

## OFFICIAL COUNCIL PROCEEDINGS

**Tuesday, August 20, 2013  
Council Chambers  
7:00 p.m.**

### ROLL CALL

**Present:** Council Member Lionberger, Mayor Hark, Council Members Louderman, Hark, Locke, Mayor Pro Tem Knickerbocker AND Council Member Dobson - 7

**Absent:** -0-

### CALL TO ORDER

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

### INVOCATION

Reverend Chris Combs gave the invocation.

### PLEDGE OF ALLEGIANCE

Mayor Pro Tem Knickerbocker led the Pledge of Allegiance to the Flag.

### APPROVAL OF MINUTES

#### **Special Called Council Meeting – July 30, 2013 Regularly Scheduled Council Meeting – August 6, 2013**

Motion was made by Council Member Louderman to approve the minutes of the regularly scheduled Council meeting that was held on August 6, 2013 and the Special Called Council meeting held on July 30, 2013. Motion was seconded by Council Member Hark.

Motion carried.

### APPROVAL OF PAYROLL AND CLAIMS

#### **First Half – August, 2013**

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

Motion carried.

**HEATH HALL – HANNIBAL BOARD OF PUBLIC WORKS**

**Re: Request, Street Closure – Public Utilities Week**

*Family Fun Night – Thursday, October 10, 2013 2pm-8pm*

Robert Stevenson, BPW General Manager, presented the next agenda item, a request for street closure in place of Heath Hall, who was unable to attend. Stevenson explained that the Hannibal Board of Public Works was planning to hold its 3<sup>rd</sup> Annual Family Fun Night on Thursday, October 10, 2013, from 2:00 p.m. until 8:00 p.m. in conjunction with Public Utilities Week, recognized by many other municipal utilities across the Country. He added that plant tours would be added to this year's schedule.

The celebration will be held at the Armory, the parking lot and the adjacent street; and, will include truck rides, various demonstrations of the utility equipment, free hotdogs, drawings, give-a-ways, prizes, games and lots of fun for the entire family. This event is open to the public, according to Stevenson. Closure of Warren Barrett Drive from Main Street to Fourth Street was requested. Motion was made by Council Member Louderman to approve this request. Motion was seconded by Council Member Lionberger.

Motion carried.

**ROY G. HARK – MAYOR**

**Re: Proclamation, Breast Cancer Awareness – Shelia Combs**

*Paint the Town Pink – October*

Mayor Hark asked Council approval to present a proclamation at this time. Motion was made by Mayor Pro Tem Knickerbocker to approve the Mayor's request. Motion was seconded by Council Member Hark.

Motion carried. Mayor Hark presented the following proclamation in honor of Breast Cancer Awareness and "Paint the Town Pink" October:

***WHEREAS**, the support group, founded by Sheila Combs **Grab It By the Horns** is asking all citizens of Hannibal, Missouri to recognize the month of October as "Paint Hannibal Pink" Breast Cancer Awareness Month; and*

***WHEREAS**, breast cancer is a disease that has the ability to take away women's feelings of self esteem, relationships and family life. An estimated 1 in 8 women in the United States are diagnosed each year. Shelia is one of the one in eight women who has breast cancer. This could be our mothers, grandmothers, sisters, daughters, nieces or friends; and*

***WHEREAS**, there is a lot of misconception that breast cancer only occurs in women when in actuality approximately 2,200 men were diagnosed with breast cancer in 2012; and*

***WHEREAS**, volunteers in our community are coming together to help the **Grab It By the Horns** support group to inform the public about the resources available to both men and women who face this horrifying diagnosis; and*

*WHEREAS, the **Grab It By the Horns** support group is continuing to invite pastors, teachers, firefighters, police officers, businesses, and all citizens to get the word out about breast cancer and about resources that are available for those individuals and their families.*

*NOW, **THEREFORE**, be it resolved that I, Roy G. Hark, Mayor of the City of Hannibal, Missouri do hereby proclaim October, 2013 as*

**PAINT HANNIBAL PINK BREAST CANCER AWARENESS MONTH**

*IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Official Seal of the City of Hannibal, Missouri, this 20<sup>th</sup> day of August, 2013.*

Mayor Hark recognized Ms. Combs for her dedication to family, in keeping the family together while husband, Joel, was serving the Country in the Middle East. He assured her of his, and the City's support, as she continues her battle with breast cancer.

