

OFFICIAL COUNCIL PROCEEDINGS

Tuesday, March 17, 2015
Council Chambers
7:00 p.m.

ROLL CALL

Present: Council Member Locke, Mayor Pro Tem Knickerbocker,
Council Members Dobson, Lionberger, Mayor Hark, Council
Members Van Hoose and Hark - 7

Absent: -0-

CALL TO ORDER

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

INVOCATION

The invocation was given, at this time, by Council Member Lionberger.

PLEDGE OF ALLEGIANCE

Council Member Hark led the Pledge of Allegiance to the Flag

APPROVAL OF MINUTES

Closed Session Meeting – September 2, 2014
Regularly Scheduled Council Meeting – March 3, 2015

Motion was made by Council Member Lionberger to approve the minutes of the last regular Council meeting that was held on March 3, 2015 and the Closed Session held on September 2, 2014. Motion was seconded by Council Member Dobson.

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS

First Half – March, 2015

Motion was made by Council Member Locke to approve the payroll and claims for the first half of March 2015. Motion was seconded by Council Member Hark.

Motion carried.

CHRIS HARSELL – HANNIBAL JAYCEES
Re: Request, Street Closures, Use of City Owned Property & Carnival License Waiver
National Tom Sawyer Days
July 2 – 4, 2015

Mayor Hark recognized Chris Harsell, of the Hannibal JayCees, who was seeking Council's permission to hold the 2015 National Tom Sawyer Days festival and to use various City properties for the event to be held during the July 4th holiday. Requested were:

- Closure of 3rd street under both sides of the viaduct
- North Main from Hill Street to North Street for Fence Painting Contest (4:00 p.m. on July 2nd, 3rd, & 4th)
- Lyon Street from 3rd Street to South Main – extending to Warren Barrett for carnival
- Broadway from Grand Avenue to/including South Main for parade
- No Parking on Broadway after midnight on July 4th for parade
- Police assistance for traffic control during parade
- Church Street from South Main to 3rd Street on July 5th for various events
- Admiral Coontz Recreation Center Parking lot for carnival storage and parking
- Closure of alley between Mugshots and Tanyard Gardens
- Waiver of fees for carnival

Mayor Pro Tem Knickerbocker made a motion to approve the requests as presented by Harsell, regarding use of streets, street closures, fee waiver and police assistance during this event. Motion was seconded by Council Member Lionberger.

Motion carried.

CHERRIE ALLEN – HOLY FAMILY SCHOOL
Re: Request, Street Closures – 5K Fun Glow Run
Friday, May 15, 2015 – 6:00 p.m. – 8:30 p.m.

Mr. John Hark, speaking on behalf of Ms. Cherrie Allen and Holy Family School, came before Council to present the next request. Hark explained that he was seeking Council approval for a street closure to host a special event, known as the 5K Fun Glow Run on Saturday, May 15, 2015. With Council approval this event will begin at the Holy Family Church Parking Lot, continue down Maple Street to Warren Barrett Drive, down Warren Barrett to South Main, South Main to Wardlaw, then returning on approximately the same route to the Holy Family Church Parking Lot. City Clerk Vance indicated that all required

paperwork had been submitted. Motion was made by Council Member Locke to approve Hark's request. Motion was seconded by Mayor Pro Tem Knickerbocker.

Motion carried.

PAMELA NEFF – COFFMAN FAMILY
Re: Request, Sidewalk Use – “No Reason” Walk
Sunday, July 19, 2015 – 9:00 a.m. – 1:00 p.m.

Next on the agenda was Ms. Pamela Neff, who was to appear on behalf of the Coffman Family, to present the next request. Since Ms. Neff failed to appear and City Clerk Vance indicated that she had not had any contact with Neff, Mayor Pro Tem Knickerbocker made a motion to table this request. Motion was seconded by Council Member Hark.

Motion carried.

