

## **OFFICIAL COUNCIL PROCEEDINGS**

**Tuesday, June 17, 2014  
Council Chambers  
7:00 p.m.**

### **ROLL CALL**

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

**Absent:** Mayor Pro Tem Knickerbocker - 1

### **CALL TO ORDER**

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

### **INVOCATION**

At this time, Mayor Hark asked Council Member Lionberger to give the invocation.

### **PLEDGE OF ALLEGIANCE**

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

Motion carried.

### **APPROVAL OF MINUTES**

#### **Regularly Scheduled Council Meeting – June 3, 2014**

Motion was made by Council Member Louderman to approve the minutes of the regularly scheduled Council meeting that was held on June 3, 2014. Motion was seconded by Council Member Locke.

Motion carried. At this time, Mayor Hark introduced Kim Waelder, who wished to be added to the evening's agenda with regard to a request. Apparently, Waelder believed that she had submitted a request online; however, the request was never received in the Clerk's office.

Mayor Hark entertained a motion to add her request to the agenda. Motion was made by Council Member Locke to add this request to the agenda. Motion was seconded by Council Member Lionberger.

Motion carried. Kim Waelder, on behalf of Luther Manor Nursing Home, presented her request to have a fire works display as a part of their annual celebration for the residents at Luther Manor on June 27, 2014. She added that the required permits were being obtained from the Hannibal Fire Department. Motion was made by Council Member Locke to approve Waelder's request. Motion was seconded by Council Member Lionberger.

Motion carried.

**APPROVAL OF PAYROLL AND CLAIMS**  
**First Half – June, 2014**

Motion was made by Council Member Locke to approve the payroll and claims for the first half of June, 2014. Motion was seconded by Council Member Dobson.

Motion carried.

**ANGIE WILCOXSON – HANNIBAL REGIONAL HOSPITAL**

**Re: Amended Request, Restricted Parking**

*Saturday, July 5, 2014 – 2:00 a.m. – 9:00 a.m.*

Angie Wilcoxon, Director of Finance at Hannibal Regional Hospital and Race Director for the Hannibal Cannibal, came before Council to amend a request, regarding the Hannibal Cannibal event that had previously been approved by Council. Wilcoxon requested the amendment to include **No Parking** restrictions along the downtown course that would include Main Street, from North Street to Church Street, and Church Street, from Main Street to Highway 79 from 2:00 a.m. until 9:00 a.m. on July 5<sup>th</sup>, the day of the event. Motion was made by Council Member Dobson to approve this amendment. Motion was seconded by Council Member Locke.

Motion carried.

**JAMES LEMON – CITY ATTORNEY**

**Re: Clemens Field – Lease Agreement**

*Clemens Field Management, LLC*

*(Resolution No. 1959-14, to follow)*

City Attorney Lemon explained that his item on the agenda, regarding the Clemens Field lease agreement, had not been reviewed by all the necessary parties. He added that, according to their attorney, Mr. Hark, there were some additional changes to the lease that needed to be reviewed. For these reasons, he requested that this item be tabled until the next meeting so that a final draft of this lease agreement could be distributed to Council. Motion

was made by Council Member Hark to table this item. Motion was seconded by Council Member Dobson.

Motion carried.

**JEFF LAGARCE – CITY MANAGER**  
**Re: Commercial Dumpsters on Public Parking Lot**

City Manager LaGarce explained that, with the downtown renovations nearly completed, the City had received several complaints about exposed private dumpsters that are located near the sidewalk on the City's public parking lot, adjacent to Ole Planters Restaurant. LaGarce added that he had made an offer to one of the owners, subject to Council and HDDC approval, to utilize the grassy area at the rear of the lot to relocate these dumpsters, with the understanding that they would install dumpster enclosures for screening. As an alternate option, owners could also place these dumpsters behind their buildings, as most property owners do.

LaGarce advised Council that the dumpsters have now been relocated to the grassy area at the rear of the lot; however, there has been no screening erected. He added that he believes this is unsightly and unsanitary but there is no requirement in the City Code for dumpster enclosures and he has no authority to require this. He admitted that since he was still receiving complaints regarding this issue, he was seeking Council permission to offer the subject site for relocation of these two dumpsters, *provided* the owners erect a suitable dumpster enclosure per HDDC approval; otherwise, staff will seek authority to require these dumpsters be removed from the parking lot and placed behind their respective buildings.

