

OFFICIAL PROCEEDINGS OF THE PUBLIC HEARING

Tuesday, April 16, 2013
6:30 p.m.
Council Chambers

CALL TO ORDER

At 6:30 P.M., the appointed time, Mayor Hark called the public hearing to order.

MARK REES – CITY ENGINEER
Re: Rezoning – 3423 St. Mary's Ave
A-One & Two Family to D-Highway Business
(Deborah Ketterer)

The Mayor asked Jason Janes, of Janes Surveying, to speak with regard to the petition to rezone property known as 3423 St. Mary's Avenue, and lying in part of Lot 2, Hubbard's Subdivision and part of Lots 8, 9 and 10, John B Shepherd's Subdivision (in Lot 3 of Hubbard's Subdivision) being a part of the East Half of the Northwest Quarter of Section 30, Township 57 North, Range 4 West, in the City of Hannibal, Marion County, Missouri from A-One & Two Family to D-Highway Business. The proposed use of the property is for future development.

Mr. Janes indicated that his firm represented the Ketterer Family and the Jerry Ketterer Trust. He explained that the property was the wedge shaped real estate, located at the intersection of St. Mary's Avenue, Pleasant Avenue and Highway 61. He added that the site of the former Clark Station is currently D-Highway Business; and, the request is to extend this zoning to the three adjacent lots, creating one contiguous lot for highway business, to be sold on open market.

Mr. Jeremy Ketterer was recognized and expounded on Janes comments. He explained that the goal of the Ketterer family is to sell it to someone who will build a business, thus creating jobs and increasing tax revenue to the community. He stated that multiple people reach out to them monthly, with regard to purchasing this property. He added that two portions are currently commercial properties. Ketterer said he is in the process of contract negotiations with a corporation that employs approximately 1,500 people, who wishes to purchase the property if it is re-zoned.

PUBLIC COMMENTS

Council Member Dobson explained that he is on the Planning and Zoning Commission then asked a question regarding the number of entrances from this property onto US61. Ketterer responded that two entrances exist, one on the south end of the former Clark Station and a newly deeded one directly across from the Steamboat Bend Shopping Center.

In response to another question from Dobson, Ketterer agreed that an entrance from St. Mary's Avenue would be required for the new retail business.

Mayor Pro Tem Knickerbocker questioned Mr. Ketterer's statement regarding the number of jobs that the new business may create and the estimated tax revenue that would be generated. Ketterer responded that he was not sure how many jobs would be created or the amount of tax revenue that would be generated, adding that the 1,500 employees previously mentioned was the approximate of *total* individuals this company employed, not just locally.

Mayor Hark asked if anyone else wished to speak in favor of this development, since there were none, he asked if anyone wished to speak in opposition to it. Mr. Terry Hull asked to speak at this time. Hull stated that he resided at 3430 St. Mary's Avenue, across the street from the Ketterer property of which the request was made; and, added that he was completely against the rezoning request. Hull informed Council that this request to rezone had been made three times, the first in 1996. He asked how many times the residents should have to defend their neighborhood against commercial development. Hull explained that the neighborhood is residential and should be allowed to remain residential. According to Mr. Hull, each property was purchased many years ago by the Ketterer family, who were aware of the type of zoning at the time of their purchases. The current zoning should remain and be sold as such. Hull addressed three major concerns, with regard to the rezoning effort and commercial development. These are:

1. **Safety** - St. Mary's, Pleasant and Highway 61, currently a congested intersection and business traffic entering and exiting these properties highly increase chances of a major accident
2. **Noise**
3. **Traffic** – St. Mary's Avenue can not handle additional traffic – St. Mary's-Pleasant Street intersection currently being an "Obstacle Course"

Tallman Towing site was highway business prior to current zoning ordinances; however, but this was contained by residential zoning.

With regard to property values, Hull explained that he had questioned various realtors since 1996 and all came to similar conclusions, that residential properties that were located next door to or across the street from commercial properties could see their property values decrease by, as much as 30%. If this were to occur, people in the neighborhood would stop investing money in their homes; and, eventually the entire neighborhood will decline and ultimately be destroyed. He implored Council not to vote in favor of this change, adding that the residents of this area have always enjoyed their homes, their neighborhoods and the safe place to raise their children. The property owners are trying to destroy the neighborhood that they don't even reside in, according to Hull. He said that the sole purpose in making this request was to make the most money that can be made. After the sale, the sellers will walk away with no concern over what will happen to this property in the future. Hull concluded by saying that zoning laws were established to control and protect property owners and their properties.

Council Member Louderman posed a question, regarding the location of his residence. Since Mr. Hull's residence currently sits in close proximity to a large shopping center and soon another large business will be in the same area, Hull asked if Hull believed that another business would affect property values any more than these other businesses were already affecting them. Hull affirmed that he did believe a business on Ketterer's property would have more impact, since the businesses that Louderman was referencing were both located across Highway 61; whereas, the proposed business would lie directly across the street from his residence.

