

OFFICIAL COUNCIL PROCEEDINGS

June 18, 2013
Council Chambers
7:00 p.m.

ROLL CALL

Present: Council Members Louderman, Hark, Locke, Dobson, Lionberger and Mayor Hark - 6

Absent: Mayor Pro Tem Knickerbocker - 1

CALL TO ORDER

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

INVOCATION

Council Member Louderman gave the invocation.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES

Regularly Scheduled Council Meeting – June 4, 2013
Closed Session Meeting – April 16, 2013
Closed Session Meeting – May 7, 2013

Motion was made by Council Member Louderman to approve the minutes of the regularly scheduled Council meeting that was held on June 4, 2013 and the Closed Sessions held on April 16, 2013 and May 7, 2013. Motion was seconded by Council Member Hark.

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS First Half – June, 2013

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

Motion carried. Mayor Hark entertained a motion to excuse Mayor Pro Tem Knickerbocker, who was unable to attend the meeting. Motion was made by Council Member Dobson to excuse Mayor Pro Tem Knickerbocker, as requested by the Mayor. Motion was seconded by Council Member Hark.

Motion carried.

BILL MADORE – FIRE CHIEF
Re: Introduction, New Fire Fighter
Steven Neff

Fire Chief Bill Madore explained that, because of a recent resignation of a member of the Fire Department, it became necessary to hire a new firefighter. He introduced Probationary Firefighter Steven Neff who began his employment with the Fire Department the previous week. Madore added that Neff was born and raised in Hannibal, graduating from Hannibal High School; and, as of this date, a Missouri EMT. Council welcomed the new firefighter and gave him a round of applause.

KIM WAELDER – LUTHER MANOR NURSING HOME
Re: Request, Fireworks Display within City Limits
4th of July Celebration - June 28, 2013

Kim Waelder, on behalf of Luther Manor Nursing Home, presented the next item on the agenda, a request to have a fire works display as a part of their annual celebration for the residents at Luther Manor on June 28, 2013. She added that the required permits were being obtained from the Hannibal Fire Department. Motion was made by Council Member Louderman to approve Waelder's request. Motion was seconded by Mayor Hark.

Motion carried.

DAVID TAYLOR – DOG OWNER
Re: Appeal, Dangerous Dog Declaration

At this time, Mayor Hark recognized Mr. David Taylor, a local dog owner, who appeared before Council to appeal the dangerous dog declaration, issued by Police Chief Lyndell Davis and City Manager Jeff LaGarce. Taylor came forward and addressed Council by stating that Moose, Taylor's dog, was part of his family.

Taylor explained that he and his wife, Christy, had lived and worked in Hannibal, and in 2007 he retired from AT&T. During his tenure with AT&T, according to Taylor, he went in and out of every backyard in the City of Hannibal, fighting and/or working with dogs, cats and all types of animals. Taylor went on to say that his wife became paralyzed in 2006, and he is now losing his hearing. In January of 2007, Taylor and his wife moved to College Avenue; and, in that same year acquired Moose, who is his ears and his wife's protector when he is away from home. Moose has never spent a night outside, according to Taylor, who reiterated that the dog was part of his family.

According to the Post Office there have been problems with Taylor's dog since 2009; and after reading some of these reports, Taylor admitted that some of the accusations were true because Moose followed the mail carrier down the street and, because of his size and stature, he scared her. Taylor added that he was reprimanded and fined for this, which was all true and just; however, others were untrue.

Taylor explained that ten months after these initial incidents were settled, he and Moose were in their yard; and, since the Hannibal leash law allows dogs to go without a leash on the owner's property as long as the owner has control, he was not wearing one. When the mail carrier approached, she was apparently frightened; however, Moose would have had to jump over Taylor and open a truck door to reach the mail carrier, which he did not. Moose barks, merely to get attention. Subsequently, the Taylor's mail delivery ceased, so he inquired concerning the reasons behind their failure to deliver mail.

Taylor stated that he had written a number of letters, none of which have gotten a response. When the supervisor was contacted and questioned, Taylor was accused of encouraging the dog to attack the mail carrier, and was told that all dogs of this breed, the pit bull, should be euthanized because they are a danger to society.