ROY G. HARK - MAYOR
Re: Approval of Appointments

Mayor Hark reminded Council of a candidate presented at the last meeting for the Hannibal Housing Authority. This was:

HANNIBAL HOUSING AUTHORITY

- **Liz Swanson – reappointment for a term to expire April, 2019**

He asked Council for their approval of this nomination. Motion was made by Council Member Dobson to approve Liz Swanson's reappointment to the Hannibal Housing Authority term to expire in April, 2019. Motion was seconded by Council Member Locke.

Motion carried.

Next, Mayor Hark reminded Council of the candidates presented at the last meeting for the Mark Twain Home Board. These were:

MARK TWAIN HOME BOARD

- **Kristy Trevathan – appointment for an unexpired term to expire 2017**
- **Harry Hosmer – reappointment for a term to expire November, 2020**

He asked Council for their approval of these nominations. Motion was made by Council Member Dobson to approve Kristy Trevathan's appointment to an unexpired term to expire in 2017 and Harry Hosmer for a reappointment of a term to expire in November 2020. Motion was seconded by Mayor Pro Tem Knickerbocker.

Motion carried.

Re: Approval, Lake Side Drive Community Improvement District – Board of Directors

- *Stan Smith (2-year term)*
- *Kelly Smith (4-year term)*
- *Gary Zimmer (4-year term)*
- *Connie Zimmer (2-year term)*
- *Melanie Campbell (2-year term)*

Mayor Hark explained that the next item on the agenda was the approval of a Board of Directors for the Lake Side Drive Community Improvement District. With Council approval, this Board will consist of five people. These would be Stan Smith - serving a two-year term, Kelly Smith – serving a four-year term, Gary Zimmer – serving a four-year term, Connie Zimmer – serving a two-year term and Melanie Campbell – serving a two-year term. He asked for approval of these Board Members. Motion was made by Council Member Locke to approve the Board of Directors for the Lake Side Drive Community Improvement District. Motion was seconded by Council Member Hark.

Motion carried.

JAMES LEMON – CITY ATTORNEY
Re: Sell of City Owned Property – Quit-Claim Deed
Wanda Lehenbauer
(Resolution No. 1991-15, to follow)

City Attorney James Lemon explained that he was seeking approval of Resolution No. 1991-15, to follow, which would approve the sale of City-owned property, by quit-claim deed, to Wanda Lehenbauer. He added that he had used the legal description that had been provided by Lehenbauer’s surveyor, and reserved a right-of-way, as per Council instruction.

ANDY DORIAN – DIRECTOR, PARKS & RECREATION
Re: South Main & Gordon Street Parks Project – Contract Agreement
D&L Excavation, LLC
(Resolution No. 1990-15, to follow)

Parks and Recreation Director Andy Dorian informed Council that the Parks Department had recently let bids for the development of the flood buy-out areas located on South Main and Gordon/Lemon Street. As a result, four bids were received, with D&L Excavating of Liberty, IL submitting the lowest bid in the amount of \$223,146.96. Since there were four options included, D&L’s breakdown, by option was:

1. **South Main (leveling, grading and removal of Monroe Street)** - \$68,570
This area, according to Dorian is extremely undulated, with large boulders and broken-down steel, leaving it unusable by the public. Broken sidewalks, debris and trees would be removed.
2. **Gordon St. (grading, seeding and development of aggregate trail)** - \$113,872.74

Through public forums and opinions the ideas were developed to place walking paths of crushed stone, as well as native grass and outdoor education classrooms for school children.

3. **Jefferson Street (removal of concrete and debris)** - \$40,704.22
4. **Rope & Post for South Main Street** - \$53,910.00
This would limit vehicular and ATV vandalism. (Due to the cost, the Parks Department did not currently recommend this option.)

City Manager LaGarce clarified that the ‘grasslands component’ was not a part of this bid, but would be presented to Council at a later date. The Missouri Department of Natural Resources was allowing the Parks Department to do the grasslands portion as part of the SEP Agreement.

Dorian added that this would include signage, trashcans and benches, etc. resulting in a very nice addition to the community. Their ultimate goal was to eventually tie all these, including South Main, the Dog Park, Gordon Street, together. He added that they are in the process of planning sidewalks to connect them all.

