

OFFICIAL COUNCIL PROCEEDINGS

Tuesday, May 21, 2013
Council Chambers
7:00 p.m.

ROLL CALL

Present: Mayor Hark, Council Members Louderman, Hark, Dobson and Lionberger - 5

Absent: Council Member Locke and Mayor Pro Tem Knickerbocker – 2

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 Hark led the Pledge of Allegiance to the Flag. Mayor Hark entertained a motion to excuse Council Member Locke and Mayor Pro Tem Knickerbocker. Motion was made by Council Member Louderman to excuse these two Members of Council, as requested by the Mayor. Motion was seconded by Council Member Hark.

Motion carried.

APPROVAL OF MINUTES Regularly Scheduled Council 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 May 7, 2013. Motion was seconded by Council Member Lionberger.

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS First Half – May, 2013

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

Motion carried.

MICHAEL GAINES – HANNIBAL ARTS COUNCIL

Re: Request, Street Closures & Alcohol Sales

37th Annual Historic Folklife Festival

October 19 & 20, 2013

Mr. Michael Gaines appeared before Council on behalf of the Hannibal Arts Council regarding the upcoming 37th Annual Autumn Historic Folklife Festival. Gaines explained that the event is scheduled for October 19-20, 2013. His purpose for coming before Council was to secure their approval to use streets for the event. Gaines stated that the request was similar to those made in past years, adding that this current one had been fine-tuned, taking into consideration the current infrastructure, in order that everyone is safe and has a good time, while bringing in dollars for the arts program in the community. Motion was made by Council Member Louderman to approve Gaines' request. Motion was seconded by Mayor Hark.

Motion carried.

STEPHEN VANHOUTEN – LOAFERS CAR CLUB

Re: Update/Progress – Loafers Car Show

Mr. Stephen VanHouten, representing the Loafer's Car Club, returned with an apology to Council Member Dobson and the rest of Council for the misunderstanding with regard to parking, during the recent Car Show. He explained that Council Member Dobson had contacted him and the matter was resolved with very good results.

Council Member Dobson responded that he appreciated VanHouten's cooperation, adding that it was a pleasure working with him. Dobson stated that he was impressed by the amount of entries and the entire Car Show. Mr. VanHouten explained that, with over 300 entries, the space worked out well.

JULIE ROLSEN – BUSINESS OWNER

Re: Request, Fire Hydrant Revitalization

Ms. Julie Rolsen, a local business owner, came before Council with a request to paint the fire hydrants on the main thoroughfares into Hannibal, including Warren Barrett, Mark Twain Avenue, Main Street and 5th Street (to encompass Central Park). Once a few are completed, Rolsen suggested that maps be printed with GPS locations.

She distributed samples of the artwork that she was proposing would be included on the hydrants and advised that it would only be necessary to re-paint every 3-4 years. She explained that she had been in contact with other cities that had painted hydrants like these. Some of these cities include:

- Pittsburgh, PA, who actually received grant money for this project, has fifty-seven painted hydrants

- Eugene, OR has several painted hydrants and citizens have taken ownership and pride in the area that surrounds them, actually taking care of the hydrants
- South Bend, IN have some (the city has placed restrictions on the type of artwork for these, limiting it to American Revolutionary related themes
- Riverdale, GA currently has forty-one, with plans to complete seventy-five, since discovering that more people are visiting just to view the fire hydrants
- Other cities include, San Jose, CA, St. Louis, MO (on “The Hill”)

Rolsen said that various individuals have given money to aid in this project because they believe it is a great idea, and, added that the money received would be used to maintain and repaint when needed. She assured Council that she was not seeking funds for the project, only permission from Council to undertake the hydrant painting project. She said that she was aware the colors on the tops of the hydrants were very important since the colors indicate the pressure of the hydrant, with blue being the highest, then green, yellow, and last, red. These colors could be incorporated into the artwork and the NFPA has a standardized color that they suggest a city may adopt, which has been done in many cities.