Then Council Member Dobson asked Hull his opinion on the probability of these properties being sold and developed as residential homes. Hull responded that someone could purchase this real estate and construct duplexes or renovate the existing homes. He contended that the property did not have to be re-zoned to be sold. He then questioned whether Mr. Ketterer would compensate the neighborhood homeowners for the decrease in their property values.

After a somewhat heated discussion took place, Mayor Hark thanked Mr. Hull for his comments and recognized John Mueller, resident of 3434 St. Mary's Avenue, and invited him to come forward and speak. He echoed Hull's sentiments in their entirety, adding that he had spoken with a realtor earlier in the day, whose opinion was similar to the estimate that was given to Mr. Hull. The realtor stated that if a business similar to a gas station or car wash were to be placed in the area, a 30% decrease in property values could result, not to mention an increase in traffic and noise pollution. Mueller said that he already picks up trash and beer bottles in his yard and that will only increase with an increase in traffic caused by this "unknown" business.

Mr. Arlan Metzger was recognized then came forward to speak. Metzger stated that aside from the personal issues, his concerns regarded the neighborhood, as a whole. He added that there are two properties between his property and the Ketterer properties. His fear is that, following the approval of the re-zoning, they (the Ketterer's) will proceed to acquire these other two properties, then request to re-zone them, as well. Traffic is already a hindrance for neighborhood residents to exit their driveways; and if this is allowed, that will only get worse. He requested that St. Mary's be left residential and Highway 61 should be left commercial.

Next, Mr. Wesley Knapp spoke in opposition to the re-zoning request. He stated that area residents had a right to know what Ketterer's plan for this property was. They can make promises, but will not divulge their plans, should this property be re-zoned. He agreed with Mr. Metzger's statement about probable acquisition of the next two properties, and added that encroachment would continue even further into the neighborhood. He spoke about comments that had been made at a recent Planning & Zoning meeting in which the property owners made a statement that they would *probably* have to conform to the treescape and business landscaping plan. Knapp commented that *probably* is not a good enough guarantee for him and he added that he wanted to be assured that they would have to abide by these rules if this request were approved. Council Member Dobson responded by assuring Knapp that the land owner would have to adhere to landscaping regulations, since this was a City Ordinance.

Mayor Hark recognized Debbie Turner, who came forward, also speaking in opposition of Ketterer's request. Although Turner is a resident of Gemini Drive, she often travels down St. Mary's Avenue to volunteer at Mark Twain School. She commented that she is regularly stuck at two or more traffic lights, on every trip to St. Mary's Avenue. She believed that St. Mary's should not have the additional traffic, since children walk to school in this area.

Rebecca Murphy, a citizen who resides at 123 Shepard Drive in the vicinity of the proposed zoning change, also voiced her concerns regarding the increased traffic and noise.

After all who were in opposition spoke, Council Member Louderman commented that he would be interested in seeing something from a realtor that states an estimated amount that adjacent property values would be affected by this re-zoning. He agreed that a garage of a scrap metal dealer may decrease adjacent property values; however, if a business is introduced that has proper landscaping, lighting, etc., he questioned whether this could *increase* property values or, at least, allow them to remain the same.

Mr. Hull questioned Louderman why the area residents were asked to provide substantial evidence for their claim, and assured the Council Member that he had no problem doing this; however, he questioned why Ketterer was not required to substantiate his position. He added that the "contract" is merely a piece of paper that could fall through. Highway business zoning would allow *any* type of business and that is the problem, according to Hull. Residents don't know what the projected use of this property is; and, that is the problem. Once this area is re-zoned, there is no longer any control. Anything, within the zoning law, can be placed there with no restrictions. That being said, Hull agreed to request something in writing from a realtor that would address the property value issue at hand.

Council Member Dobson advised that Mr. Kettlekamp, who also sits on the Planning and Zoning Commission, was in the audience. He had commented that a similar event had occurred in his neighborhood when the Bank of Hannibal and Golden Corral had built there. Kettlekamp detailed the events surrounding the re-zoning effort and his unsuccessful opposition to it. He continued by saying that after the zoning passed, Golden Corral was constructed, who place a line of trees above their property bordering the residential properties. Bank of Hannibal, when they located to this area, also placed a row of trees, bordering their property and the adjacent residential property. This has helped the noise and visibility issue considerably, according to Mr. Kettlekamp. Over the years, he said, he has become accustomed to it and does not believe the introduction of these businesses in the neighborhood has downgraded the values of homes.

Kettlekamp, speaking of the current zoning issue, advised that the vote was 3-1 in favor. He had voted for the re-zoning since he believed that this could *increase* property values if the tree line is added, cutting noise and highway visibility.

