

OFFICIAL COUNCIL PROCEEDINGS

Tuesday, October 7, 2014
Council Chambers
7:00 p.m.

ROLL CALL

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

Absent: Council Member Lionberger - 1

CALL TO ORDER

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

INVOCATION

At this time, Council Member Louderman gave the invocation.

PLEDGE OF ALLEGIANCE

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

Motion carried.

APPROVAL OF MINUTES Regularly Scheduled Council Meeting – September 16, 2014

Motion was made by Council Member Louderman to approve the minutes of the regularly scheduled Council meeting that was held on September 16, 2014. Motion was seconded by Council Member Hark.

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS Second Half – September, 2014

Motion was made by Council Member Locke to approve the payroll and claims for the second half of September, 2014. Motion was seconded by Council Member Louderman.

Motion carried.

TINA SANDERS – FINN’S FOOD & SPIRITS

Re: Request, Chippendale Show

Wednesday, November 5, 2014 – 8:30 p.m. – 10:30 p.m.

Since Ms. Sanders, of Finn’s Food & Spirits, was not in attendance and had not contacted anyone regarding making the presentation on her behalf, Mayor Hark sought Council’s pleasure for resolution of this issue. Council Member Dobson suggested that the item be moved to the end of the agenda; however, Mayor Pro Tem Knickerbocker pointed out that approval of this request would violate the City’s Municipal Code on two points.

First, the proposed event would be held in too close proximity of a park (449.73 feet – 1,000 feet limit). The second issue is the plan to knowingly or intentionally sell, use or consume alcoholic beverages on the premises during the event. For these reasons, Mayor Pro Tem Knickerbocker made the motion to deny this request. Motion was seconded by Council Member Louderman.

Motion to deny carried.

JIM DUNN/CINDY BENJAMIN – LONE WOLF NO CLUB

Re: Request, Street Closure – Motorcycle Show

Saturday, June 20, 2015 – 7:00 a.m. – 12:00 a.m.

Mr. Jim Dunn, representing the Lone Wolf No Club, came before Council with a request to close various streets during an upcoming motorcycle show, to be held on Saturday, June 20, 2015, from 7:00 a.m. until 12:00 a.m. Dunn explained that the specific request was closure of Hill Street from 3rd Street to the flood wall, leaving alleyways open. He assured Council that there would be no alcohol sales included. Motion was made by Council Member Locke to approve Dunn’s request. Motion was seconded by Council Member Hark.

Motion carried.

JAMES LEMON – CITY ATTORNEY

Re: Clemens Field – Amended & Restated Lease Agreement

Clemens Field Management, LLC.

(Resolution No. 1959-14, as amended)

City Attorney James Lemon explained that this amendment to the Clemens Field lease agreement had been in the development process for a long time. The final version being presented for approval by Resolution No. 1959-14, to follow, had been edited by a number of people; and, in Lemon’s opinion, it accurately reflected the discussions, to this point. Approval of Resolution No. 1959-14 would approve and adopt the amended and restated lease agreement between the City of Hannibal and Clemens Field Management, LLC and authorize the Mayor to execute said agreement.

JEFF LAGARCE – CITY MANAGER

Re: Re: Fiscal Year 2014/15 Payroll – Amendment No. 2
Police Department, Animal Control – Community Service Officers
(Bill No. 14-020, to follow – Emergency Reading)

City Manager LaGarce introduced the next item on the agenda, Bill No. 14-020, an amendment to the FY2014/15 Payroll Ordinance, regarding the Animal Control Officers at the Police Department. He asked for approval of this bill by emergency measure. LaGarce explained that, after close examination of animal control functions, it had been determined that broader property maintenance enforcement and compliance could be achieved by converting the Animal Control Officers into Community Service Officers and incorporating additional code enforcement responsibilities into those duties. Bill No. 14-020, if approved, would accomplish two things:

- Animal Control Officer positions (Grade 4) convert to Community Service Officer positions (Grade 5)
- Annual compensation of two converted officers, a total increase of \$2,293.00, combined

LaGarce recommended approval of this ordinance by emergency reading, which will require 2/3 approval for passage.