Rolsen stated that, in Berkley, WV, all hydrants according to the Fire Chief, equivalent to “blue” pressure are painted from top to bottom; however, she was not requesting permission to paint the entire hydrant. She added, “If Tom Sawyer is with a green one, he’s got a green hat. If Becky Thatcher is with a red one, she’s got a red one.” She expressed her desire to keep with a historical theme and said that she would not touch the three hydrants in the HDDC District unless she went before their board and asked their permission. The plan is to put a clear coat over the paint to keep them clean and protect them from vandals.

Council Member Louderman suggested that she begin on Main, Central Park or Broadway to see how that goes before incorporating the hydrants in other areas of the city. Rolsen agreed that this was an option. A brief discussion ensued with regard to the various hydrants and their projected themes. She indicated that she hoped to stay with a historical theme and only include hydrants in the tourist areas. A hydrant on 4th and Lyon has already been completed, according to Rolsen.

In conclusion, she stated that the hydrants would be “one more thing to take your eye away from the things in Hannibal that we don’t want to be looking at, and its kind of another cute idea that we can adopt”.

Council Member Louderman stated that he had no problem with this project, only asking that she map out the hydrants that would be completed with the Fire Chief. Mayor Hark stated that his only request was that, once they were painted they be kept in good order.

Council Member Dobson, a fireman by trade, indicated that he was a traditionalist and believed that NFPA 5.2.1.1 says that, *All barrels are to be chrome yellow, except in cases where another color has already been adopted.* In his opinion, the City was not adopting any color, but adopting what he believed is the equivalent of graffiti and the City is attempting to discourage graffiti. Rolsen disagreed with the Council Member’s statement that a painted fire hydrant was graffiti. After a short discussion, Dobson stated that he had not been contacted by anyone regarding the hydrants. He admitted, however, that he had not made inquiry with any of his constituents regarding this matter.

Ms. Rolsen stated that she had spoken with Heath Hall at the Board of Public Works, who indicated that he was not opposed, as long as the tops were left unchanged. He added that

BPW General Manager Bob Stevenson indicated that he had no strong opinion for or against the project. Motion was made by Council Member Louderman to approve Rolsen's request. Motion was seconded by Council Member Lionberger.

Roll Call

Yes: Mayor Hark, Council Members Louderman, Hark and Lionberger - 4

No: Council Member Dobson - 1

Absent: Council Member Locke and Mayor Pro Tem Knickerbocker – 2

Motion carried.

FAYE DANT

Re: Lease Request, City Owned Property

Welchman House

Ms. Faye Dant came before Council, seeking approval of her request to lease the City-owned property known as the Welchman House. Ms. Dant explained that she represented a group, known as the Hannibal African-American Life & History Project; and had been working with them for the past 18 months to make this it a success. She added that they believe they have now exceeded that goal, shining a spotlight on the history of Hannibal's African-American community. According to Dant, they have welcomed hundreds of visitors from around the world, who have acknowledged its historical significance to Hannibal's past and who have encouraged them to give the exhibit a permanent place in America's Hometown.

Dant indicated that the group had reached out to the Marion County Historical Society to secure a semi-permanent spot for the Hannibal African-American exhibit; and, she was now coming before Council to secure a lease for the Welchman House, the stone house located at 509A 3rd Street. This house has been used as a storage facility, a museum and also space for HCVB in the past.

With Council approval, this facility could be used as a museum – a place that people can meet and share ideas, thus learning more about the African-Americans in America's Hometown. Her hope was to be granted permission to use this space until they can secure funding for a more permanent location.

Mayor Hark voiced concerns about parking, asking Dant what her plan was for tourist parking in this area. She responded that they couldn't afford to do what they would like to do with regard to the parking. Dant hoped that people who wish to visit will find parking and a way to this place. She advised that she had recently contacted MoDOT and asked them to look at the possibility of installing some sort of crossing in this area. They agreed to conduct a survey.

Ms. Dant explained that she was appealing to Council at this time since this is a significant year for the Juneteenth Celebration. She was hoping to host a Grand Opening for the exhibit during that time. Motion was made by Council Member Lionberger to approve Ms. Dant's request. Motion was seconded by Council Member Hark.