A hearing was scheduled for May 4, 2013; however, prior to the hearing date, he moved the dog to his daughter's residence at 3937 New London Gravel Road, which is also owned by Mr. Taylor, and has a large fenced-in area. At this point, according to Taylor, the dog had not been deemed "dangerous". As soon as the supervisor discovered that the dog had been moved, mail delivery to 3937 New London Gravel Road was also discontinued. Taylor stated that Moose had not been outside for any reason, since being moved to New London Gravel Road, except to do his business and he had not broken any doors or windows to get out, contrary to what has been alleged.

On May 9, 2013, Moose was declared "dangerous" by the Chief of Police; and on May 29, 2013, an appeal was made to the City Manager, who concurred with the Police Chief because he was deemed to be a threat to the safety of human beings; which Taylor stated was untrue. Taylor apologized for the trouble that he and his wife and caused his neighbors, adding that they thought they had been good neighbors. He advised that he is now moving out of the City of Hannibal, and his only reason for appearing before Council is to clear Moose's name since he is not a dangerous animal.

Taylor said that only one neighbor had previously had an issue with him, prior to the cease of mail delivery. This neighbor came to him with the problem and Taylor respects him for that; however, after the mail delivery ceased, everyone remembers a lot of bad instances. He added that this could have been avoided if the Post Office had told him that their rules trumped those of the City; since, according to City ordinance, he was legal, but according to the Post Office, he was not.

Taylor had been advised that he needed to get a service dog. Taylor stated that the first service dogs were German Sheppard and Pit Bulls. He added that this breed of dogs are not bad but have a bad reputation because "idiots...trained them to fight. They are generally a nice, even-tempered dog." Taylor commented that, in the years working for the phone company, the worst dogs that he encountered were Chihuahuas and Dachshunds.

Taylor noted that Moose had interacted with the Hannibal High School Band each year since 2009 because the band uses College Avenue to practice for the 4th of July Parade. Moose is outside, during this time watching and playing with band members. He has never bitten or attacked anyone and the only fear is that he may urinate on their instruments, since they are playing in the yard.

Taylor believed that you should meet someone before condemning them, but Police Chief Davis nor City Manager LaGarce were willing to meet Moose. Taylor admitted that, if he had only read the reports and did not know Moose, he would have condemned him, as well; however, the reports do not describe his dog. Only after the mail was stopped did some of his neighbors admit that they were afraid of Moose, according to Taylor. He added that the Post Office would never respond to questions, only corresponded by form letter. Now, Taylor and his wife no longer feel comfortable in their home of fifteen years because they are constantly being watched and even videotaped to make sure that he is not bringing Moose home, even though technically and legally he could, according to the City's statutes. He said that, because of this incident, they are leaving Hannibal and moving into the country.

Taylor admitted that he believed he was following the rules of the City of Hannibal; and is now saddened because he has upset many of his neighbors when all he was attempting to do was to protect his family and his dog. He concluded by saying that if anyone should be deemed dangerous it should be him, not Moose, because he failed to follow "everybody's rules". It was his understanding that he was supposed to ask where Moose could be walked, since he was told that he could not walk him on College property. He then invited everyone visit Moose, watch him play and eat sausage biscuits. "He's nothing but a big pup", stated Mr. Taylor.

Council Member Louderman asked if Taylor's dog had ever bitten anyone. Since his birth in 2007, he had never bitten anyone, according to Taylor, who added that he gets people's attention by barking which is mainly because he wants to play.

Mayor Hark questioned Taylor's reason for appearing before Council and if he was moving from the City, taking Moose with him. He asked whether or not it was correct that Taylor's only concern was that Moose had been labeled a "dangerous dog". The Taylor's confirmed that they only wanted Moose's name cleared since they were moving from Hannibal, reiterating that he was NOT a dangerous animal.

Mayor Hark asked if anyone else had questions or comments. Council Member Dobson asked to hear from the Animal Control Officers, so Mayor Hark recognized Animal Control Officer Robert Stout, who came to the podium. Stout explained that, since the beginning of this issue, he had spent much time with Taylor's dog, Moose. It was his opinion that he is not a vicious dog, but only a pup that wants attention and wants to play. That being said, Stout recognized that Moose could be considered dangerous if he were to knock someone down, since an arm or a hip might be broken, in the process. For that reason alone, Moose was named, not a vicious dog, merely a danger to the public. Stout added that there are many walkers in and around College Avenue and the Palmyra Road area. Taking this into consideration, there was some concern that Moose may be a danger if he were to get loose.

