

OFFICIAL COUNCIL PROCEEDINGS

February 19, 2013
Council Chambers
7:00 p.m.

ROLL CALL

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

Absent: Council Member Locke – 1

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 Louderman led the Pledge of Allegiance to the Flag. Mayor Hark entertained a motion to excuse Council Member Locke from the evening's procedures. Motion was made by Council Member Lionberger to excuse Council Member Locke. Motion was seconded by Council Member Hark.

Motion carried.

APPROVAL OF MINUTES Regularly Scheduled Council Meeting – February 5, 2013

Motion was made by Council Member Louderman to approve the minutes of the regularly scheduled Council meeting that was held on February 5, 2013. Motion was seconded by Council Member Lionberger.

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS
First Half – February, 2013

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

Motion carried.

MIKE O'CHELTREE – NEMO SHRINE CLUB
Re: Request, Street Closure – Parade
Saturday, August 3, 2013 – 10:00 a.m. – 11:00 a.m.

Mr. Mike O'Cheltree came before Council, on behalf of the NEMO Shrine Club, to request a street closure for a parade sponsored by his club. He asked that Broadway from the Save-A-Lot store to Main Street (turning south on Main) be closed on August 3, 2013, from 10:00 a.m. until 11:00 a.m. to hold this event. The City Clerk commented a certificate of insurance would be required prior to the event. Motion was made by Council Member Dobson to approve O'Cheltree's request. Motion was seconded by Mayor Pro Tem Knickerbocker.

Motion carried.

PROCLAMATION AND RECOGNITION – CINDY LOVELL

At this time, Mayor Hark asked Cindy Lovell to come forward. He read and presented a proclamation to Ms. Lovell commending her for her accomplishments and recognizing her for her service to the Mark Twain Museum, the schools and the City of Hannibal, her "adopted hometown". He thanked her for her efforts and her dedication on behalf of himself, City Council, the Hannibal Visitors and Convention Bureau, and the Hannibal community; then, he presented her with a Key to the City.

ROY G. HARK – MAYOR
Re: Approval of Appointments

Mayor Hark reminded Council of candidates presented at the last meeting for the following Boards:

AIRPORT ADVISORY BOARD

- Darin Logue - appointment to fill an unexpired term to expire September, 2015
- Michael Riesenbeck - appointment for a term to expire September, 2014

HANNIBAL FREE PUBLIC LIBRARY BOARD

- Frank Di Tillo – appointment for a term to expire June, 2015

He asked Council for their approval of these recommendations. Motion was made by Council Member Louderman to approve the recommendations, made by Mayor Hark. Motion was seconded by Mayor Pro Tem Knickerbocker.

Motion carried.

Re: Recommendation of Appointments

Mayor Hark made the following recommendations:

HANNIBAL FREE PUBLIC LIBRARY BOARD

- Brandi Lionberger – appointment for a term to expire June, 2014

MARK TWAIN HOME BOARD

- Pam Ginsberg – appointment for a term to expire November, 2020

MU EXTENSION COUNCIL

- Al Pabst – reappointment for a term to expire February, 2015

These nominations will be considered for approval at the next regular Council meeting.

JOEY BURNHAM – BUILDING INSPECTOR

**Re: Sale of City Owned Easement – Quit Claim Deed &
Contract for Sale of Real Estate**

Don Barnes

(Resolution No. 1884-13, to follow)

City Building Inspector Joey Burnham came before Council to present Resolution No. 1884-13 for approval. Burnham explained that approval of this Resolution would approve the sale of city-owned property outside the city limits that had been deeded to the City of Hannibal in 1962. This property is a strip of railroad right-of-way that passes through property owned by Donald W. Barnes of Center, MO. Mr. Barnes had offered \$100.00 for the purchase of this right-of-way. According to the Building Inspector, staff recommended the sale of this real estate, which would be approved with the adoption and approval of Resolution No. 1884-13, to follow.