When asked, City Manager LaGarce explained that he had no objections, but is only concerned about the parking. He added that, since the HCVB currently has only three parking spaces, there will never be the option of “sharing” parking spaces. He did not believe that MoDOT would ever allow parking at that location. Council Member Dobson questioned whether the insurance requirements were being met. LaGarce stated that Dant’s agent had had the required insurance; and, it would have to be posted. He added that it would be necessary to approve/adopt an ordinance. He offered to work with Dant to develop an agreement and a hold harmless.

Motion carried.

JEFF LAGARCE – CITY MANAGER
Re: Approval of Appointments

City Manager LaGarce reminded Council of three candidates presented at the last meeting for the Board of Adjustment. These were:

BOARD OF ADJUSTMENT

- Bill Hatton – reappointment for a term to expire May, 2018
- John Moore – appointment as alternate for a term to expire May, 2016
- Paul Lewellen – appointment as alternate for a term to expire May, 2017

He asked Council for their approval of these nominations. Motion was made by Council Member Louderman to approve Bill Hatton, John Moore and Paul Lewellen to serve on the Board of Adjustment for terms to expire in May of 2018, May, 2016 and May, 2017, respectively. Motion was seconded by Council Member Hark.

Motion carried.

Re: Recommendation of Appointments

City Manager LaGarce made the following recommendation:

HANNIBAL BOARD OF PUBLIC WORKS

- Randy Park – reappointment for a term to expire July, 2017

This nomination will be considered for approval at the next regular Council meeting, to be held on June 4, 2013. Next, LaGarce thanked all the employees and the Hannibal BPW for all their hard work during the previous twenty-three hours. He advised that there were some injuries, but no fatalities during the storm. According to LaGarce, there were thirteen homes that sustained serious damage; however, none are uninhabitable. Several commercial buildings were hit hard; and two of those are not habitable until a structural engineer can calculate the safety factor. He added that the Street Department had been on duty nonstop since the storm.

LaGarce commented that twenty-three hours prior, streets were impassible, with downed trees blocking the roadways. He had driven around very late, after the storm, and found that he could drive almost anywhere.

Central Park had resembled a war zone at 8:00 a.m.; but by evening it looked much different. Because of the fallen trees, resting against structures there, it was necessary to remove these hazards. LaGarce added that Riverview Park is also in much disarray; and, for that reason it has become necessary to close the park until the cleanup of all hazardous trees is completed. Huckleberry Park also has sustained some damage. He explained that entire trees, some over two feet in diameter, had been entirely uprooted during the storm

LaGarce advised that employees have worked very hard; and, John Hark, the Emergency Director has worked done a great job in the EOC office. He recognized the Police Department for their part, adding that they brought in mutual aid to help secure commercial building from potential problems because of the blackout. The Fire Department, according to the City Manager, has done a wonderful job staffing the EOC almost entirely.

LaGarce agreed with Council Member Louderman that the damage could have been much worse. He stated that the flood gates would be removed the following day. And, in conclusion, he explained that there is so much debris in the Street Department yard waste lot that the Street Department cannot accommodate it. For this reason, the decision has been made to use South Main flood buyout area. He assured Council that the Street Department would be picking up curbside debris; but, because of the volume it would probably take a couple of weeks and more than one trip to pick it up. He commented that this would be the City's third disaster declaration in the past ten weeks.

Several members of Council commended the Police Department for going above and beyond in their efforts to provide safety for citizens during and immediately following the storm. Council Member Dobson commented about the BPW posts on Facebook, that he believed was an excellent idea and extremely helpful.

ANDY DORIAN – PARKS & RECREATION
Re: Bid Award Approval, Playground Equipment – Willow and Kiwanis
Hutchinson Recreation & Design

Prior to his presentation, Andy Dorian, the Parks & Recreation Director, stressed the importance of heeding the warning to stay out of the parks at this time. He explained that Riverview Park was impassable. According to Dorian, there are hundreds of trees down or mangled at the top; and, he has witnessed more trees falling each time he travels in that area. He added that the Parks Department cannot even get through with the Gator, but individuals are still going around the barriers, which is unacceptable.