Council Member Louderman interjected that, using the same criteria, any dog that size could be deemed dangerous. Stout agreed, adding that a Chihuahua could be deemed dangerous if the same problems were experienced and recorded. Signed statements that Stout had

collected from various people in the area, alleged that they had interactions with this dog. Stout admitted that pit bulls have a bad name and reputation; and, a pit bull his size would likely scare an individual. The only issue was Moose's size and not the probability that he would bite. (Stout stated that Moose had knocked him down by simply leaning into him.)

Council Member Hark questioned the way Moose approached people that were unfamiliar to him, citing instances in the reports that he had read. He also recognized that Taylor claimed some of these reports were untrue; however, Stout could not deny or substantiate these claims since most of his contact was with Taylor or his daughter and not Moose. He did comment that, when Stout visited, Moose was in the basement but ran up the stairs when the door was open. He added that Moose ran by him without stopping or posing any threat.

At this point, Chief Lyndell Davis addressed Council, stating that he believed Council was "going way down the wrong path". To add clarity to the issue, he stated that biting is not required for deeming a dangerous dog in the City's ordinance, but merely the need to show repeated aggression, which Davis said was clearly established by statements from the Post Office workers, the letters dated 2009 and from numerous neighbors who met with him. The Chief explained that, in early May, Mayor Hark had contacted him as a result of some phone calls he had received from frustrated neighbors in the College area, referencing Moose and the suspension of mail delivery in the area. Davis added that, following this conversation, he met with the Animal Control officers and their Lieutenant to get up-to-date on the situation.

What Davis discovered was that incidents were not as well documented as they would have liked, because, typically, individuals do not like to make reports on their neighbors. They hope that they can settle matters themselves or the issue will just "go away". After review of all data, Davis said that he believed that he had no choice but to call a meeting to determine what was actually occurring. On May 7th a community meeting was held at the Police Department including all affected neighbors from College Avenue, the Taylors, Animal Control officers and Lieutenant Zerbonia. As a result, the outpouring of information received was so substantial, it could not be ignored. There were various reports of Moose:

- Chasing grandchildren
- Chasing people who merely jogged or walked by
- Chasing individuals who were walking their dogs

Also in attendance were a significant number of elderly neighbors, according to the Police Chief, who added that it is their perception, not his, the Taylor's or Animal Control's that counts. Davis explained that if they would fall and get injured, as a result of this animal acting in an aggressive manner, and the Police failed to do anything about it, he was confident that he would receive calls. Davis said that he did not want to make a determination based solely upon hearsay in a meeting; so he had Animal Control Officer Stout go to the area and take statements. He also obtained copies of the letters that had been sent to the Taylors by the Postal Service over the years.

The Chief said that he had decided, in the meeting, to give the Taylors forty-eight (48) hours to see if he could find a home outside the City limits to make this whole thing go away. Since that did not occur, he took two days to review the statements, letters from the Postal Service and letters from the affected mail carriers that the department obtained.

The result of the HPD's efforts was overwhelming evidence that several individuals had experienced an aggressive encounter with Moose. Davis added that one mail carrier, in particular, commented that she had to defend herself with the mailbag. Davis said that he still had not heard anything that is relevant to Taylor's appeal, including the possibility that he meet Moose. He explained that, even if he thought the dog was friendly to him, this would not take away the experiences the neighbors have had during encounters with the dog.

When asked, Animal Control Officer Tim Ledbetter stated, regarding his initial contact with Moose, that the owners were not at home. At this time, the dog lunged at the window. His opinion was that Moose was the type of dog that would attempt to "tear you apart" if the owner was gone, but could be friendly if the owner was present.

With all the evidence presented, Davis concluded Moose "bears the scent". He explained that his conclusions are based on evidence and not on emotion. The Police Chief said that he and the Animal Control Officers have worked, diligently, to attempt to customize the living situation to make restrictions more palatable for the animal; however, even though he admitted he was an animal lover, Davis believed that he would be doing a disservice to the mail carriers and the neighbors who made statements if he were to ignore the evidence.

He cautioned Council that, if the dangerous dog restriction was lifted and the owners moved outside the City, the determination would not stand if they later returned to the City, and it would be necessary to revisit the issue, beginning at "square one". He commented that all the evidence is there, even more with this animal than any that he has had to declare dangerous in the past.