Hull responded by pointing out that the property in front of Kettlekamp's home was zoned commercial *before* he purchased his property. Mr. Kettlekamp agreed that Hull's statement was correct. Hull added that he was sitting on City Council at the time of this occurrence and remembered that Kettlekamp was the biggest complainer.

Mayor Pro Tem Knickerbocker stated that since Kettlekamp did not live on a street with the same level of traffic as St. Mary's Avenue had, the situation is not the same.

Jason James advised that when asked about the impact of property values commercial properties have in residential areas, Mr. Ravenscraft, a local real estate broker who sits on the Planning and Zoning Commission, responded that the commercial properties of Griffin's Florists and Gosney Pharmacy have *not* adversely affected residential properties in that area, in his opinion.

ADJOURNMENT

After the public comments were concluded, Mayor Hark adjourned the public hearing

OFFICIAL COUNCIL PROCEEDINGS

**April 16, 2013
Council Chambers
7:00 p.m.**

ROLL CALL

Present: Council Members Dobson, Lionberger, Mayor Hark, Council Members Louderman, Hark, Locke and Mayor Pro Tem Knickerbocker - 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 Lionberger led the Pledge of Allegiance to the Flag.

APPROVAL OF MINUTES Regularly Scheduled Council Meeting – April 2, 2013

Motion was made by Council Member Louderman to approve the minutes of the regularly scheduled Council meeting that was held on April 2, 2013. Motion was seconded by Council Member Dobson.

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS First Half – April, 2013

Motion was made by Council Member Dobson to approve the payroll and claims for the first half of April, 2013. Motion was seconded by Council Member Locke.

Motion carried.

BRENNA MCDERMOTT – HISTORIC HANNIBAL MARKETING COUNCIL

Re: Request, Street Closure – Freedom 5K

Saturday, November 9, 2013 – 9:00 a.m. – 11:00 a.m.

Brenna McDermott, with the Historic Hannibal Marketing Council, came before Council with a request for approval of an event, the 2nd Annual Freedom 5K, to be sponsored by her organization. She also requested Council's permission to have certain streets closed for the event to be held on Veteran's Day weekend, Saturday, November 9, 2013, from 9:00 a.m. until 11:00 a.m. She added that the organization had coordinated with the parade, also to be held on that date. Mayor Pro Tem Knickerbocker pointed out that the route of the 5K proceeded though a street that had just been vacated approximately two weeks prior. City Manager LaGarce admitted that Knickerbocker was correct and added that the area was now owned by Randy Park, who would need to give consent for this to be part of the route. McDermott responded by advising that someone on the committee had already spoken with Mr. Park. She offered to get that in writing. Motion was made by Council Member Louderman to approve McDermott's request. Motion was seconded by Mayor Pro Tem Knickerbocker.

Motion carried.

HAROLD & KATHLEEN HAYCRAFT – PROPERTY OWNERS

Re: Request, Residential Access Road from Lovers' Leap Road

Mr. Harold Haycraft was requesting Council permission to construct a residential access roadway from the Lover's Leap road. He was present to answer any question posed by Council with regard to this request.

First, Mayor Pro Tem Knickerbocker stated that Haycraft's idea to construct a house on the hill by Lover's Leap on Highway 79 was a very unique idea, which he believed could be an attraction, positively impacting the City of Hannibal. That being said Knickerbocker's opinion was that it was far too early to offer a "blanket approval" without considering a few issues that this venture posed. He suggested that these issues could be resolved in an agreement to be brought before Council for their approval. Because of the unique request for access to the park road, he detailed some of these issues, such as:

- Road maintenance
- Security
- Road access
- Fire/fire code issues
- Liability
- Road closures during inclement weather

Knickerbocker explained that decisions had been made in the past where Council has failed to think forward and these approvals have not proved to be in the City's best interest. In his opinion, if an appropriate agreement could be reached, he would be in favor of granting Haycraft's request.

Kathleen Haycraft commented that interest rates were the driving factor in the time frame of this venture.

Knickerbocker said that he understood the urgency; however, he stressed the importance of an agreement to address the various issues, adding that he did not believe Council was ready to approve the request immediately. City Attorney Lemon suggested that he draw up a contract that would be agreeable to both parties if Council wished to move forward with this venture; however, he agreed that Mayor Pro Tem Knickerbocker had some valid points. He added that, even though the City may be in agreement with Haycraft, the next property owner may not be as agreeable. If the property were to be sold, the next owner would be bound by the same rules.

Since the budget was foremost on Council's agenda at this time, Knickerbocker suggested that a motion be made, directing staff to work with the Haycrafts in developing a plan and ironing out details. This would be put in the form of an agreement to be returned to Council for their approval, possibly by the May 21st meeting. Council Member Louderman wished to move forward; and City Manager LaGarce suggested that the request be "approved in concept", then details could be ironed out before the final approval. Motion was made by Council Member Louderman to approve this "in concept", pending agreement between the City and the Haycrafts. Council Member Locke seconded the motion.