Dorian advised that every park in Hannibal has suffered damage: and, Indian Mounds Park is losing 80% of its trees. Dorian said that he understood that people just want to get out and enjoy the park, but things are still extremely dangerous in the parks at this time.

Dorian explained that, recently, the Parks Department had sought bids for new playground equipment at Willow and Kiwanis Parks. This equipment was not originally budgeted; however, the Department realized some savings from dredging, etc. so the decision was made to go ahead and purchase the much-needed equipment instead of waiting until the beginning of the next fiscal year, beginning July 1st. In that way, children can begin utilizing this equipment.

Dorian advised that, as a result of the bidding process, the Parks Department received five sealed responses which were evaluated using specific criteria. Dorian explained that, in evaluating the bids, the Department examined areas such as:

- Pricing
- Whether or not the equipment met the distributed specifications
- Installation time
- Overall appeal of the play features

Based upon the criteria, the Parks Department was recommending Hutchinson Recreation & Design, who submitted a bid of \$41,091.00 for Kiwanis Park playground and \$24,377.00 for Willow Park playground. Dorian added that, at the current time, the Parks Department is very low on playground equipment. This is the third upgrade that has been made recently, according to Dorian, who added that the new equipment at Spooner Park is utilized often.

He commented that Kiwanis Park is probably the third most popular park in the City, with people visiting all the time. His intention is to accompany the new equipment with a very large shelter. This will be another draw to the downtown area and will provide a great place to play.

In response to a question posed, Dorian explained that the Kiwanis playground will have a pea gravel surface because of the flooding possibility and Willow playground will have engineered wood fiber, which does not biodegrade like regular mulch. This will be the first time this substance is used. He added that, at Willow, the Department will be upgrading the basketball hoop with asphalt and placing benches in the area. During the grand opening, the D.A.R.E. program will be providing D.A.R.E. basketballs for distribution. Dorian commented that he planned to rename this park, adding that he had contacted the Willow Street Church Board for their help in providing a name of a prominent African-American to use in this process. Motion was made by Council Member Louderman to approve Dorian's request. Motion was seconded by Council Member Lionberger.

Motion carried.

PHYLLIS NELSON – CITY COLLECTOR
Re: Request, Budget Adjustments – 2012/13 Fiscal Year

City Collector Nelson presented the next request, to make adjustments to the 2012-2013 City Budget. She explained that this is a normal process that is approved by Council at the close of each fiscal year. Money will only be moved across expenditure lines and not be moved between funds without prior Council approval. Motion was made by Council Member Louderman to approve Nelson's request. Motion was seconded by Council Member Hark.

Motion carried.

Re: Delinquent Tax Report & Request to Write-off

Next, City Collector Nelson made a request for approval to write-off the 2009 delinquent personal property taxes totaling \$29,001.37, since State Statutes prohibit taking legal action against delinquent personal property taxes that are more than three years past due. Nelson explained that one reason the write-off amount was particularly high this year was because of

taxes owed by a business that left town and did not pay. She said that, with the exception of this amount, total delinquent taxes to write-off were around \$20,000.00. She commented that this amount may decrease prior to actual write-off date of June 30, 2012. Nelson stated that this procedure would be followed for two more years, after that the County would assume the responsibility of collections. When that occurs, Nelson will still bring figures before Council for information only, no approval will be necessary. She commented that after the County assumes this duty, she believes the delinquent amount will drastically decrease because it will then be a requirement in order to renew car licenses. Motion was made by Council Member Dobson approve the request of the City Collector. Motion was seconded by Council Member Hark.

Motion carried.