Mayor Hark asked Council's pleasure. Council Member Dobson commented that, in his opinion, it was a moot point since the Taylors were moving outside the City; however, he made a motion to uphold the determination of the Police Chief and the City Manager. Motion was seconded by Council Member Locke.

Motion carried. Mayor Hark voice his regret to Mrs. Taylor, however, explained that Council had no choice but to uphold the City Code, with no exceptions. Mrs. Taylor responded by saying that she has a front-view of the street and has viewed Moose when he is outside. She stressed that he has never bared his teeth or charged anyone. She said that he is merely trying to figure out why people will not stop and talk to him or try to pet him. She reiterated that he had never done anything wrong. In reading the reports, she would have condemned Moose, as well; but, those reports did not describe her dog. She admitted that it hurt to have his determination handed down. Taylor added that there are many Pit Bulls, Boxers, Weimaraners and etc. in Hannibal, asking what the City was going to do to them.

Mayor Hark answered Mrs. Taylor by saying that, if there was a complaint lodged against any dog residing in the City, it would be handled in a similar manner as the complaints lodged against Moose. And even though Taylor did not believe they would be having a problem if Moose were not a Pit Bull, the City Ordinance is not breed specific. Council Member Dobson assured Taylor that her statement was not correct, since breed was intentionally left out of the ordinance when it was drafted.

ROY G. HARK – MAYOR
Re: Recommendation of Appointments

Mayor Hark made the following recommendations:

- HANNIBAL MUNICIPAL ASSISTANCE CORPORATION
 - Tom Boland – reappointment for a term to expire June, 2016

- HANNIBAL INDUSTRIAL DEVELOPMENT AUTHORITY
 - Glen Ruhl – reappointment for a term to expire January, 2018

These nominations will be considered for approval at the next regular Council meeting, to be held on July 2, 2013.

JEFF LAGARCE – CITY MANAGER
Re: Approval of Appointment

City Manager LaGarce reminded Council of a candidate presented at the last meeting for the Park Board. This was:

- PARK BOARD
 - Deetra Ingram – appointment for a term to expire July, 2016

He asked Council for their approval of this nomination. Motion was made by Council Member Louderman to approve Deetra Ingram to serve on the Park Board for a term to expire in July, 2016. Motion was seconded by Council Member Hark.

Motion carried.

Re: Recommendation of Appointments

City Manager LaGarce made the following recommendation:

- PLANNING & ZONING COMMISSION
 - Don Bastian – reappointment for a term to expire June, 2017

This nomination will be considered for approval at the next regular Council meeting, to be held on July 2, 2013.

Re: Letter of Appreciation – Hannibal Police Department

At this time, the City Manager presented a letter of appreciation, received by the Hannibal Police Department, to Council for their consideration. He explained that Officer Willis was recently in Jefferson City, MO for a training seminar. As he was leaving the seminar, he observed a foot-pursuit by the Jefferson City Police in progress. Officer Willis proceeded to assist, actually apprehending the perpetrator and ending the foot-pursuit.

As a result, the Jefferson City Police Chief Roger Schroeder, sent a letter to Chief Davis, thanking Officer Willis. The City Manager thanked Officer Willis, as well.

Re: 211 Broadway – Anchoring Costs

City Manager LaGarce also presented the next item on the agenda, regarding the building located at 213 Broadway that had been the subject of discussion at the previous Council meeting. Even though he did not have the structure stability costs, as hoped, he did have a couple of related good-news items. He reminded Council that they had waived bids because of the emergency status; however, the Building Inspector let bids and received a low bid (or quote) of \$5,000 from a reputable company who plan to recycle most of the demolition debris. LaGarce commented that the \$5,000 quote is much more favorable than the \$100,000 estimate given by the previous engineer, which included both demolition and anchoring. Not included in the \$5,000 amount is the structural stabilizing of the adjacent building, located at 211 Broadway, owned by Cindy Benjamin who was in attendance at the meeting. LaGarce added that the total project cost still remained uncertain, since the anchoring costs still have not been received; however, he anticipated a total cost considerably less than the initial \$100,000 estimate.

Currently, Klingner & Associates are developing a design plan to stabilize 211 Broadway so the structure at 213 Broadway can be removed. LaGarce advised that, earlier in the week, City Attorney Lemon obtained a favorable ruling from Judge Mobley, in which the owner would have ten (10) days to begin demolition and thirty (30) days to complete, or be found in contempt of court. Here, Lemon interjected that the owner of 213 Broadway would have an opportunity to explain to the judge any extenuating circumstance: i.e., he was out of the country for ten (10) days or he was in the hospital for ten (10) days, etc. (Lemon added that he did anticipate the judge finding him in contempt.)