During the time of discussion, Harold and Kathleen said that they were fine with working out details with the City staff. Council Member Dobson asked that Parks Director Andy Dorian to be involved, since it is Park property. City Manager LaGarce offered to put the "team" together during the staff meeting on the following day and negotiations could begin on the details of this project following the May 7th budget deadline.

Ms. Haycraft stated that they understood and respected the City's stand, adding that they owned other property outside Hannibal city limits. They could build elsewhere; however, this is her dream. All were in agreement that this was a favorable venture, they only wished to have all "T's are crossed and I's are dotted". Mayor Hark reminded Council of the motion on the floor.

Motion carried.

CLAIRE EWERSMANN - HANNIBAL FREE PUBLIC LIBRARY
Re: Request, Street & Alleyway Closure – DIGGING EQUIPMENT EXPO
Wednesday, June 5, 2013 – 8:00 a.m. – 12:30 p.m.

Claire Ewersmann, on behalf of the Hannibal Free Public Library, came before Council with a request for street and alleyway closure during a Digging Equipment Expo, tentatively scheduled for Wednesday, June 5, 2013, from 8:00 a.m. until 12:30 p.m. Ewersmann explained that the Hannibal Board of Public Works had generously agreed to bring digging equipment for display on that date. It is their desire to park it on the street and to allow children to move around it in order to view it up close.

Her specific request was to close the alleyway behind the Library from Church Street to the Fire Station and Church Street between 4th and 5th Streets. She added that the alley would remain open from the Library parking lot toward Lyon Street for traffic. Motion was made by Council Member Louderman to approve Ewersmann's request. Motion was seconded by Mayor Pro Tem Knickerbocker.

Motion carried.

JEFF LAGARCE – CITY MANAGER

Re: Request, Set Budget Work Session

Wednesday, May 22, 2013 – 6:00 p.m.

City Manager LaGarce requested that Council set a work session on Wednesday, May 22, 2013, at 6:00 p.m. The purpose of this meeting would be to discuss the FY2013-14 Budget. He added that his plan is to present the budget at the following Council meeting in three weeks, prior to the deadline. He stated that he had picked this date for two reasons:

- If major changes are found to be necessary, this would allow time for modifications
- It seems to be more agreeable to have meetings on a Tuesday (Council) and Wednesday (Budget Workshop) instead of coming back the following week when no meetings are scheduled.

Motion was made by Council Member Louderman to approve the City Manager's request. Motion was seconded by Council Member Dobson.

Motion carried. LaGarce added that he would attempt to submit the budget electronically, thus saving over 3,000 pages.

Re: Request, Set FY-2014 Budget Public Hearing

Tuesday, June 4, 2013 – 6:30 p.m.

City Manager LaGarce requested that Council set the budget public hearing for June 4, 2013, at 6:30 p.m. After the hearing, during the regular Council Meeting a first reading would be given to the bills regarding this budget year. Motion was made by Council Member Dobson to approve LaGarce's request. Motion was seconded by Mayor Pro Tem Knickerbocker.

Motion carried.

Re: Recommendation, Traffic Calming - Fulton Avenue & Union Near Stowell School

LaGarce explained that, recently, both a member of Council and a resident asked that an intersection on Fulton Avenue and Union near Stowell School be investigated following an incident that could have ended in tragedy. According to the parent of a child who was using the crosswalk, a speeding car ran a red light and only the father's quick response saved two children from being struck.

Subsequently, the Traffic Committee requested a Traffic Calming Study be performed in the vicinity to ascertain the viability of traffic calming. LaGarce pointed out that a lot of things are reviewed during a traffic calming study. Some of these are:

- ***Street Type*** - including the volume of traffic it carries relative to its function (all streets in town are not suitable for this)
- ***Speed/Deviation Factor*** – including the percentage of motorists exceeding the speed limit by 5 mph, looking at a 15% target
- ***Number of Accidents***
- ***Street Alignments*** – both vertically and horizontally (dead-set straight-aways, curves, blind curves, etc.)
- ***Surrounding Property Uses*** – Whether it has commercial development in the area, heavy pedestrian traffic area (pool or school zone)
- ***Applicability of Non-Structural Solutions*** – Might high-visibility patrol be the solution in lieu of making physical improvements

LaGarce shared the speed data of this traffic study with Council. He explained that there is the tendency to look at deviation rates of 15% or greater, focusing on 5 miles an hour (or more) over the speed limit. There was a very low percentage of people speeding; however, the traffic study was ran during school hours when the effective speed limit is 15 mph. Using 15 mph, then 22% of motorists are exceeding the speed limit in excess of 5 mph. This totals almost 1 in 4 motorists near a school. He pointed out that data here could be interpreted either way; however, the committee will interpret it the most conservative way since this is a school zone.

