

## **OFFICIAL COUNCIL PROCEEDINGS**

**Tuesday, November 5, 2013  
Council Chambers  
7:00 p.m.**

### **ROLL CALL**

**Present:** Council Member Lionberger, Mayor Hark, Council Members  
Louderman, Hark and Locke - 5

**Absent:** Mayor Pro Tem Knickerbocker and Council Member Dobson - 2

### **CALL TO ORDER**

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

### **INVOCATION**

Council Member Lionberger gave the invocation.

### **PLEDGE OF ALLEGIANCE**

Mayor Hark led the Pledge of Allegiance to the Flag. He then entertained a motion to excuse Mayor Pro Tem Knickerbocker and Council Member Dobson from the meeting. Motion was made by Council Member Locke and seconded by Council Member Hark, as directed by the Mayor.

Motion carried.

### **APPROVAL OF MINUTES**

**Closed Session Minutes – July 16, 2013**

**Closed Session Minutes – August 20, 2013**

**Regularly Scheduled Council Meeting – November 5, 2013**

After it was pointed out that the regularly scheduled Council meeting minutes, being approved, were from the meeting held on October 15, 2013, motion was made by Council Member Louderman to approve the minutes of the regularly scheduled Council meeting that was held on October 15, 2013 and the Closed Session minutes of July 16 and August 20, 2013. Motion was seconded by Council Member Locke.

Motion carried.

**APPROVAL OF PAYROLL AND CLAIMS**  
**Second Half – October, 2013**

Motion was made by Council Member Louderman to approve the payroll and claims for the second half of October, 2013. Motion was seconded by Council Member Hark.

Motion carried.

**MIKE BATTLES – AMERICAN LEGION**  
**Re: Request, Street Closure – Veteran’s Day Parade**  
*(November 9, 2013 – 11:00a.m.)*

Francis Foubester, representing the American Legion and American Legion Riders on behalf of Mike Battles who was unable to attend, came before Council with a request for approval of street closure during the Annual Veterans’ Day Parade to be held on November 9, 2013. He requested the closure of Broadway from the Save-A-Lot parking lot to Main and Main Street from Broadway to Industrial Drive, including all cross streets along the parade route. It was noted that all pertinent information had been received; therefore, motion was made by Council Member Locke to approve this request. Motion was seconded by Council Member Hark.

Motion carried.

**JEFF ARP – MIRMA**  
**Re: Presentation, Hannibal Police Department Security Grant**

Since Mr. Arp, the MIRMA representative, was not in attendance, Mayor Hark entertained a motion to table this item on the agenda. Motion was made by Council Member Louderman to table this item, at Mayor Hark’s request. Motion was seconded by Council Member Hark.

Motion carried.

**ROY G. HARK – MAYOR**  
**Re: Recommendation of Appointments**

Mayor Hark made the following recommendation; however, Council Member Louderman made a motion to table this recommendation until after the Closed Session meeting.

- EMPLOYEE BENEFIT TRUST BOARD**
- Beverly Stewart – Reappointment for a term to expire May, 2016

Since there was no second to this motion, motion failed. Mayor Hark stated that this nomination would be considered for approval at the next regular Council meeting; then he made the following recommendations:

**LANDMARKS & MONUMENT BOARD**

- Jim Dewey – Reappointment for a term to expire January, 2016
- Robert Saxbury – Reappointment for a term to expire January, 2016

He stated that these nominations will be considered for approval at the next regular Council meeting.

**PHYLLIS NELSON – CITY COLLECTOR**

**Re: Business Closures**

City Collector Phyllis Nelson came before Council with an update regarding the notices that she sent to all businesses with delinquent business licenses. She reminded Council that this had been done upon their direction.

Nelson explained that, according to the letter, the delinquent business had thirty (30) days to appeal the closure of their business. She advised that the time has now expired and six businesses are still delinquent. Since these delinquent businesses are all contractors, two being located out of town, there is no “storefront” to chain and padlock. For that reason, Collector Nelson requested Council approval to distribute the delinquent list to each City department and request that all watch for the offending businesses operating within the City limits. If any are found to be conducting business within the City limits, they will be issued a citation for the offense. Nelson also spoke with the Building Inspector’s Office who has agreed to refuse issuance of any building permits, demolition permits, etc. to these businesses. Motion was made by Council Member Louderman to approve Nelson’s request. Motion was seconded by Mayor Hark.

Motion carried.

**JOEY BURNHAM – BUILDING INSPECTOR**

**Re: Sale of City Owned Property – 1420 Union Street**

*Tom Larson*

*(Resolution No. 1932-13, to follow)*

City Building Inspector Joey Burnham presented the next item on the agenda, a request for approval of Resolution No. 1932-13, to follow, regarding the sale of City-owned property, known as 1420 Union Street to Tom Larson. Burnham explained that the City had obtained this property through a ‘peaceful transfer’. Burnham indicated that Lawson had the property appraised and was willing to pay the appraisal price of \$850.00. Mr. Lawson indicated that this property would be used to construct a garage for his adjoining property.

Burnham asked Council approval of the related Resolution to approve this sale, as recommended by staff.

**Re: Demolition, Condemned Property – 316 N. 7<sup>th</sup> Street**  
*For Him Salvage*  
*(Resolution No. 1933-13, to follow)*

Burnham explained that bids were recently opened for the demolition of condemned property located at 316 North 7<sup>th</sup> Street. He added that, of the five bids received for the project, For Him Salvage was the low bidder with a bid amount totaling \$7,500.00. He recommended the bid be awarded to For Him Salvage for this amount. In response to a question from Mayor Hark regarding funding for this project, Burnham was unsure of the availability of funding; however, City Manager LaGarce assured Council that this, being a ‘core mission issue’ that was necessary. This project will be approved with the approval of related Resolution No. 1933-13, to follow.