In the meantime, Ms. Benjamin can continue to operate at her building, located at 211 Broadway. Now, according to LaGarce, it is the City's duty to determine whether they will assume anchoring costs for Benjamin's building or whether Benjamin should absorb those costs.

Council Member Dobson questioned the City Attorney regarding whether or not the party that neglected their building at 213 Broadway should be responsible for the stabilization costs of the adjacent building, owned by Benjamin. City Attorney Lemon responded that he believed that ultimately the anchoring costs would be a fair extension of the nuisance suit; however, he had spoken with Ms. Benjamin's attorney who informed him that they were not interested in joining in the City's suit at this time. Dobson questioned the City's responsibility in stabilizing the adjacent property. There is a legal standpoint and a moral standpoint, according to the City Attorney, who added that legally speaking, there is an argument that says that the City is not responsible to do anything; however, there a potential argument of inverse condemnation that, by taking this action on the adjacent building, we are "taking" from Benjamin, as well. He was unsure that this would be a strong argument, but it would be something to consider in making a determination.

From a moral standpoint, according to Lemon and LaGarce, this occurrence is by no fault of Ms. Benjamin. The City is bringing this action to protect the public, of which Benjamin is a member. Even though, legally, the City is not obligated, possibly, from a moral standpoint, the City may be. In response to a question posed, Lemon explained that the suit was filed as a civil, common law, nuisance suit. The nature of the suit is this, "*As the sovereign authority inside the City limits of the City of Hannibal, we have standing to protect the citizens, of Hannibal*". We have brought this suit, saying this building is a danger to the people of

Hannibal and we have asked the judge to find that this is, in fact, a public nuisance, that it is a temporary nuisance (something that could be repaired or demolished) and we have asked the judge to find that the owner does one or the other, which he has done. Lemon advised that the courts have information which may lead them to believe that there is probably a source of additional property or income to cover costs associated with the recovery or demolition of 213 Broadway.

Mayor Hark stated that Council would be unable to make a decision until additional information is received. City Manager LaGarce suggested that a special call meeting be scheduled after the projected costs are received; however, Council Member Dobson questioned whether or not the issue could wait until a decision could be made at the next Council meeting. City Manager LaGarce stated that, in his opinion, costs would have to be absorbed by *someone*, since demolition could not occur without them.

Mayor Hark agreed that the City had a moral obligation to Ms. Benjamin; however, he would prefer to know what they were agreeing to before they agree. Lemon advised that the 10 days should run on Friday, if the owner has not taken some action or made contact, indicating some action he is prepared to take, then it would be eligible for the City Attorney to file a *motion for contempt* with the judge on Monday, June 24th. This will require a *show cause* order, which is an order issued to the business owner naming a day he can appear in court to “show cause” why he hasn’t done what he was ordered to do. These procedures will take at least five (5) days; and, the possibility exists that there will not be a *show cause* issued until the following week. This would place the issue occurring around the date of the next Council meeting, anyway, according to Lemon, who advised that the City does not have authority to proceed with anything, regarding the 213 Broadway, until the court advises it to do so. Lemon commented that, if the City decides not to make a decision now, it has the time since it needs the order from the judge to take action. After that order is obtained and an acceptable price is met, Lemon urged Council to move forward since this structure poses a danger to the public. Motion was made by Council Member Louderman to table this item until the next Council meeting. Motion was seconded by Council Member Dobson.

Motion carried.

Re: Lover’s Leap Road – Covenants, Restrictions, Easement & Use Agreement
Harold & Kathleen Haycraft
(Resolution No. 1912-13, to follow)

The City Manager reminded Council that Harold and Kathleen Haycraft intended to build a very unique home on private property adjacent to Lover’s Leap; and, they have attempted to design a road from Swann Street up the bluff, which was subsequently deemed cost-prohibitive. Alternatively, they requested Council permission to ingress their proposed private drive directly from Lover’s Leap Road. The City Council granted tentative permission, subject to conditions that would protect the City, in general, also protecting current and future park uses without threat of future complaint or liability.