LYNDELL DAVIS – CHIEF OF POLICE
Re: Mutual Aid – Memoranda of Agreement
Hannibal-LaGrange University
(Resolution No. 1906-13, to follow)

Police Chief Lyndell Davis presented the final item on the evening's agenda, approval of a mutual aid agreement between the Hannibal LaGrange University and the City of Hannibal Police Department. He explained that this agreement would officially establish the framework and understanding of how resources of either party can be utilized in a time of need, during a major incident. He added that this agreement is not just beneficial for the Police Department and Hannibal LaGrange University, but for the community as a whole. In addition, it is necessary for the university to receive any reimbursement from the state or federal agencies as result of the use of Hannibal LaGrange University facilities.

This agreement would be approved and adopted with the approval of Resolution No. 1906-13, to follow.

While Davis had the floor, he informed Council that communications were lost between 911 and the HPD for approximately three hours the previous evening, during the severe storm. He wished to publically thank the law enforcement community for their assistance, including Marion and Ralls County.

RESOLUTION NO. 1906-13

**A MEMORANDA OF AGREEMENT PROVIDING FOR THE PROVISION OF
MUTUAL AID BETWEEN THE CITY OF HANNIBAL AND HANNIBAL
LAGRANGE UNIVERSITY**

Motion was made by Council Member Hark to have the City Clerk read Resolution No. 1906-13, and call the roll for adoption. Motion was seconded by Council Member Louderman.

Motion carried.

Roll Call

Yes: Mayor Hark, Council Members Louderman, Hark, Dobson and Lionberger - 5

No: -0-

Absent: Council Member Locke and Mayor Pro Tem Knickerbocker – 2

Mayor Hark declared Resolution No. 1906-13, duly approved and adopted on this date.

BILL NO. 13-009

**AN ORDINANCE PROVIDING FOR A MUNICIPAL
ELECTION TO BE HELD TUESDAY, AUGUST 6, 2013
TO ALLOW HANNIBAL VOTERS TO CONSIDER
ISSUING REVENUE BONDS IN THE AMOUNT OF
\$12,960,000 FOR THE PURPOSE OF ACQUIRING,
CONSTRUCTING, EXTENDING AND IMPROVING
THE CITY OF HANNIBAL'S
WATERWORKS SYSTEM
(PROPOSITION W)**

SECOND AND FINAL READING

Motion was made by Council Member Louderman to give Bill No. 13-009 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Hark.

Motion carried.

Roll Call

Yes: Mayor Hark, Council Members Louderman, Hark, Dobson and Lionberger - 5

No: -0-

Absent: Council Member Locke and Mayor Pro Tem Knickerbocker – 2

Mayor Hark declared Bill No. 13-009 duly approved and adopted on this date.

BILL NO. 13-010

**AN ORDINANCE PROVIDING FOR A MUNICIPAL
ELECTION TO BE HELD TUESDAY, AUGUST 6, 2013
TO ALLOW HANNIBAL VOTERS TO CONSIDER
ISSUING REVENUE BONDS IN THE AMOUNT OF
\$8,865,000 FOR THE PURPOSE OF ACQUIRING,
CONSTRUCTING, EXTENDING AND IMPROVING
THE CITY OF HANNIBAL'S
SEWERAGE SYSTEM**

(PROPOSITION S)

SECOND AND FINAL READING

Motion was made by Council Member Dobson to give Bill No. 13-010 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Louderman.

Motion carried.

Roll Call

Yes: Mayor Hark, Council Members Louderman, Hark, Dobson and Lionberger - 5

No: -0-

Absent: Council Member Locke and Mayor Pro Tem Knickerbocker – 2

Mayor Hark declared Bill No. 13-010 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, City Engineer Rees and City Collector Nelson. Motion was made by Council Member Louderman to go into Closed Session, as directed by Mayor Hark. Motion was seconded by Council Member Dobson.

Roll Call

Yes: Mayor Hark, Council Members Louderman, Hark and Dobson - 4

Abstain: Council Member Lionberger - 1

No: -0-

Absent: Council Member Locke and Mayor Pro Tem Knickerbocker – 2

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 Hark.

Motion carried.

ADJOURNMENT

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

Motion carried.