**Re: Approval of Appointment**

Mayor Hark reminded Council of a candidate presented at the last meeting for the Hannibal Municipal Assistance Corporation. This was:

HANNIBAL MUNICIPAL ASSISTANCE CORPORATION

- **Jon Obermann – Reappointment 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 Jon Obermann's reappointment to serve on the Hannibal Municipal Assistance Corporation for a term to expire on June, 2016. Motion was seconded by Council Member Louderman.

Motion carried.

**Re: Recommendation of Appointments**

Mayor Hark made the following recommendations:

HANNIBAL TREE ADVISORY BOARD

- **Ed Tamerius – Reappointment for a term to expire September, 2016**

HANNIBAL CONVENTION & VISITOR'S BUREAU

- **Mark Abel – Appointment for a term to expire September, 2018**

This nomination will be considered for approval at the next regular Council meeting, to be held on September 3, 2013.

**JEFF LAGARCE – CITY MANAGER**  
**Re: MoDOT Proposal, Mark Twain Avenue**

City Manager LaGarce explained that MoDOT is programming a street overlay of Mark Twain Avenue for 2015. According to LaGarce, the beginning point for the proposed overlay is on the upper portion of Mark Twain Avenue, where the asphalt starts and will continue on Mark Twain Avenue and 3<sup>rd</sup> Street, ending at Stowell School. During the overlay process, by law, sidewalks must be upgraded to a width standard of five feet, making them ADA accessible. LaGarce added that, the schematic design, included in the agenda packet, had been created by MoDOT to show possibilities the City has available if their Small Urban STP funding were to be applied to this project and utilized. The design included a shared use path with trees and ornamental lighting. The City Manager reminded Council that this same mechanism had recently allowed MoDOT to reconstruct the Highway 61/Pleasant/West Ely intersection.

LaGarce advised that, currently, the City has a STP credit of approximately \$135,000.00 and an additional \$67,000.00 will be received this year. If the same amount were allocated in 2014 and 2015, this amount would increase to approximately \$330,000-\$340,000. Before MoDOT would pursue this, they wished to ask Council for their point of view on the projected changes. It would be the City's responsibility pay for all changes above and beyond the basic project, which would include the overlay and sidewalk modifications to ADA accessibility. According to LaGarce, MoDOT would even allow, to some reasonable degree, the City to run debit, possibly taking a credit for 2016 allocation. He stated that this project is not a street rebuild but would give the City a nice corridor; and, if Council is interested, MoDOT would do preliminary design and cost estimates. After that time, staff would meet with MoDOT and compare these with the available STP funding to discover whether or not this project is doable. LaGarce then introduced Brian Haeffner, the Area Engineer, and opened the floor for questions.

In response to Mayor Pro Tem Knickerbocker's request for clarification of the area where this project would begin, Mr. Haeffner stated that the beginning would be located in the vicinity of Breaktime and the car wash, an area that is currently five lanes of traffic (four lanes with a center turn lane). He added that, based on the volume of traffic, MoDOT saw no need for five lanes of traffic since the volume is much less today than when this roadway was constructed. He added that traffic could be better served and a safer facility provided with three lanes instead of five.

Knickerbocker thought the idea of a picturesque corridor, leading to the downtown area from Interstate 72 was an excellent idea; but, he suggested that this improvement could be extended by the Parks Department on Harrison Hill to tie into the bike/walking trail in Riverview Park. He added that with the new sidewalk running along Palmyra Road and with the potential future developments on the southernmost portions of the City, Hannibal could have a very large park-system loop. Besides benefiting tourism, the City's Parks & Recreation could also benefit. Knickerbocker stated that this is more than a street project and added that, in his opinion, this is a great idea. Motion was made by Council Member Louderman to approve the proposal. Motion was seconded by Council Member Hark.

Motion carried.

**Re: Hannibal Regional Airport Lease - Resolution of Intent & Proposed Lease**

*Survival Flight, Inc.*

*(Resolution No. 1926-13, to follow)*

City Manager LaGarce explained that Chris Millard, the owner of Survival Flight, Inc., an air ambulance service, wished to establish a new business location at Hannibal Regional Airport. This enterprise will bring approximately eight new employees. LaGarce introduced Resolution No. 1926-13, a resolution of intent, and a proposed lease for Council approval, later in the meeting. He added that, if the resolution of intent were approved, then a formal resolution will be presented for the actual lease agreement. The City Manager assured Council that the actual agreement is ready and will be forwarded to the City Clerk the next day, August 3<sup>rd</sup>.