Every condition in the proposed lease represents a potential trouble spot initially identified by City staff; and, solutions or conditions were designed to prevent such difficulties. Harold and Kathleen Haycraft have agreed to each condition, without exception, recognizing the City’s concerns as fair and practical.

Therefore, Staff recommended Council approval of Resolution No. 1912-13, to follow, authorizing the Mayor to execute the requisite easement agreement with Harold and Kathy Haycraft, which will allow them to construct a private driveway off Lover's Leap Road, in conjunction with their proposed new home. Council Member Dobson questioned the Parks Superintendent about his opinion; however, Dorian had no concerns or objections to the proposed Resolution.

LaGarce shared one informational item that occurred after the agenda was distributed. He advised that the City may have the opportunity to refinance the 2008 revenue bonds on an unrated issue. He wished to know if Council had any objection to researching this. LaGarce assured Council that this would not affect the Board of Public Work's issue and would be cost savings to the City. Council had no objection.

PHYLLIS NELSON – CITY COLLECTOR

Re: 2012/13 Budget Amendment (No. 3)

(Resolution No. 1910-13, to follow)

City Collector Phyllis Nelson came before Council to present Resolution No. 1910-13, to follow, regarding amendments to the FY2012/13 General Fund Budget because of some large items, including:

- Murphy Motors property
- Storm debris removal
- Trash bids higher than expected
- Pigeon removal
- Ipads

Nelson explained that these adjustments can not be made without a budget resolution, since it was necessary to change the bottom line. She assured Council that this procedure was simply a housekeeping measure.

LaGarce advised that the cleanup project with Timberline was almost completed, with eight spots left to clear. After that, according to LaGarce, the Street Department will be able to handle the remaining cleanup. He added that there may be a need to amend the budget after the new fiscal year has begun, but that may be a necessity, since Timberline has been extended another thirty loads. Phyllis' budget amendment covered information received through June 13th; however, they have been authorized to continue until completion. He advised Council that each day they are here, the City is saving \$2,000 in related fuel costs. . He added that there may be a retro-active budget amendment to be approved on July 2nd; and he would seek advise from Doug Warren, the City Finance Officer, with regard to this adjustment.

GAIL BRYANT – DIRECTOR, HCVB

Re: Missouri Division of Tourism Cooperative Marketing Program – Acceptance of Grant Award

(Resolution No. 1911-13, to follow)

HCVB Director Gail Bryant came before Council seeking their approval to allow the Mayor to enter into an agreement with Missouri Department of Tourism for the acceptance of a grant award, in the amount of \$5,000, with regard to their Small Markets Project. This is a matching grant that has already been included in the current HCVB budget. . Bryant added that HCVB staff recommended approval of Resolution No. 1911-13, to follow, that would accomplish this.

RESOLUTION NO. 1910-13

A RESOLUTION AMENDING THE FISCAL YEAR BUDGET 2012-2013 TO RECOGNIZE UNFORSEEN REVENUES AND EXPENSES OCCURRING IN THE EXECUTIVE DEPARTMENT, STREET DEPARTMENT, PARKS AND RECREATION DEPARTMENT, AND TOURISM DEPARTMENT

Motion was made by Council Member Louderman to have the City Clerk read Resolution No. 1910-13, and call the roll for adoption. Motion was seconded by Council Member Dobson.

Motion carried.

Roll Call

Yes: Council Members Louderman, Hark, Locke, Dobson, Lionberger and Mayor Hark - 6

No: -0-

Absent: Mayor Pro Tem Knickerbocker - 1

Mayor Hark declared Resolution No. 1910-13, duly approved and adopted on this date.

RESOLUTION NO. 1911-13

A RESOLUTION FOR THE MAYOR OF THE CITY OF HANNIBAL ACCEPT MISSOURI DIVISION OF TOURISM GRANT AWARD

Motion was made by Council Member Locke to have the City Clerk read Resolution No. 1911-13, and call the roll for adoption. Motion was seconded by Council Member Hark.

Motion carried.

Roll Call

Yes: Council Members Louderman, Hark, Locke, Dobson, Lionberger and Mayor Hark - 6

No: -0-

Absent: Mayor Pro Tem Knickerbocker - 1

Mayor Hark declared Resolution No. 1911-13, duly approved and adopted on this date.