**Re: Sale of City Owned Property, 313 Bird Street – Quit Claim Deed &
Contract for Sale of Real Estate**

Stephen Hunt

(Resolution No. 1885-13, to follow)

Burnham's next item on the agenda regarded another sale of city-owned property, known as 313 Bird Street that was acquired through peaceful transfer. He explained that a licensed

contractor, Stephen Hunt, has made a request to buy this real estate at the required \$50.00 fee, with the intent to rehab. Staff has also recommended the sale of this property, which would be approved with the adoption and approval of Resolution No. 1885-13, to follow.

ANDY DORIAN – DIRECTOR, PARKS & RECREATION

Re: Nipper Park Marina Dredging – Contract Agreement

IWS Dredging, LLC

(Resolution No. 1886-13, to follow)

Andy Dorian, Director of Parks and Recreation, stated that bids were recently opened for the Nipper Park Marina dredging. He explained that two options were considered, the removal of 5,000 cubic yards of sediment or the removal of 8,000 cubic yards of sediment. Based upon the prior dredging costs, the decision was made for removal of 8,000 cubic yards since choosing this option would allow the entire marina to be dredged.

One sealed bid was received as a result of the bidding process, and on February 14, 2013, this bid was opened. IWS Dredging was the sole bidder, with a bid amount of \$108,720 or \$13.59/cubic yard of sediment. Since this was higher than anticipated and more than the budget would allow, Dorian explained that he contacted the contractor, who quoted \$81,250 or \$16.25/cubic yard for the removal of 5,000 cubic yards of sediment. This option would target the boat slips and some of the covered dock area. He recommended the 5,000 cubic yard option at a cost of \$81,250 to be approved with the adoption and approval of Resolution No. 1886-13, to follow.

Mayor Hark questioned the existence of a drainage pipe that had kept the marina from silting up. Was this pipe covered up at some time in the past? Dorian responded that, in looking at the original marina plans, the pipe did exist; however, in speaking with contractors who dredged in the 1960's, they admitted that, if the pipe were there at that time, they probably destroyed it. He did not know if it existed, but if it had been immersed for over fifty years, it would currently be well below the silt line now. Dorian believed that undertaking a large project, such as locating this pipe, would be very expensive, since it would be several feet below the silt line and would require an engineering study, as well.

In past studies, it has been determined that self-cleaning techniques have generally been unsuccessful, according to the Corps of Engineers, who noted that, even with these techniques in place, maintenance dredging was still a requirement.

PHYLLIS NELSON – CITY COLLECTOR

Re: City Wide Credit/Debit Card Acceptance – New Merchant Application

Elavon

(Resolution No. 1883-13, to follow)

City Collector Phyllis Nelson presented Resolution No. 1883-12, to follow, that would authorize a new merchant application with Elavon for city-wide credit/debit card acceptance. Nelson explained that, currently, the city is under contract with Elavon for credit/debit card machines; however, this contract was through F&M Bank. The City recently changed their

depository facility, making it a necessity to also revise the contract with Elavon to reflect his change.

Previously, according to the Collector, all fees were absorbed by F&M Bank; however, with US Bank, the City may incur a minimum of fees since most of those related will be offset by credit balances offered by US Bank in lieu of interest paid on the various bank accounts. In fact, as Nelson advised, US Bank believes that all fees and the credit balances will be a wash; however, this is yet to be determined. In negotiating with US Bank, Nelson was advised that the City could get out of this contract with short-term notice. The City Collector commented that this is a benefit the City likes to offer to the public and would prefer to continue, unless it is found to be cost-prohibitive. Nelson made the recommendation to approve Resolution No. 1883-12, to follow, and to review in several months to determine the probability of continuing. Council Member Dobson posed questions with regard to the fees incurred from US Bank; however, Nelson responded that, currently, there was no history with regard to US Bank's charges. In response to Dobson's questions, Nelson indicated that no fees for this privilege had been passed on to the public.