Since there have been no accidents in the past 18 months, they are not a factor that traffic calming devices would have remedied, at least historically. Prospectively, however, accidents are a huge factor, since the intention is to prevent accidents from occurring. LaGarce said that, in looking at the street alignments, Fulton has a blind curve and Union is a straight-away, as well as a downhill grade with a potential of being a “raceway”.

Currently there are crosswalks at Fulton Avenue and at Union Street. To avoid future problems in the area, the Traffic Committee recommended elevating the crosswalk at Fulton Avenue that, according to research would give students an additional 1’-3” of elevation relative to the warning sight of the motorist, also serving as a speed table. This would add another tool to the signage, school zone, and signalized intersection already in place. Anyone approaching the speed table will have to slow down and that is the attempt to encourage motorists to slow down when approaching this area.

The recommendation for Union Street was to construct a speed table perpendicular to Union Street at the existing school crossing with striping and an improved sidewalk (not angled, like the existing crosswalk).

Council Member Hark questioned whether the school had been contacted with regard to some type of partnership in this venture. LaGarce responded that this idea had been suggested during the recent Traffic Committee meeting and he would be happy to do this. He commented that had been suggested that, if this were done at one school, then there may be requests from the other schools in the area for similar projects. LaGarce added that a suggestion was voiced, if the City gets into the position where other schools are requesting similar changes; then, perhaps a funding partnership could be negotiated with the schools.

Hark expressed a desire to have the City work hand-in-hand with the schools toward accomplishing this goal. He said that safety precaution should be taken with all the schools since a price can not be put on the injury of a child. He acknowledged that a similar crosswalk had been placed on Maple Street and questioned whether or not there had been any negative feedback with regard to this change. LaGarce and Police Chief Lyndell Davis stated that there had been no negative comments directed to them. A comment was made, stating that the Oakwood School area also needs to be addressed. During discussion, it was pointed out that the City should make sure that the schools are on board to train children and their parents to use the crosswalks.

LaGarce explained that one function of a traffic calming study is to identify target areas, which is somewhat subjective. On some streets it may be a full block and on other it may only be the subject area. At the Fulton location, for instance, there are no households anywhere in sight, but all institutional on both sides. For that reason, a recommendation was being sought before Council. He agreed that he and the Police Chief would sit down with the school administrators and discuss something more comprehensive than a partnership, if this is approved. Motion was made by Council Member Louderman to approve the traffic calming recommendation on Fulton and Union. Motion was seconded by Mayor Hark.

Motion carried.

Re: Recommendation, Traffic Calming – Stardust Drive

LaGarce presented his final item on the evening's agenda, a request for approval of a recommendation for traffic calming on Stardust Extension. Four years ago, according to the City Manager, when easements were obtained for the section of Stardust Drive, residents voiced concerns regarding potential traffic impact of the extension when it would occur. These residents were adamant that, when this was constructed, the City look at something to monitor and address speeding without having police presence 24 hours a day, seven days a week.

This resulted in the implementation of a traffic calming study in the area, which was completed and presented approximately two months ago. There were four components to this study. These were:

1. Stop sign at Clover Road and Head Lane (currently in place).
2. Speed Table #1 - 2/3 of the way down the hill from Veterans to Clover Road
3. Speed Table #2 – ½ way down the hill from Head Lane to Rosewood Drive
4. Speed Table #3 – 2/3 way down the hill from Munger Lane to Rosewood Drive

LaGarce noted that when this was discussed previously, Council had concerns with regard to the speed limit in the area. According to City Manager LaGarce, the Uniform Manual on National Traffic Safety Standards prescribes that a speed limit be established by tracking motorists' speeds and set the limit at 85% (a speed that 85% of motorists drive at or below).

Currently, the entire Stardust corridor is 25 mph. Traffic studies were conducted by the Police Department and results were as follows:

- Between Clover Road and Veterans – Downhill (mostly a downhill grade) – 25% of motorists are traveling 5 mph (or more) over the posted speed limit (One in four motorists are not adhering to the posted speed limit.)

- Between Clover Road and Veterans – Uphill – only 2.6% of motorists are traveling 5 mph (or more) over the posted speed limit

Tables were devised to look at an increased speed limit option and LaGarce explained that, increasing the speed limit to 30 mph (uphill), only 1% of motorists would be in the area beyond 5%, downhill would result in 2% of motorists in the area beyond 5%. Staff believes that the 25 mph posted speed limit on this roadway artificially reduces natural driving patterns – patterns that motorists safely believe they can drive without harm to themselves or others.