RESOLUTION NO. 1912-13

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A PERMANENT EASEMENT AGREEMENT WITH HAROLD AND KATHLEEN HAYCRAFT ON CITY-OWNED PROPERTY IN LOVER'S LEAP PARK FOR THE CONSTRUCTION AND USE OF A PRIVATE DRIVEWAY TO THEIR PROPOSED RESIDENCE

Motion was made by Council Member Dobson to have the City Clerk read Resolution No. 1912-13, and call the roll for adoption. Motion was seconded by Council Member Lionberger.

Motion carried.

Roll Call

Yes: Council Members Louderman, Hark, Locke, Dobson, Lionberger and Mayor Hark - 6

No: -0-

Absent: Mayor Pro Tem Knickerbocker - 1

Mayor Hark declared Resolution No. 1912-13, duly approved and adopted on this date.

Mayor Hark asked Finance Director Doug Warren to explain the reason for the amendment status of this bill. Warren explained that the Library submitted changes following the recent workshop. He added that the Library's budget is submitted within the City's budget, when, in fact, they are a separate and independent body; therefore, they made changes because of building issues, making these amendments necessary. Warren assured Council that the Library still had a balanced budget and this change is purely informational. He just wanted Council to be aware of these amendments before the vote was taken. Motion was made by Council Member Louderman to give Bill No. 13-011, as amended, a second and final reading and call the roll for adoption. Motion was seconded by Council Member Hark.

It was then discovered that the amendment was actually on the appropriations ordinance, Bill No. 13-012; therefore, Council Member Louderman withdrew his motion and Council Member Hark withdrew his second.

BILL NO. 13-011

AN ORDINANCE TO PAY OFFICERS AND EMPLOYEES OF THE CITY OF HANNIBAL, MISSOURI FOR THE FISCAL YEAR 2013/2014

SECOND AND FINAL READING

Motion was made by Council Member Locke to give Bill No. 13-011 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 Louderman, Hark, Locke, Dobson, Lionberger and Mayor Hark - 6

No: -0-

Absent: Mayor Pro Tem Knickerbocker - 1

Mayor Hark declared Bill No. 13-011 duly approved and adopted on this date.

BILL NO. 13-012

(As amended)

AN ORDINANCE APPROVING THE FISCAL YEAR 2013-2014 BUDGET AND APPROPRIATING TO THE VARIOUS DEPARTMENTS, BOARDS, COMMISSIONS AND AGENCIES OF THE CITY GOVERNMENT OF THE CITY OF HANNIBAL, MISSOURI FOR THE FISCAL YEAR ENDING JUNE 30, 2014

SECOND AND FINAL READING

Motion was made by Council Member Louderman to give Bill No. 13-012, as amended, 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 Louderman, Hark, Locke, Dobson, Lionberger and Mayor Hark - 6

No: -0-

Absent: Mayor Pro Tem Knickerbocker - 1

Mayor Hark declared Bill No. 13-012, as amended, duly approved and adopted on this date.

BILL NO. 13-013

AN ORDINANCE AMENDING CHAPTER 12, ARTICLE III, OF THE CODE OF THE CITY OF HANNIBAL, REGARDING THE FIRE CODE FOR THE CITY OF HANNIBAL RELATIVE TO UNWANTED AND NUISANCE FIRE ALARMS

SECOND AND FINAL READING

Motion was made by Council Member Dobson to give Bill No. 13-013 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Lionberger.

Motion carried.

Roll Call

Yes: Council Members Louderman, Hark, Locke, Dobson, Lionberger and Mayor Hark - 6

No: -0-

Absent: Mayor Pro Tem Knickerbocker - 1

Mayor Hark declared Bill No. 13-013 duly approved and adopted on this date.

BILL NO. 13-014

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A COMMERCIAL LEASE AGREEMENT WITH FAYE DANT AND THE MARION COUNTY HISTORICAL SOCIETY IN THE AMOUNT OF \$1.00 PER YEAR FOR THE USE OF THE WELCHMAN HOUSE LOCATED AT 509 THIRD STREET FOR THE ESTABLISHMENT AND OPERATION OF AN AFRICAN AMERICAN HISTORY MUSEUM

SECOND AND FINAL READING

Motion was made by Council Member Lionberger to give Bill No. 13-014 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 Louderman, Hark, Locke, Dobson, Lionberger and Mayor Hark - 6

No: -0-

Absent: Mayor Pro Tem Knickerbocker - 1

Mayor Hark declared Bill No. 13-014 duly approved and adopted on this date.

ADJOURNMENT

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

Motion carried.