

OFFICIAL COUNCIL PROCEEDINGS

March 20, 2012
7:00 p.m.

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. Motion was made by Council Member Louderman to excuse Council Member Dobson. Motion was seconded by Council Member Hark.

Motion carried.

INVOCATION

Council Member Louderman gave the invocation.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES

Closed Session Meeting – June 21, 2011
Closed Session Meeting – February 7, 2012
Regularly Scheduled Council Meeting – February 21, 2012
Regularly Scheduled Council Meeting – March 6, 2012

Motion was made by Council Member Draper to approve the minutes of the Closed Session meetings that were held on June 21, 2011 and February 7, 2012 and the regularly scheduled

Council meetings that were held on February 21, 2012 and March 6, 2012. Motion was seconded by Council Member Barta.

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS
First Half – March, 2012

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

Motion carried.

GINNY WEBB – HANNIBAL CLINIC HEALTH SERVICES

Re: Request, Street Closure & Police Service

7th Annual Mississippi River Run – August 25, 2012

7:30 a.m. – 10:0 a.m.

Ginny Webb, the PR and Marketing Director from the Hannibal Clinic Health Services, was in attendance to present a request for approval to hold the 7th Annual Mississippi River Run, a 5K, 10K run/walk on August 25, 2012. Webb explained that the event is designed to promote health awareness and the prevention of childhood obesity. She requested assistance at the Mark Twain Bridge, northwest on Palmyra Road to Riverview Park, then continuing on Mark Twain Avenue and ending at the Y-Men's Pavilion. She also requested the use of Riverview Park for the event. She said that her request included closing a portion of the Bridge and Mark Twain Avenue, adding that she would also be seeking the assistance of MoDOT and IDOT, as well. This request was similar to those made in past years. Motion was made by Council Member Draper to approve this request. Motion was seconded by Council Member Louderman.

Motion carried.

CECELIA OBERT – SALT RIVER MASTER GARDENERS

Re: Request, Use of City Owned Parking Lot – Bird & Main Streets

Fundraising Plant Sale – May 5, 2012 – 6:00 a.m. – 1:30 p.m.

City Clerk Angelica Vance explained that Ms. Obert had made a request to withdraw this request since the organization had chosen an alternate location for this event. Motion was made by Mayor Hark to withdraw this request. Motion was seconded by Mayor Pro Tem Knickerbocker.

Motion carried.

JEFF LAGARCE - CITY MANAGER

Re: Amended Amendment, Payroll Ordinance – Municipal Judge Salary

F/Y 2012-13; 2013-14 & 2014-15

(Bill No. 12-012 (as amended), to follow)

City Manager LaGarce presented the next item on the agenda, an amendment to the *amended* payroll ordinance adopting and approving the Municipal Judge’s salary for the next three fiscal years. LaGarce explained that during the previous Council meeting, a concern was voiced, regarding the proposed amount of increase this position was being given. Council Member Hark had pointed out that other City employees increases were dwarfed, compared to the increases given to the Municipal Judge since 2006. It was suggested that future increases in the Judge’s salary be consistent with that of other City employees.

In the meantime, LaGarce added that Judge Cruse has submitted a memorandum questioning the legality of Council’s decision. He requested that the second and final reading of Bill No. 12-012, as amended, be “delayed until an April Council meeting so [the City Attorney and he] could meet and ensure that there are no constitutional issues with the ordinance”.

City Attorney Lemon advised that although he saw no problem with the Judge’s request, but added that he had found nothing un-constitutional about this bill. Lemon said that the Charter only states, “in an amount to be fixed by ordinance...” Judge Cruse explained that he had also done research, including Supreme Court cases that go back into the 1920’s, and he believes it is O.K; however, one case in particular dealt with percentage increases which may be a problem. A two-week delay, according to Cruse, could give him an ample amount of time to get this information to the City Attorney for advisement.

After a short discussion it was decided that there would be no problem with delaying the second reading of this bill for two weeks, since it only had to be approved before Judge Cruse’s new term commenced.

Re: Approval, Fire Fighter Staffing Proposal

The City Manager’s next agenda item was regarding a unique problem with staffing that was currently being experienced by the Fire Department. He explained that the reason for this shortage was the military deployment of two firefighters and the work comp injury of a member of the Fire Department personnel. The military deployments will be long term, and there is a strong likelihood that the work comp incident will be long term, as well, given the severity of the injury.