LaGarce advised that, according to the City Charter, all commercial leases must be approved by ordinance and have two readings before Council. According to City Manager LaGarce, this is a market-rate lease, which is a requirement of MoDOT, since they are supplying grant funding for this project. According to the lease:

- A temporary building will be placed on-site, with the hope to build a permanent building in one year or less
- A permanent structure must be installed within a three-year window
- Property taxes on their building, equipment and vehicles, must be paid, but not on the underlying ground, which belongs to the City
- Existing parking lot may be utilized
- There is no termination date included; however, lease may be terminated by 90-day written notice from either party.

Council Member Dobson commented that he had been a member of Air Evac for years; but, speaking as Chief of the Hannibal Rural Fire Protection District, during a recent accident involving a motorcycle and a SUV, Air Evac #5 was unavailable and the closest responder was located at Troy, MO (25 minutes away). He added that his firemen were able to get the patient stabilized and loaded while Air Evac was still ten minutes away. Because of this, a Rural Firefighter was then directed to transport the patient to Blessing Hospital. Dobson believes this is an opportunity to have a bigger safety factor and more medical options for the public. These two enterprises are not in competition with each other. The resolution will be adopted later, during the meeting with Council approval.

**ANGELICA VANCE – CITY CLERK**

**Re: Certification of Election – August, 2013**

**CERTIFICATION OF ELECTION**

**Results of the Municipal Election of**

**August 6, 2013**

The City Clerk gave the following results from the election:

**Proposition W**

Shall the City of Hannibal, Missouri, issue its waterworks system revenue bonds in the amount of up to Twelve Million Nine Hundred Sixty Thousand Dollars (\$12,960,000) for the purpose of acquiring, constructing, extending and improving the City’s waterworks system, including the acquisition of real estate and easements related thereto, the cost of operation and the principal of and interest on said revenue bonds to be payable solely from the revenues derived by the City, through its Board of Public Works, from the operation of said waterworks system, including all future extensions and improvements thereto?

	<u>Yes</u>	<u>No</u>
<b>Marion County</b>	794	94
<b>Ralls County</b>	<u>7</u>	<u>1</u>
<b>TOTAL VOTES</b>	<b>801</b>	<b>95</b>

**Showing a total vote of 896 for Proposition W for the City of Hannibal: 801-YES and 95-NO votes; declaring Proposition W having passed by 706 votes.**

**Proposition S**

Shall the City of Hannibal, Missouri issue its sewerage system revenue bonds in the amount of up to Eight Million Eight Hundred Sixty Five Thousand Dollars (\$8,865,000) for the purpose of acquiring, constructing, extending and improving the City’s sewerage system, including the acquisition of real estate and easements related thereto, the cost of operation and the principal of and interest on said revenue bonds to be payable solely from the revenues derived by the City, through its Board of Public Works, from the operation of said sewerage system, including all future extensions and improvements thereto?

	<u>Yes</u>	<u>No</u>
<b>Marion County</b>	779	94
<b>Ralls County</b>	<u>7</u>	<u>1</u>
<b>TOTAL VOTES</b>	<b>786</b>	<b>95</b>

**Showing a total vote of 881 for Proposition S for the City of Hannibal: 786-YES and 95-NO votes; declaring Proposition S having passed by 691 votes.**

I, **Angelica N. Vance**, City Clerk of Hannibal, Missouri, do hereby certify the attached to be a complete and true copy of the Certification of Election held on August 6, 2013, a Municipal Election as certified to me by the Marion and Ralls County Clerks.

**WITNESS MY HAND**, and the Seal  
of the City of Hannibal, Missouri,  
done in my office this 15<sup>th</sup> Day  
of August, 2013.

Signed by Angelica N. Vance, City Clerk

Also signed by the Mayor and City Council

Motion was made by Council Member Dobson to certify the Municipal Election of August 6, 2013. Motion was seconded by Council Member Louderman.

Motion carried.

### **Re: Ordinance Publications**

City Clerk Vance stated that she had recently done some research with regard to the *Rules for Publication of Ordinances*. Vance explained that past practice has been to publish any ordinance that would have a direct impact or necessary information to citizens of Hannibal; however, this is not a requirement. She added that, while she did not suggest eliminating the publication entirely, she did recommend beginning to publish by title only, referring to the City's website or the Clerk's Office for access to the complete version.