So, in addition to the recommendation that traffic calming tables be installed and the presence of stop signs that are currently in place, City Manager LaGarce advised that the Traffic Committee had recommended the increase in the speed limit from 25 mph to 30 mph from Veteran’s Road to Munger Lane. According to LaGarce, by installing traffic calming tables, in conjunction with more “natural” speed limits, motorists can drive an appropriate speed, but are precluded from dangerous speeds by speed tables. Motion was made by Council Member Louderman to approve the recommendations as presented by the City Manager. Motion was seconded by Council Member Locke.

Council Member Dobson pointed out that Street Department Superintendent Wallace and City Engineer Rees was opposed to the placement of speed tables. They believed that the speed limit alone would correct the speed problem without the need for installation of speed tables. He referenced a traffic study that was completed on Pleasant Street recently. He explained that traffic moved up and down hills, as well, but the placement of speed tables was not visited as an option. Dobson suggested that stop signs remain and speed limits be increased, then observe the area prior to placing the speed tables. Council Member Hark agreed with Dobson, adding that changing the speed limit could go along with the physics of motion and correct the problem. He suggested that this matter could be revisited if it becomes an issue at a later date.

Mayor Hark advised that he had a letter from a citizen who was in favor of the 30 mph speed limit. In the letter, the citizen agreed with the City Street Superintendent that the City speed limits should be increased but the installation of speed tables not be pursued, taking on a wait and see attitude. Hark added that a retired MoDOT engineer had voiced strong opposition to the traffic calming devices on Stardust.

City Engineer Rees voiced his reason for opposing the calming devices by explaining that Stardust is a collector road, which is an engineering term and goes against everything that engineers are taught. That being said, Rees admitted that the idea is very popular with area residents. Recently, he had gotten calls from a couple of these residents who have indicated that many motorists speed and don’t even stop at the stop signs.

City Manager LaGarce addressed Council Member Dobson’s comment regarding Pleasant Street. He stated that on one had requested that a traffic calming study be done on Pleasant Street; however this could be done. He added that he would sit down with the Traffic Committee and ask that this be scheduled. He believes that the City should be proactive on a new road instead of addressing it at a later time when it does become a problem. Mayor Pro

Tem Knickerbocker advised that, since this was his ward, he had sought the opinions of his constituents, in speaking of this matter. Since that time, no one has called him, to voice an opinion. He added that he does like the speed table idea. Council Member Locke posed a question with regard to the height of the tables; and, LaGarce responded by stating that the higher the tables are, the slower traffic will go, possibly a height of 2” for a speed of 30 mph. Council Member Lionberger believed that stop signs would be sufficient. Mayor Hark reminded Council of the motion on the floor.

Roll Call

Yes: Council Members Louderman, Locke and Mayor Pro Tem Knickerbocker - 3

No: Council Member Dobson, Lionberger, Mayor Hark and Council Member Hark - 4

Motion failed. Motion was made by Mayor Pro Tem Knickerbocker to increase the speed limit to 30 mph, with stop signs in place. Motion was seconded by Council Member Dobson.

Motion carried.

MARK REES – CITY ENGINEER
Re: Bear Creek Sediment Removal – Contract Agreement
Lake Construction
(Resolution No. 1898-13, to follow)

City Engineer Mark Rees presented the next three agenda items, the first being approval of a contract agreement with Lake Construction for the Bear Creek sediment removal. He reminded Council of the ongoing Bear Creek “clean-out” project, cleaning some of the structures in that area. This has been funded through BASF in conjunction with the Department of Natural Resources. Following the last project, there was an amount in excess of \$22,000.00; therefore, he was asked to develop another package to spend some of this money. He explained that, as a result, the DPW had advertised and received four sealed bids for work relating to the removal of sediment from creek structures at six different locations in Hannibal. According to Rees, the apparent low bid was submitted by Lake Construction in the amount of \$28,200.00. Since the budget for this project was \$22,000, Rees recommended deleting two of the six sites at Munger and Lindell, which would bring the project within budget. These two deleted projects totaled \$7,700; therefore, the revised contract amount would be \$20,500.00.

Rees and the Department of Public Works’ recommendation was for the acceptance of this bid as the successful low bidder and for the approval of Resolution No. 1898-13, to follow, that would authorize the Mayor to execute the contract between the City and Lake Construction. Rees added that the project is 100% funded by BASF and no City resources will be expended.

Re: 3423 St. Mary's Ave - Rezoning
A-One & Two Family to D-Highway Business
Deborah Ketterer
(Bill No. 13-008, to follow)

Rees reminded Council of the public hearing that was held, just prior to the regular Council Meeting. This was regarding the request made by Deborah Ketterer to rezone the tract of land, known as 3423 St. Mary's Avenue from A-One & Two Family to D-Highway Business. He advised that the Planning and Zoning Commission heard this request, during their regular meeting held on March 21, 2013. They voted to approve the request and send it to Council for final approval.