City Manager LaGarce reminded Council of the reduction in staff that the Department experienced at the beginning of the current fiscal year because necessary cutbacks, due to the recession. Since the Fire Department was already operating with a reduced staff, these additional unavoidable reductions have made staffing extremely difficult. For that reason, LaGarce proposed allowing Chief Madore to hire one additional firefighter.

He stated that the Police Department experienced the same circumstances in 2008 and Council authorized the same course of action. LaGarce added that he would like to authorize the Hannibal Fire Department to hire an additional firefighter to cover this extraordinary personnel shortage, provided Council had no objections. This could be contingent of the return to full staff; or it could be non-contingent, according to the City Manager.

Mayor Hark questioned whether the approval of this proposition would take the Department back to full staff plus one, at the return of all employees; however, Council Member Louderman clarified that this approval would only take the Department back to the original staffing, prior to the current year's budget cuts. Mayor Pro Tem corrected Louderman by stating that this approval would place the Fire Department at original staffing, less one, since two positions were actually eliminated during this year's budget cuts.

When asked, Police Chief Lyndell Davis explained that his staff was down by one until year-end because of military deployment; and, added that there was a possibility three additional officers could be deployed before the end of 2012. According to Chief Davis, none were replaced because he was advised that there was currently a hiring freeze. He added that his staff was actually down three, not counting the one officer on military deployment. After a brief discussion, Council Member Louderman made the motion to hire one additional firefighter, with no stipulations other than the normal hiring stipulations. Motion was seconded by Council Member Barta.

City Manager LaGarce stated that he would be happy to discuss this issue with Chief Davis, as well; however, at this time, the request is dealing with firefighters and their safety. Mayor Hark noted that Council should also take a look at staffing of the Police Department because of the crime that Hannibal is experiencing. He told Chief Davis that he should make a similar request. Davis responded that he was unaware that coming before Council, at this time, was an option. Instead, he said that he had been trying to budget overtime, but Hark said that employees could be "run-down" by too much overtime. The Mayor reminded Council of the current motion; and then called the question.

Motion carried.

ANGELICA N. VANCE – CITY CLERK
Re: 2011 MIRMA Evaluation – Recognition of Employees

City Clerk Vance presented the next item on the evening's agenda, the 2011 MIRMA evaluation. She explained that annually, MIRMA, the City's insurance carrier conducts a comprehensive risk management and safety evaluation of the City. Last year, the City scored 94% out of a possible 100%, which is a very good score, according to Vance. She continued by saying that this year she was very happy to report that the City's score was 99%.

She said that this accomplishment was due to the efforts of staff and the safety committee, who have all been instrumental in the City's risk management efforts and contributed to the outcomes that enabled this score to be possible.

She gave special recognition to Rebecca Graves, Brian Chaplin and Joyce Allen.

Vance said that, aside from enhancing overall employee safety, higher evaluation scores do impact the amount that the City pays annually in insurance premiums.

ANDY DORIAN, DIRECTOR – PARKS & RECREATION
Re: Orchard Avenue Maintenance Shop Roof Repair Project – Engineering Services Agreement
MECO Engineering
(Resolution No. 1805-12, to follow)

Parks & Recreation Director Andy Dorian came before Council with one item, the approval of Resolution No. 1805.12, regarding an engineering services agreement with MECO Engineering for repairs to the P&R Orchard Avenue maintenance shop roof. Dorian explained that, recently, he had received RFQ's (Requests for Qualifications) from several firms for this project. He added that the Parks Department had budgeted \$90,000 in the current (2011-12) budget to fund this project, which would include the whole roof repair, including removal and replacement.

Dorian recommended approval and acceptance of an agreement with MECO Engineering in the amount not to exceed \$19,200. He asked that Council approve Resolution No. 1805-12, to follow, that would approve and adopt this agreement and allow the Mayor to execute.

MARK REES – CITY ENGINEER
Re: Request, Public Hearing – Rezone Property
8701 County Road 418 – Josh & Kristen Vandiver
(April 3, 2012 – 6:45 p.m.)

During the recent Planning & Zoning public hearing, according to City Engineer Mark Rees, a re-zoning request was heard regarding 8701 County Road 418, property owned by Josh & Kristen Vandiver. He requested Council approval to set a public hearing for re-zoning of 8701 County Road 418 from F-Industrial to A-Single Family on April 3, 2012 at 6:45 p.m. Motion was made by Council Member Louderman to approve this request. Motion was seconded by Council Member Hark.