Re: Mark Twain Avenue Overlay Project – Cost Apportionment Agreement
Missouri Highway & Transportation Commission
(Bill No. 14-021, to follow)

Recently, Missouri Highway & Transportation Commission attempted to upgrade Mark Twain Avenue by adding additional green space, lights, trees, trails, narrower lanes, etc.; however, these plans failed. Instead, MoDOT has now decided to overlay all five traffic lanes on Mark Twain Avenue and 3rd Street and to rebuild the sidewalk on the south side of Mark Twain Avenue.

In conjunction with this overlay project, LaGarce advised that the proposed agreement with the Missouri Highway & Transportation Commission will approve three basic things:

1. Parking lanes on 3rd Street will also be overlaid by MoDOT, as a part of this project.
2. Since this is City property and not a part of MoDOT right-of-way, the proposed agreement would commit funds for overlaying these areas the estimated cost of \$34,120.00.
3. MoDOT will be allowed to access city right-of-way to complete the project.

This agreement and the related Bill No. 14-021, to follow, would be given a first reading with Council approval.

DOUG WARREN – FINANCE DIRECTOR
Re: CenturyLink Settlement – Municipal Tax Settlement Claim Form
Clark & Sauer, LLC.
(Bill No. 14-019, to follow)

Finance Director Doug Warren presented the next item on the evening's agenda regarding the CenturyLink settlement. He explained that the City has the option to join (or not join) the legal action against Centurytel. The heart of the case was the under-reporting of gross sales with regard to utility franchise fees. Warren added that CenturyLink et al, are not a strong force in the cell phone market in Hannibal; however, by joining, the City stands to gain approximately \$2,000 in the settlement, designed to resolve all these issues in which they would claim no guilt.

If the City of Hannibal agrees to accept the final sum, then it must make a claim for the amount, approve the ordinance that would protect CenturyLink et al. from any further claim by the City of Hannibal for these fees and accept that CenturyLink et al. is not admitting to any guilt. The claim is in the form of a multipage submission which has been submitted to the attorneys pending approval of Bill No. 14-019, to follow.

Warren concluded by stating that, after discussion with the City Manager and the City Attorney, his recommendation was for Council acceptance of this offer, passage of the required bill, and authorization to sign and submit claim. He advised that, upon receipt, the settlement would be directed to the General Fund.

GAIL BRYANT – HCVB DIRECTOR
Re: Bid Award Approval, 2015 Visitor Guide Layout/Design & Printing

- *Layout & Design – Next 2 Nothing Designs*
- *Printing – Poole Communications*

HCVB Director Gail Bryant requested approval of a bid award for the 2015 Visitor Guide Layout/Design & Printing. Bryant explained that she was requesting Council approval for two separate bids:

- **Layout & Design** - Two bids were received for visitor guide design and layout, as the result of a recent legal notice ad and Request for Proposal distribution. Those bids were opened on October 2nd. After bids were reviewed, the recommendation was to accept the bid from Next to Nothing Designs in the amount of \$3,180.00 for the layout and design of the 2015 Hannibal Visitor Guide.
- **Printing** - As the result of advertising and RFP distribution, one bid was received for this project. On October 2nd this bid was opened, as well. Staff recommended the bid be awarded to Poole Communications, the sole bidder, in the amount of \$26,663.00.

Motion was made by Council Member Hark to approve the bid awards as recommended. Motion was seconded by Council Member Dobson.

Motion carried.

LYNDELL DAVIS – POLICE CHIEF

Re: Purchase Approval, Missouri State Vendor – Replacement Computer Service
World Wide Technologies

Police Chief Lyndell Davis made a request for Council approval to purchase a replacement computer server. Davis explained that the server being replaced was very vital, since it was responsible for the storing of crime scene photos, mug shots, officer reports, statements (victims/witnesses) and virtually every other document regarding investigations. He added that servers of this type typically have a work life of 5-7 years. The server being replaced is slightly over 8 years old.

There are six main servers in the computer system, which is on a 3-year overhaul schedule. Even though this is the year for the scheduled overhaul, the process was postponed because of budgetary restraints. Instead, the department has had to identify the most critical computer system components for replacement; and this server was chosen. Three quotes were sought and were subsequently received, the lowest, a state bid, was from World Wide Technologies in the amount of \$7,243.75. With Council approval, Davis advised that the cost would be taken from the Police Department's normal Computer Maintenance Line in their budget.