City Engineer Rees advised that the DPW staff had reviewed the request and recommended that the re-zoning request be approved by Council.

Re: Traffic Committee Recommendation

The City Engineer's last agenda item was a recommendation from the Traffic Committee, as the result of a recent meeting. This was:

- The installation of *No Parking* signs on the north side of Hill Street in the area directly in front of 1106 Hill Street to make an allowance for tour buses going to Rockliffe Mansion, the necessary radius to turn from Stillwell Place onto Hill Street. The appropriate signage and placement would be determined by the Street Department

Council Member Lionberger posed a question with regard to the number of parking spaces this would entail. Rees responded that one or two spaces would be affected, with the standard *No Parking* 20-25 feet from the intersection. Parking would still be allowed to the east of this area. Since no action was taken by Council, these recommendations became effective, on this date.

DOUG WARREN – FINANCE DIRECTOR
Re: One Purchase Card Program – Commercial Card Agreement
US Bank, N.A.
(Resolution No. 1899-13, to follow)

Finance Director Doug Warren presented the final item on the agenda, the request for approval of Resolution No. 1899-13, to follow, that would approve a commercial card agreement with US Bank, N.A. and authorize the Mayor to execute this contract. Warren explained that an RFQ had been completed to discover what banks could present to the City. This would be at "no charge" to the City.

As a result, two banks responded, Commerce Bank and US Bank, with Warren's recommendation being approval of the agreement for "One Card" with US Bank. This agreement offers much more management than the prior program.

He gave an example, whereas, the Fire Department could have employees go to training on a regular basis. Currently the Department has the use of only one card. Under this program, the office manager could authorize the card to be used for travel, lodging and food. It could be turned on and off when needed, with limits set on values and products. The City has not had this type of capability with past cards. According to Warren, this option will be beneficial to departments who send personnel to training. Warren recommended the approval of Resolution No. 1899-13, to follow, that would allow the Mayor to execute the contract with US Bank.

BILL NO. 13-004

AN ORDINANCE REVISING CHAPTER 15, ARTICLE II, DIVISION II, SECTION 15-49(9), REGARDING CONTRACTOR REGISTRATION, OF THE ORDINANCES OF THE CITY OF HANNIBAL REQUIRING CONTRACTOR'S APPLYING FOR LICENSE TO PERFORM ELECTRICAL AND PLUMBING SERVICES TO PASS A PROFICIENCY EXAM

SECOND AND FINAL READING

Motion was made by Mayor Pro Tem Knickerbocker to give Bill No. 13-004 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Dobson.

Motion carried.

Roll Call

Yes: Council Members Dobson, Lionberger, Mayor Hark, Council Members Louderman, Hark, Locke and Mayor Pro Tem Knickerbocker - 7

No: - 0-

Absent: -0-

Mayor Hark declared Bill No. 13-004 duly approved and adopted on this date.

BILL NO. 13-005

AN ORDINANCE REZONING, AN 0.57 ACRES +/-, MORE OR LESS, TRACT OF LAND LYING IN PART OF LOT 3 OF MCCLELLAND SUBDIVISION, BEING A PART OF THE SOUTHEAST QUARTER (SE-1/4) OF SECTION TWENTY-THREE (23), TOWNSHIP FIFTY-SEVEN (57) NORTH, RANGE FIVE (5) WEST IN THE CITY OF HANNIBAL, MARION COUNTY, MISSOURI, FROM B-MULTIPLE

FAMILY TO D-HIGHWAY BUSINESS 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. 13-005 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Hark.

Motion carried.

Roll Call

Yes: Council Members Dobson, Lionberger, Mayor Hark, Council Members Louderman, Hark, Locke and Mayor Pro Tem Knickerbocker - 7

No: - 0-

Absent: -0-

Mayor Hark declared Bill No. 13-005 duly approved and adopted on this date.

BILL NO. 13-006

AN ORDINANCE VACATING A TRACT OF LAND LYING IN LOT 8 OF BLOCK 6 IN THE ORIGINAL TOWN OF HANNIBAL, MARION COUNTY, MISSOURI

SECOND AND FINAL READING

Motion was made by Council Member Dobson to give Bill No. 13-006 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Louderman.

Motion carried.

Roll Call

Yes: Council Members Dobson, Lionberger, Mayor Hark, Council Members Louderman, Hark, Locke and Mayor Pro Tem Knickerbocker - 7

No: - 0-

Absent: -0-

Mayor Hark declared Bill No. 13-006 duly approved and adopted on this date.

BILL NO. 13-007

AN ORDINANCE VACATING ALL THAT PART OF TWO 16 FOOT WIDE ALLEYS LYING IN BLOCK 5 OF STRAWBERRY HILL SUBDIVISION, A SUBDIVISION BEING PART OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 57 NORTH, RANGE 5 WEST, OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF HANNIBAL, MARION COUNTY, MISSOURI

SECOND AND FINAL READING

Motion was made by Council Member Locke to give Bill No. 13-007 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Hark.