RESOLUTION NO. 1883-13

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A NEW MERCHANT APPLICATION – GOVERNMENT/INSTITUTIONAL BETWEEN THE CITY OF HANNIBAL AND ELAVON FOR THE PURPOSE OF PROVIDING MERCHANT SERVICES OF ACCEPTING CREDIT AND DEBIT CARD PAYMENTS FROM CUSTOMERS FOR THE PAYMENTS OF CITY FEES RECEIVED THROUGH VARIOUS OFFICES INCLUDING BUT NOT LIMITED TO THE COLLECTOR'S OFFICE AND THE PARKS AND RECREATION DEPARTMENTS

Motion was made by Council Member Louderman to have the City Clerk read Resolution No. 1883-13, and call the roll for adoption. Motion was seconded by Council Member Hark.

Motion carried.

Roll Call

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

No: -0-

Absent: Council Member Locke – 1

Mayor Hark declared Resolution No. 1883-13, duly approved and adopted on this date.

RESOLUTION NO. 1884-13

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A REAL ESTATE AGREEMENT FOR A CITY OWNED EASEMENT LOCATED OUTSIDE THE CITY LIMITS THAT PASSES THROUGH DON BARNES PROPERTY FOR THE AMOUNT OF \$100.00 TO DON BARNES

Motion was made by Council Member Dobson to have the City Clerk read Resolution No. 1884-13, and call the roll for adoption. Motion was seconded by Council Member Louderman.

Motion carried.

Roll Call

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

No: -0-

Absent: Council Member Locke – 1

Mayor Hark declared Resolution No. 1884-13, duly approved and adopted on this date.

RESOLUTION NO. 1885-13

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR THE SALE OF REAL ESTATE OF CITY OWNED PROPERTY LOCATED AT 313 BIRD TO STEPHEN HUNT FOR THE AMOUNT OF \$50.00

Motion was made by Mayor Pro Tem Knickerbocker to have the City Clerk read Resolution No. 1885-13, and call the roll for adoption. Motion was seconded by Council Member Dobson.

Motion carried.

Roll Call

Yes: Council Member Hark, Mayor Pro Tem Knickerbocker, Council Members Dobson, Lionberger and Mayor Hark – 5

No: -0-

Abstain: Council Member Louderman - 1

Absent: Council Member Locke – 1

Mayor Hark declared Resolution No. 1885-13, duly approved and adopted on this date.

RESOLUTION NO. 1886-13

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT AGREEMENT WITH IWS DREDGING, LLC. IN THE AMOUNT OF \$81,250 FOR THE DREDGING OF NIPPER PARK MARINA

Motion was made by Council Member Louderman to have the City Clerk read Resolution No. 1886-13, and call the roll for adoption. Motion was seconded by Council Member Hark.

Motion carried.

Roll Call

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

No: -0-

Absent: Council Member Locke – 1

Mayor Hark declared Resolution No. 1886-13, duly approved and adopted on this date.

BILL NO. 13-001

AN ORDINANCE AMENDING THE BID LIMITS IN ACCORDANCE TO SECTION 9.13 (b) OF THE CITY OF HANNIBAL CHARTER

SECOND AND FINAL READING

Motion was made by Council Member Louderman to give Bill No. 13-001 a second and final reading and call the roll for adoption. Motion was seconded by Mayor Pro Tem Knickerbocker.

Motion carried.

Roll Call

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

No: -0-

Absent: Council Member Locke – 1

Mayor Hark declared Bill No. 13-001 duly approved and adopted on this date.

CLOSED SESSION
In Accordance with RSMo. 610-021 (1)

At this time, Mayor Hark entertained a motion to go into closed session in accordance with RSMo 610-021, sub-paragraph one (1), admitting himself, rest of Council, City Manager LaGarce, City Attorney James Lemon, City Clerk Angelica Vance and Police Chief Lyndell Davis. Motion was made by Council Member Louderman to go into Closed Session, as directed by Mayor Hark. Motion was seconded by Council Member Hark.

Roll Call

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

No: -0-

Absent: Council Member Locke – 1

Motion carried.

OPEN SESSION

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

Motion carried.

ADJOURNMENT

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

Motion carried.