He asked Council approval to accept World Wide Technologies bid for the replacement of the computer server. Motion was made by Council Member Louderman to approve Chief Davis' request. Motion was seconded by Council Member Hark.

Motion carried.

BRIAN CHAPLIN – DPW SUPERINTENDENT

Re: Airport Improvement Program – State Block Grant Agreement
Federal Aviation Administration – Department of Transportation
(Bill No. 14-022, to follow)

DPW Superintendent Brian Chaplin explained that Bill No. 14-022, to follow, would approve a State Block Grant agreement with MoDOT for the Airport Improvement Project. He added that the City had been allocated funds in 2011 for a project and would lose these if not utilized by October 25, 2014.

According to City Manager LaGarce, this is for the design work of the new roadways and taxiways at the Airport and would require a 5% local match. The grant, in the amount of \$111,514.00, is to be completed, per MoDOT Aviation requirements. With Council approval, related Bill No. 14-022, that would authorize the Mayor to execute the contract with MoDOT Aviation/Federal Aviation Administration, will be given a first reading later, during the meeting.

RESOLUTION NO. 1959-14
(as amended)

**A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING THE
MAYOR TO ENTER INTO AN AMENDED AND RESTATED LEASE
AGREEMENT AS TO CLEMENS FIELD BETWEEN THE CITY OF HANNIBAL**

AND CLEMENS FIELD MANAGEMENT, LLC

Motion was made by Council Member Dobson to have the City Clerk read Resolution No. 1959-14, as amended, and call the roll for adoption. Motion was seconded by Mayor Pro Tem Knickerbocker.

Motion carried.

Roll Call

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

No: -0-

Absent: Council Member Lionberger - 1

Mayor Hark declared Resolution No. 1959-14, as amended, duly approved and adopted on this date.

BILL NO. 14-019

AN ORDINANCE BINDING THE CITY OF HANNIBAL TO ACCEPT AND BE BOUND BY THE TERMS OF A CERTAIN SETTLEMENT AGREEMENT ENTERED INTO BETWEEN THE CITY OF O'FALLON; CITY OF TROY; CITY OF ORRICK, MISSOURI, Etal vs. CENTURYLINK, INC.; CENTRURYTEL, LLC d/b/a CENTURYLINK; CENTURYTEL, LONGDISTANCE Etal

FIRST READING

Motion was made by Council Member Louderman to give Bill No. 14-019 a first reading. Motion was seconded by Council Member Hark.

Motion carried.

BILL NO. 14-020

AN ORDINANCE AMENDING THE FISCAL YEAR 2014/2015 PAYROLL ORDINANCE RELATIVE TO THE POLICE DEPARTMENT (NO.2)

EMERGENCY READING

Motion was made by Council Member Hark to give Bill No. 14-020 an emergency reading and call the roll for adoption. Motion was seconded by Council Member Louderman.

Motion carried.

Roll Call

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

No: -0-

Absent: Council Member Lionberger - 1

Mayor Hark declared Bill No. 14-020 duly approved and adopted on this date.

BILL NO. 14-021

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A COST APPORTIONMENT AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION RELATIVE TO MODOT'S SCHEDULED OVERLAY OF MARK TWAIN AVENUE IN 2015

FIRST READING

Motion was made by Council Member Dobson to give Bill No. 14-021 a first reading.
Motion was seconded by Council Member Louderman.

Motion carried.

BILL NO. 14-022

AN ORDINANCE TO AUTHORIZE THE MAYOR TO EXECUTE A STATE BLOCK AGREEMENT BETWEEN THE CITY OF HANNIBAL AND MODOT FEDERAL AVIATION ADMINISTRATION FOR THE AIRPORT IMPROVEMENT PROGRAM AT THE HANNIBAL MUNICIPAL AIRPORT IN THE AMOUNT OF \$111,514

FIRST READING

Motion was made by Council Member Louderman to give Bill No. 14-022 a first reading.
Motion was seconded by Council Member Locke.

Motion carried.

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 Angelica Vance and Parks Director Andy

Dorian. 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: Mayor Pro Tem Knickerbocker, Council Member Dobson, Mayor Hark, Council Members Louderman, Hark and Locke – 6

No: -0-

Absent: Council Member Lionberger - 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 Louderman.

Motion carried.

ADJOURNMENT

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

Motion carried.