Motion carried.

Roll Call

Yes: Council Members Dobson, Lionberger, Mayor Hark, Council Members Louderman, Hark, Locke and Mayor Pro Tem Knickerbocker - 7

No: - 0-

Absent: -0-

Mayor Hark declared Bill No. 13-007 duly approved and adopted on this date.

RESOLUTION NO. 1898-13

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF HANNIBAL AND LAKE CONSTRUCTION IN THE AMOUNT OF \$20,500 FOR THE REMOVAL OF SEDIMENT IN BEAR CREEK

Motion was made by Council Member Louderman to have the City Clerk read Resolution No. 1898-13, and call the roll for adoption. Motion was seconded by Council Member Hark.

Motion carried.

Roll Call

Yes: Council Members Dobson, Lionberger, Mayor Hark, Council Members Louderman, Hark, Locke and Mayor Pro Tem Knickerbocker - 7

No: - 0-

Absent: -0-

Mayor Hark declared Resolution No. 1898-13, duly approved and adopted on this date.

RESOLUTION NO. 1899-13

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A COMMERCIAL CARD AGREEMENT (“ONE CARD”) AND AMENDMENT #1 TO THE COMMERCIAL CARD AGREEMENT (COLLECTIVELY – ONE PURCHASE CARD PROGRAM) WITH US BANK, MISSOURI, N.A. FOR THE PURPOSE OF CITY PROCUREMENT WITHIN THE CONTEXT OF THE PURCHASE CARD POLICY

Motion was made by Council Member Louderman to have the City Clerk read Resolution No. 1899-13, and call the roll for adoption. Motion was seconded by Council Member Lionberger.

Motion carried.

Roll Call

Yes: Council Members Dobson, Lionberger, Mayor Hark, Council Members Louderman, Hark, Locke and Mayor Pro Tem Knickerbocker - 7

No: - 0-

Absent: -0-

Mayor Hark declared Resolution No. 1899-13, duly approved and adopted on this date.

BILL NO. 13-008

AN ORDINANCE REZONING, A 0.60 ACRES +/-, MORE OR LESS, TRACT OF LAND LYING IN PART OF LOT 2 OF HUBBARD’S SUBDIVISION AND PART OF LOTS 8, 9 & 10 OF JOHN B. SHEPHERD’S SUBDIVISION OF LOT 3 OF HUBBARD’S SUBDIVISION, BEING A PART OF THE EAST HALF OF THE

NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 57 NORTH, RANGE 4 WEST, IN THE CITY OF HANNIBAL, MARION COUNTY, MISSOURI, FROM A – ONE & TWO FAMILY TO D-HIGHWAY BUSINESS ZONING DISTRICT AND AMENDING THE CITY’S ZONING MAP ACCORDINGLY

FIRST READING

Motion was made by Council Member Louderman to give Bill No. 13-008 a first reading. Motion was seconded by Council Member Dobson. Both Council Member Dobson and Mayor Pro Tem Knickerbocker spoke with regard to Bill No. 13-008.

After a somewhat heated discussion, City Attorney Lemon advised that if the issue is concerns about issues regarding green-zone buffers, etc. the Ketterers would have the option to voluntarily place some type of property restriction on this property so that the buyer would be required to adhere following the purchase of the property. This could also be recorded in the land records so that they, or any future owners, would be bound by these requirements, in the event of development.

Mayor Hark stated that this is a no-win situation for Council, since both groups have valid concerns. He added that he wished both parties could have worked something out before coming before Council. After further discussion, Mayor Hark reminded Council of the motion on the floor.

Roll Call

Yes: Council Members Dobson, Lionberger and Louderman - 3

No: Mayor Hark, Council Members Hark, Locke and Mayor Pro Tem Knickerbocker - 4

Absent: -0-

Motion to give Bill No. 13-008 a first reading failed.

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 twelve (1), admitting himself, rest of Council, City Attorney Lemon, City Manager LaGarce, City Collector Nelson, City Clerk Vance, HCVB Director Bryant, City Engineer Rees and City Project Assistant Chaplin. Motion was made by Council Member Dobson to go into Closed Session, as directed by Mayor Hark. Motion was seconded by Council Member Hark.

Roll Call

Yes: Council Members Dobson, Lionberger, Mayor Hark, Council Members Louderman, Hark, Locke and Mayor Pro Tem Knickerbocker - 7

No: - 0-

Absent: -0-

Motion carried.

OPEN SESSION

Motion was made by mayor Pro Tem Knickerbocker to return to open session at this time. Motion was seconded by Council Member Louderman.

Motion carried.

ADJOURNMENT

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

Motion carried.