Vance advised that, during the April 2005 election, voters passed *Proposition 3* which amended the Charter, deleting Section 2.19 which stated Ordinances would be adopted and approved upon the *publication*, and amending Section 2.20 to state *all ordinances approved and adopted shall be effective from the date of such approval and adoption*.

The City Clerk said that her reasoning behind this suggestion stems mainly from a recent quote, received from the local newspaper, to publish the liquor license amendment that was approved by Council. The amount of this quote came in just over \$2,000. The Clerk's total FY2013-14 budgeted amount for publications is \$15,000. Even though there are still things that must be published in their entirety, such as public hearing notices, etc., the publication expenses should decrease by at least half, with this change, causing a savings in publications of approximately \$7,500, according to Vance.

She concluded her request by stating that the City Attorney, as well as the Missouri Municipal League, supported this action. Motion was made by Council Member Locke to approve the City Clerk's request. Motion was seconded by Council Member Hark.

Motion carried.

### **DOUG WARREN – FINANCE DIRECTOR** **Re: Request, Set Public Hearing – 2013 Property Tax Levy** *Tuesday, September 17, 2013 – 6:45 p.m.*

Finance Director Doug Warren addressed Council with a request to hold a public hearing regarding the 2013 Property Tax Levy on September 17, 2013 at 6:45 p.m. Motion was made by Council Member Louderman to approve the Finance Director's request to set the public hearing on September 17, 2013 at 6:45 p.m. Motion was seconded by Council Member Lionberger.

Motion carried.

**RESOLUTION NO. 1926-13**

**A RESOLUTION OF INTENT AUTHORIZING THE MAYOR TO EXECUTE A COMMERCIAL LAND LEASE AGREEMENT WITH SURVIVAL FLIGHT, INC. FOR THE INSTALLATION AND OPERATION OF AN AIR AMBULATORY SERVICE AT HANNIBAL REGIONAL AIRPORT**

Motion was made by Council Member Dobson to have the City Clerk read Resolution No. 1926-13, and call the roll for adoption. Motion was seconded by Council Member Hark.

Motion carried.

**Roll Call**

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

**No:** -0-

**Absent:** -0-

Mayor Hark declared Resolution No. 1926-13, duly approved and adopted on this date.

**BILL NO. 13-017**

**AN ORDINANCE PROVIDING FOR A MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2013 TO ALLOW HANNIBAL VOTERS TO CONSIDER APPROVAL OF A RECYCLING FEE OF \$1.90 PER MONTH TO BE APPLIED TO EACH RESIDENTIAL UTILITY BILL FOR THE PURPOSE OF FUNDING THE COMMUNITYWIDE RECYCLING WHICH IS OPERATED BY THE NORTHEAST MISSOURI SHELTERED WORKSHOP**

**SECOND AND FINAL READING**

Motion was made by Council Member Lionberger to give Bill No. 13-017 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Locke.

Motion carried.

**Roll Call**

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

**No:** -0-

**Absent:** -0-

Mayor Hark declared Bill No. 13-017 duly approved and adopted on this date.

**BILL NO. 13-018**

**AN ORDINANCE CREATING CHAPTER 27, ARTICLE III, OF THE CODE OF THE CITY OF HANNIBAL, ADOPTED JANUARY 19, 1988, AND EFFECTIVE JANUARY 19, 1988 RELATIVE TO RECYCLING**

**SECOND AND FINAL READING**

Motion was made by Council Member Louderman to give Bill No. 13-018 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Locke.

Motion carried.

**Roll Call**

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

**No:** -0-

**Absent:** -0-

Mayor Hark declared Bill No. 13-018 duly approved and adopted on this date.

**CLOSED SESSION**

***In Accordance with RSMo. 610-021 (1) & (2)***

At this time, Mayor Hark entertained a motion to go into closed session in accordance with RSMo 610-021, sub-paragraph one (1) and two (2), admitting himself, rest of Council, City Manager LaGarce, City Attorney James Lemon, City Clerk Vance and Parks & recreation Director Andy Dorian. Motion was made by Council Member Louderman to go into Closed Session, as directed by Mayor Hark. Motion was seconded by Council Member Locke.

**Roll Call**

**Yes:** Council Member Lionberger, Mayor Hark, Council Members Louderman, Hark, Locke, Mayor Pro Tem Knickerbocker AND Council Member Dobson – 7

**No:** -0-

**Absent:** -0-

Motion carried.

### **OPEN SESSION**

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

Motion carried.

### **ADJOURNMENT**

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

Motion carried.