During a short discussion, Council Member Dobson indicated that he had no problem with these dumpsters, since they were a part of doing business, but admitted that they could have their paint touched up a bit. Mayor Hark entertained a motion to place the dumpsters behind the buildings or screening them and Council Member Louderman made that motion. The motion died for lack of a second and the discussion continued.

LaGarce clarified his position that there is no code requirement for this issue; however, *in exchange for the use of City property, Council can require any reasonable condition to assure public health and safety.* Otherwise the City is not compelled to allow use of its property. LaGarce added that this is more of an ownership issue – do we want to require these to be screened if they are on City property or, otherwise, placed behind their building. He suggested that, if Council has no objection to this, he will not pursue it, but he was merely attempting to seek clarification. Council Member Louderman amended his motion that the dumpsters be moved to the alley. This motion died for the lack of a second.

Motion failed.

**JOEY BURNHAM – BUILDING INSPECTOR**  
**Re: Old Baptist Cemetery Mowing – Contract Agreement**  
*Darrel's Lawn Care Service*  
*(Resolution No 1958-14, to follow)*

Building Inspector Joey Burnham presented the next item on the agenda, approval of a contract agreement for the Old Baptist Cemetery mowing. Burnham explained that, recently, the Building Inspector's Office had let bids for the 2014-15 Old Baptist Cemetery mowing; and, as a result of that process two bids were submitted and opened on June 10, 2014. Recommendation was made that the bid be awarded to Darrell's Lawn Care, the apparent low bidder for this project with a total bid amount of \$2,250.00.

Council approval of Resolution No. 1958-14, to follow, would approve the award for this amount to Darrell's Lawn Care and authorize the Mayor to execute a contract with this company for the 2014-15 Old Baptist Cemetery mowing project.

**Re: 620 North Street, Demolition – Contract Agreement**  
*Nieman General Contracting*  
*(Resolution No. 1960-14, to follow)*

Burnham explained that bids were requested for demolition of 620 North Street. Submitted bids were opened on June 11, 2014, with Nieman General Contracting submitting the low bid in the amount of \$8,800. Resolution No. 1960-14, to follow, if approved, would give Mayor Hark the authority to execute a contract with Nieman for this demolition.

**Re: 313 Bird Street, Demolition – Contract Agreement**  
*Roberts Demolition*  
*(Resolution No. 1961-14, to follow)*

Burnham explained that bids were also requested for demolition of 313 Bird Street. He added that the four submitted bids were opened on June 11, 2014, with Roberts Demolition submitting the low bid in the amount of \$8,500. Resolution No. 1961-14, to follow, if approved, would give Mayor Hark the authority to execute a contract with Roberts Demolition for this demolition project.

**Re: 717 Olive, Demolition – Contract Agreement**  
*For Him Salvage*  
*(Resolution No. 1962-14, to follow)*

Finally, Building Inspector Burnham explained that bids were requested for demolition of 717 Olive. He stated that, of the five bids that were submitted and opened on June 11, 2014, For Him Salvage was the lowest bidder, with a bid amount of \$9,500. Resolution No. 1962-14, to follow, if approved, would give Mayor Hark the authority to execute a contract with For Him Salvage for this demolition.

**HALLIE YUNDT-SILVER – HANNIBAL FREE PUBLIC LIBRARY**

**Re: Street Closure – Egg Drop Experiment**

*Thursday, June 19, 2014 – 4:00 p.m. – 6:00 p.m.*

Librarian Hallie Yundt-Silver told Council that Thursday, June 19<sup>th</sup> at 4:00 p.m., the Hannibal Free Public Library was sponsoring a program, an Egg Drop Experiment. Yundt-Silver explained that participants would be wrapping eggs in various ways to try and prevent them from breaking when dropped from the roof of the Library. She advised that, in order to avoid hitting pedestrians or cars, a request was being made for street closure of the sidewalk along the south side of the library building and traffic decreased to one lane on Church Street between 4<sup>th</sup> Street and 5<sup>th</sup> Street. Since this science experiment for third, fourth and fifth graders will begin at 4:00 p.m. and continue until 5:00 p.m., she was asking for these closures from 1:00 p.m. until 6:00 p.m. Motion was made by Council Member Louderman to approve Yundt-Silver's request. Motion was seconded by Council Member Dobson. Council Member Hark clarified that the closure would be from 1:00 p.m. until 6:00 p.m. and only one lane of Church Street would be closed.

Motion carried.

