO. 1838-12**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR THE SALE OF REAL ESTATE BETWEEN THE CITY OF HANNIBAL, PARKS AND RECREATION DEPARTMENT AND JACK K. GREATHOUSE AND LISA A. GREATHOUSE FOR THE PURCHASE OF PROPERTY KNOWN AS 418 SOUTH 3RD STREET, IN THE AMOUNT OF \$48,000 PLUS UNKNOWN CLOSING COSTS**

Motion was made by Council Member Draper to have the City Clerk read Resolution No. 1838-12, and call the roll for adoption. Motion was seconded by Council Member Lionberger.

Motion carried.

**Roll Call**

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

**No:** -0-

**Absent:** Council Member Hark - 1

Mayor Hark declared Resolution No. 1838-12, duly approved and adopted on this date.

**BILL NO. 12-026**

**AN ORDINANCE RATIFYING AND REAFFIRMING CITY OF HANNIBAL, ORDINANCE NUMBER 3760; ESTABLISHING THE PROCEDURE TO DISCLOSE POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTERESTS FOR CERTAIN MUNICIPAL OFFICIALS AND EMPLOYEES AS REQUIRED, BIENNIALY, BY MISSOURI STATE STATUTES 105.483 & 105.485.4**

**SECOND AND FINAL READING**

Motion was made by Mayor Pro Tem Knickerbocker to give Bill No. 12-026 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Louderman.

Motion carried.

**Roll Call**

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

**No:** -0-

**Absent:** Council Member Hark - 1

Mayor Hark declared Bill No. 12-026 duly approved and adopted on this date.

**BILL NO. 12-027**

**AN ORDINANCE AMENDING CHAPTER 16- MISCELLANEOUS PROVISIONS AND OFFENSES, ARTICLE IV. - OFFENSES AGAINST PUBLIC MORALS, TO INCLUDE A NEW DIVISION III, REGARDING SEXUALLY ORIENTED BUSINESSES**

**SECOND AND FINAL READING**

Motion was made by Council Member Lionberger to give Bill No. 12-027 a second and final reading and call the roll for adoption. Motion was seconded by Mayor Pro Tem Knickerbocker.

Motion carried.

**Roll Call**

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

**No:** -0-

**Absent:** Council Member Hark - 1

Mayor Hark declared Bill No. 12-027 duly approved and adopted on this date.

**BILL NO. 12-028**

**AN ORDINANCE REZONING, ALL OF LOT SEVENTEEN (17) IN CRUIKSHANK SUBDIVISION OF OUT LOT TWENTY-NINE (29) IN THE CITY OF HANNIBAL,**



**MISSOURI FROM E – COMMERCIAL TO A – ONE AND TWO FAMILY ZONING  
DISTRICT AND AMENDING THE CITY’S ZONING MAP ACCORDINGLY**

**SECOND AND FINAL READING**

Motion was made by Council Member Louderman to give Bill No. 12-028 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Dobson.

Motion carried.

**Roll Call**

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

**No:** -0-

**Absent:** Council Member Hark - 1

Mayor Hark declared Bill No. 12-028 duly approved and adopted on this date.

**BILL NO. 12-029**

**AN ORDINANCE AMENDING CHAPTER 17, ARTICLE II, OF THE CODE OF  
THE CITY OF HANNIBAL, REGARDING THE TRAFFIC COMMITTEE FOR THE  
CITY OF HANNIBAL**

**FIRST READING**

Motion was made by Council Member Draper to give Bill No. 12-029 a first reading. Motion was seconded by Council Member Louderman.

Motion carried.

**CLOSED SESSION**

**In Accordance with RSMo. 610-021 (2)**

At this time, Mayor Hark entertained a motion to go into closed session in accordance with RSMo 610-021, sub-paragraph two (2), admitting himself, rest of Council, City Manager LaGarce, City Attorney James Lemon and City Clerk Vance. Motion was made by Mayor Pro Tem Knickerbocker to go into Closed Session, as directed by Mayor Hark. Motion was seconded by Council Member Louderman.

**Roll Call**

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

**No:** -0-

**Absent:** Council Member Hark - 1

Motion carried.

**OPEN SESSION**

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

Motion carried.

**ADJOURNMENT**

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

Motion carried.