**MIKE BENJAMIN – DEPUTY FIRE CHIEF**  
**Re: Request, Station 3 Parking Lot Paving**

Deputy Chief Mike Benjamin came before Council with a request to use surplus asphalt from a previous City project to repair the Fire Station No. 3 parking lot. Benjamin explained that this lot is used by the Fire Department personnel and their visitors, as well as the Emergency Operations Center and municipal voters (Station No. 3 is a voting site). He advised that the parking lot is currently in much need of repair. Street Superintendent Leon Wallace had been contacted and has agreed to allow Street personnel to apply the new asphalt to assist in keeping costs down, with Council’s approval. Motion was made by Council Member Louderman to earmark the required asphalt for the repair and maintenance of the Fire Station No. 3 parking lot. Motion was seconded by Council Member Locke. In response to a question posed by Council Member Hark, Benjamin was unsure whether or not this project had been included in their 5-year capital improvement plan.

Motion carried.

**MARK REES – CITY ENGINEER**  
**Re: Alley Vacation – Block 34 Original Town Subdivision**  
*Linda O’Donnell*  
*(Bill No. 13-026, to follow)*

City Engineer Mark Rees came before Council to request an alley vacation for an alley located in Block 34 of the Original Town Subdivision. He explained that a request from Linda O’Donnell was heard at the recent Planning & Zoning meeting on October 17<sup>th</sup>; and added that this piece of property is platted but undeveloped and unnecessary to the City.

According to Rees, the request was reviewed and approved by the Planning and Zoning Commissioners, who recommended presentation for approval by Council. With Council approval the related Bill No. 13-026 would have a first reading, when presented for approval later in the meeting.

**Re: Traffic Committee Recommendations**

Rees presented recommendations from the Traffic Committee, held on October 16, 2013. He detailed these recommendations, as follows:

- Install handicap parking space: 203 Quincy Street - The resident's needs are real and legitimate and do meet the guideline criteria.
- Install handicap parking space: 1101 Church Street - The resident's needs are real and legitimate and do meet the guideline criteria.
- Install handicap parking space: 704 Lyon Street - The resident's needs are real and legitimate and do meet the guideline criteria.

All sites received unanimous recommendations from the Traffic Committee, according to Rees. Since no action was taken by Council, these recommendations became effective on November 5, 2013.

**RESOLUTION NO. 1932-13**

**A RESOLUTION AUTHORIZING THE MAYOR TO SELL A CITY-OWNED VACANT LOT KNOWN AS 1420 UNION STREET TO TOM LARSON IN THE AMOUNT OF \$850.00 PURSUANT TO THE CITY OF HANNIBAL'S PEACEFUL TRANSFER PROGRAM**

Motion was made by Council Member Louderman to have the City Clerk read Resolution No. 1932-13, and call the roll for adoption. Motion was seconded by Council Member Lionberger.

Motion carried.

**Roll Call**

**Yes:** Council Member Lionberger, Mayor Hark, Council Members Louderman, Hark and Locke - 5

**No:** -0-

**Absent:** Mayor Pro Tem Knickerbocker and Council Member Dobson - 2

Mayor Hark declared Resolution No. 1932-13, duly approved and adopted on this date.

**RESOLUTION NO. 1933-13**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR DEMOLITION OF CONDEMNED PROPERTY LOCATED AT 316 N. 7TH**

**BETWEEN THE CITY OF HANNIBAL AND FOR HIM SALVAGE, IN THE  
AMOUNT OF \$7,500**

Motion was made by Council Member Lionberger to have the City Clerk read Resolution No. 1933-13, 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 and Locke - 5

**No:** -0-

**Absent:** Mayor Pro Tem Knickerbocker and Council Member Dobson - 2

Mayor Hark declared Resolution No. 1933-13, duly approved and adopted on this date.

**BILL NO. 13-026**

**AN ORDINANCE VACATING A PORTION OF AN ALLEY LYING IN BLOCK 34  
OF THE ORIGINAL TOWN SUBDIVISION, CITY OF HANNIBAL, MARION  
COUNTY, MISSOURI**

**FIRST READING**

Motion was made by Council Member Lionberger to give Bill No. 13-026 a first reading. Motion was seconded by Council Member Hark.

Motion carried.

**CLOSED SESSION**

*In Accordance with RSMo. 610-021 (1) & (9)*

At this time, Mayor Hark entertained a motion to go into closed session in accordance with RSMo 610-021, sub-paragraph one (1) and nine (9), admitting himself, rest of Council, City Manager LaGarce, City Attorney James Lemon, City Clerk Vance, BPW General Manager Bob Stevenson, BPW Board Members Randy Park, Betty Anderson, Susan Wathan, BPW Personnel Heath Hall, Cindy Livesay, Matt Munzlinger, Labor Attorney Danae Delano 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 Locke.

**Roll Call**

**Yes:** Council Member Lionberger, Mayor Hark, Council Members Louderman, Hark and Locke - 5

**No:** -0-

**Absent:** Mayor Pro Tem Knickerbocker and Council Member Dobson - 2

Motion carried.

**OPEN SESSION**

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

Motion carried.

**ADJOURNMENT**

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

Motion carried.