**GAIL BRYANT, DIRECTOR - HCVB**

**Re: Declaration, Surplus Property – Buick Terraza Van**

HCVB Director Gail Bryant requested Council approval to declare, as surplus property, the used van that was recently replaced. With this approval, the used Buick Terraza Van will be available for purchase at the next City auction. Motion was made by Council Member Locke to approve Bryant's request. Motion was seconded by Council Member Hark.

Motion carried.

**MARK REES – CITY ENGINEER**

**Re: Approval, Landfill Logging Operations**

City Manager Mark Rees introduced the next item on the agenda regarding potential logging at the City's landfill property. He explained that there is quite a bit of marketable timber on the land at that location. Since the City is not currently set up to sell this timber, Rees proposed conducting an RFQ process, similar to the process used to select firms to perform consulting engineering services. With Council approval, qualified firms would be asked to submit proposals that would include details of the intended logging process, timeline for completion, pricing and other information necessary to choose a good company to complete this task.

After these are received, each company would be evaluated, according to merit and offered price. Results would be presented to Council for approval. In response to a question posed, Rees explained that there is approximately 120 acres; however, a portion of this acreage is actual landfill cells that contain no marketable lumber. After a short discussion, motion was made Council Member Locke to approve Rees' request. Motion was seconded by Council Member Hark.

Motion carried.

**ANDY DORIAN, DIRECTOR – PARKS & RECREATION**

**Re: Approval, Amend 2014/15 Payroll Ordinance**

*Assistant Director of Parks and Recreation & Recreation Supervisor II/Director of Aquatics*

Parks & Recreation Director Andy Dorian presented the final item on the evening's agenda, a request for approval to amend the FY2014-15 Payroll Ordinance. Dorian explained that this change was discussed in the recent budget workshop and was also included in the FY2014-15 Budget.

Approval of this amendment will authorize the promotion of Aron Lee, the current Recreation Supervisor, to Assistant P&R Director, effective July 1, 2014. At that time, Lee's current position will be slightly changed and the new position will be called Recreation Supervisor II/Director of Aquatics.

Dorian explained that, currently, the P&R Department does not have a foreman; therefore, the maintenance department is being operated from City Hall. He added that, with regard to the new positions, a full time Director of Aquatics was not necessary so the two positions are being merged. According to P&R Director Dorian, during the summer the Recreation Supervisor II/Director of Aquatics will oversee the pool and when this is not being done, the recreation portion will be done, including wiffle ball leagues, horse shoe tournaments and sand volleyball. He advised that, without the addition of this position, it would be necessary to discontinue these programs.

Dorian commented that the department currently has a full time staff of eight; however, through attrition, retirement, etc. it is his desire, in the future, to reduce the full time staff and replace with additional seasonal help.

**BILL NO. 14-008**

**AN ORDINANCE APPROVING THE FISCAL YEAR 2014-2015 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, 2015**

**SECOND AND FINAL READING**

Motion was made by Council Member Louderman to give Bill No. 14-008 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Locke.

Motion carried.

**Roll Call**

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

**No:** -0-

**Absent:** Mayor Pro Tem Knickerbocker - 1

Mayor Hark declared Bill No. 14-008 duly approved and adopted on this date.

**BILL NO. 14-009**

**ORDINANCE TO PAY OFFICERS AND EMPLOYEES OF THE CITY OF HANNIBAL, MISSOURI FOR THE FISCAL YEAR 2014/2015**  
*(As amended)*

**SECOND AND FINAL READING**

Motion was made by Council Member Dobson to give Bill No. 14-009, 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 Dobson, Lionberger, Mayor Hark, Council Members Louderman, Hark and Locke – 6

**No:** -0-

**Absent:** Mayor Pro Tem Knickerbocker - 1

Mayor Hark declared Bill No. 14-009, as amended, duly approved and adopted on this date.

**BILL NO. 14-010**

**AN ORDINANCE OF THE CITY OF HANNIBAL NOMINATING 311 N 6<sup>th</sup> STREET IN MARION COUNTY, HANNIBAL, MISSOURI TO BECOME AN INDIVIDUAL LOCAL HISTORIC LANDMARK**

**SECOND AND FINAL READING**

Motion was made by Council Member Dobson to give Bill No. 14-010 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 Dobson, Lionberger, Mayor Hark, Council Members Louderman, Hark and Locke – 6

**No:** -0-

**Absent:** Mayor Pro Tem Knickerbocker – 1

Mayor Hark declared Bill No. 14-010 duly approved and adopted on this date.