Motion carried.

Re: Traffic Committee Recommendations

City Engineer Rees presented recommendations from the Traffic Committee, held on March 8, 2012. He detailed these recommendations, as follows:

- Install handicap parking space: 1212 Center Street - The residents' needs are real and legitimate (Three disabled persons are living at this address.). They do meet the guideline criteria.
- Establish a 25 ft. "NO PARKING" zone in front of 1102 Paris Avenue – The committee believes that this request is legitimate since the resident is legally blind and needs the access in front of her home for pick-up by OATS Bus and her family.

Since no action was taken by Council, these recommendations became effective on March 20, 2012.

Council Member Louderman wished to re-visit the staffing issue with the Police Department. He reminded Council of Chief Davis' comment that he currently was understaffed, at 36 officers. Louderman made a motion to approve an increase in police officers by one, bringing the total officer staff to 37. Motion was seconded by Mayor Hark.

Motion carried. Chief Davis expressed his appreciation and added that his officers would appreciate it, as well. Fire Chief Madore also expressed his appreciation. Mayor Pro Tem Knickerbocker stated that, even with the present additions, both departments are still down from their previous staffing number by, at least, one. He asked if that was correct.

Chief Davis responded that, even though this increase would place his officer staff at 37, they would still be less than the previous number of officer staff. In 2008, the officer staff was increased to 40 officers. In 2009, according to Davis, his staff was cut by one officer and since that time there has been a gradual decline.

Council Member Draper commented that he and the citizens of the community are grateful for the Departments' professionalism and competence. He concluded by saying that it was an honor to be associated with them.

RESOLUTION NO. 1805-12

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN ENGINEERING SERVICE AGREEMENT BETWEEN THE CITY OF HANNIBAL, PARKS & RECREATION AND MECO ENGINEERING COMPANY IN AN AMOUNT NOT TO EXCEED \$19,200 FOR ROOF REPLACEMENT PROJECT AT THE ORCHARD AVENUE MAINTENANCE SHOP

Motion was made by Council Member Louderman to have the City Clerk read Resolution No. 1805-12, 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. 1805-12, duly approved and adopted on this date.

BILL NO. 12-010

**AN ORDINANCE OF THE CITY OF HANNIBAL AMENDING THE EMPLOYEE'S
GUIDE TO SUCCESS, SECTION III, PAY AND BENEFITS, PAID AND UNPAID
LEAVE AS IT PERTAINS TO THE POLICY UNDER THE FAMILY AND
MEDICAL LEAVE ACT (FMLA)**

SECOND AND FINAL READING

Motion was made by Council Member Barta to give Bill No. 12-010 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Draper.

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 Bill No. 12-010 duly approved and adopted on this date.

BILL NO. 12-011

**AN ORDINANCE TO AUTHORIZE THE MAYOR TO EXECUTE AMENDMENT #4
BETWEEN THE CITY OF HANNIBAL AND THE MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION COMMITTING THE REMAINDER OF THE
GRANT FUNDS of \$228,000 WITH A CITY MATCH OF \$12,000 FOR THE NEW
AIRPORT TERMINAL CONSTRUCTION PROJECT**

SECOND AND FINAL READING

Motion was made by Council Member Louderman to give Bill No. 12-011 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Hark.

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 Bill No. 12-011 duly approved and adopted on this date.

BILL NO. 12-012
(as amended)

AN ORDINANCE AMENDING THE PAYROLL ORDINANCE OF THE CITY OF HANNIBAL ESTABLISHING THE SALARY FOR THE MUNICIPAL JUDGE BEGINNING FISCAL YEAR 2012-2013

SECOND AND FINAL READING

Motion was made by Mayor Pro Tem Knickerbocker to table Bill No. 12-012, as amended, until the next meeting to give the City Attorney an opportunity to review the additional information provided by Judge Cruse. Motion was seconded by Council Member Barta.

Motion to table 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, subparagraph 2, admitting himself, the rest of Council, City Manager LaGarce, City Attorney Lemon and City Clerk Angelica Vance. Motion was made to go into closed session as Mayor Hark directed by Council Member Louderman. Motion was seconded by Mayor Pro Tem Knickerbocker.

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

Motion carried.

OPEN SESSION

Motion was made by Mayor Pro Tem Knickerbocker to return to open session. Motion was seconded by Council Member Louderman.

Motion carried.

ADJOURNMENT

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

Motion carried.