**BILL NO. 14-011**

**AN ORDINANCE APPROVING AND ACCEPTING THE PLAT OF SLEEP INN HOTEL, A SUBDIVISION LYING IN PART OF THE NORTH HALF OF THE NORTHEAST OF SECTION 27, T57N. R5W, IN THE CITY OF HANNIBAL, MARION COUNTY, MISSOURI**

**SECOND AND FINAL READING**

Motion was made by Council Member Lionberger to give Bill No. 14-011 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 Dobson, Lionberger, Mayor Hark, Council Members Louderman, Hark and Locke – 6

**No:** -0-

**Absent:** Mayor Pro Tem Knickerbocker – 1

Mayor Hark declared Bill No. 14-011 duly approved and adopted on this date.

**RESOLUTION NO. 1958-14**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF HANNIBAL AND DARRELL'S LAWNCARE SERVICE FOR 2014-2015 OLD BAPTIST CEMETERY MOWING, IN THE AMOUNT OF \$2,250.00**

Motion was made by Council Member Louderman to have the City Clerk read Resolution No. 1958-14, and call the roll for adoption. Motion was seconded by Council Member Hark.

Motion carried.

**Roll Call**

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

**No:** -0-

**Absent:** Mayor Pro Tem Knickerbocker – 1

Mayor Hark declared Resolution No. 1958-14, duly approved and adopted on this date.

**RESOLUTION NO. 1959-14**

**A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING THE MAYOR TO ENTER INTO A REVISED LEASE AGREEMENT AS TO CLEMENS FIELD BETWEEN THE CITY OF HANNIBAL AND CLEMENS FIELD MANAGEMENT, LLC**

Mayor Hark entertained a motion to table Resolution No. 1959-14 at this time. Motion was made by Council Member Lionberger to table, as per the Mayor's instruction. Motion was seconded by Council Member Hark.

Motion carried.

**RESOLUTION NO. 1960-14**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR DEMOLITION OF CONDEMNED PROPERTY LOCATED AT 620 NORTH STREET BETWEEN THE CITY OF HANNIBAL AND NIEMAN GENERAL CONTRACTING IN THE AMOUNT OF \$8,800**

Motion was made by Council Member Louderman to have the City Clerk read Resolution No. 1960-14, and call the roll for adoption. Motion was seconded by Council Member Hark.

Motion carried.

**Roll Call**

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

**No:** -0-

**Absent:** Mayor Pro Tem Knickerbocker – 1

Mayor Hark declared Resolution No. 1960-14, duly approved and adopted on this date.

**RESOLUTION NO. 1961-14**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR DEMOLITION OF CONDEMNED PROPERTY LOCATED AT 313 BIRD BETWEEN THE CITY OF HANNIBAL AND ROBERT'S DEMOLITION IN THE AMOUNT OF \$8,500**

Motion was made by Council Member Locke to have the City Clerk read Resolution No. 1961-14, and call the roll for adoption. Motion was seconded by Council Member Dobson.

Motion carried.

**Roll Call**

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

**No:** -0-

**Absent:** Mayor Pro Tem Knickerbocker – 1

Mayor Hark declared Resolution No. 1961-14, duly approved and adopted on this date.

**RESOLUTION NO. 1962-14**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR DEMOLITION OF CONDEMNED PROPERTY LOCATED AT 717 OLIVE BETWEEN THE CITY OF HANNIBAL AND FOR HIM SALVAGE IN THE AMOUNT OF \$9,500**

Motion was made by Council Member Louderman to have the City Clerk read Resolution No. 1962-14, and call the roll for adoption. Motion was seconded by Council Member Locke.

Motion carried.

**Roll Call**

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

**No:** -0-

**Absent:** Mayor Pro Tem Knickerbocker – 1

Mayor Hark declared Resolution No. 1962-14, duly approved and adopted on this date.

**CLOSED SESSION**  
*In Accordance with RSMo. 610-021 (2)*

At this time, Mayor Hark entertained a motion to go into closed session in accordance with RSMo 610-021, sub-paragraph two (2), admitting himself, rest of Council, City Manager LaGarce, City Attorney James Lemon, City Clerk Vance, Director of Hannibal Chamber of Commerce and Tourism Director Bryant. 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 Members Dobson, Lionberger, Mayor Hark, Council Members Louderman, Hark and Locke – 6

**No:** -0-

**Absent:** Mayor Pro Tem Knickerbocker – 1

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 Locke.

Motion carried.

**ADJOURNMENT**

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

Motion carried.