The Parks Department’s recommendation was for the approval of Resolution No. 1991-15, to follow, which would approve the low bid from D&L Excavating, in the amount of \$223,146.96 for the development of the flood buy-out area located on South Main and Gordon/Lemon Street.

BRIAN CHAPLIN – DPW SUPERINTENDENT
Re: Request, Set Public Hearing – Rezoning, Lot 2 in Houck Addition
April 7, 2015 - 6:30 pm.
Preferred Family Healthcare – Multifamily Housing Facility

Public Works Superintendent Brian Chaplin informed Council that the public hearing that was to be approved would not be held since the planned sale did not occur. Because of this, the applicant withdrew the request.

Chaplin asked that the addition of an agenda item be approved, since it was not on the original agenda. This was a request for Council approval of equipment rental with regard to the D’Ville Project. Motion was made by Council Member Lionberger, and seconded by Council Member Hark.

Motion carried. Chaplin explained that he was seeking Council approval to rent a large excavator for the project. He received two quotes, one from United Rental in the amount of \$850.00/day, plus fuel (without an operator), and the second from Bross in the amount of \$1,160.00/day, which included the operator and fuel. He asked for Council approval of the quote from Bross in the amount of \$1,160.00, with an experienced operator. He explained that in estimating the total cost of the project, at completion the project would be over budget by approximately \$4,000-\$5,000. Motion was made by Council Member Locke to approve a lease agreement with Bross for this equipment with an operator. Motion was seconded by Council Member Hark.

Motion carried.

RESOLUTION NO. 1990-15

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A \$223,146.96
CONSTRUCTION CONTRACT AGREEMENT BETWEEN THE CITY OF
HANNIBAL AND D&L EXCAVATING FOR THE DEVELOPMENT OF THE
FLOOD BUY-OUT PROPERTIES LOCATED ON SOUTH MAIN
AND GORDON STREET**

Motion was made by Council Member Dobson to have the City Clerk read Resolution No. 1990-15 and call the roll for adoption. Motion was seconded by Council Member Locke.

Motion carried.

Roll Call

Yes: Council Member Locke, Mayor Pro Tem Knickerbocker,
Council Members Dobson, Lionberger, Mayor Hark, Council
Members Van Hoose and Hark - 7

No: -0-

Absent: -0-

Mayor Hark declared Resolution No. 1990-15 duly approved and adopted on this date.

RESOLUTION NO. 1991-15

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A QUIT-CLAIM
DEED, INCLUDING RIGHT-OF WAY RESTRICTIONS FOR THE TRANSFER OF
REAL ESTATE OF CITY OWNED PROPERTY LYING IN PART OF LOTS 15 OF
R.H. STILLWELL'S SUBDIVISION AND THE WEST HALF OF VACATED RIDGE
STREET BEING IN LOT 64 OF RIVERVIEW ADDITION TO WANDA
LEHENBAUER IN THE
AMOUNT OF \$1.00**

Motion was made by Council Member Lionberger to have the City Clerk read Resolution No. 1991-15 and call the roll for adoption. Motion was seconded by Council Member Hark.

Motion carried.

Roll Call

Yes: Council Member Locke, Mayor Pro Tem Knickerbocker, Council Members Dobson, Lionberger, Mayor Hark, Council Members Van Hoose and Hark - 7

No: -0-

Absent: -0-

Mayor Hark declared Resolution No. 1991-15 duly approved and adopted on this date.

BILL NO. 15-007

AN ORDINANCE REZONING, 2.4 +/- ACRE TRACT KNOWN AS LOTS 7-14 OF HUMMINGBIRD ESTATES SUBDIVISION THIRD ADDITION, IN THE CITY OF HANNIBAL, MARION COUNTY, MISSOURI, FROM A-ONE AND TWO FAMILY TO PDR-PLANNED DENSITY RESIDENTIAL ZONING DISTRICT AND AMENDING THE CITY'S ZONING MAP ACCORDINGLY

SECOND AND FINAL READING

Motion was made by Council Member Hark to give Bill No. 15-007 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Locke.

Motion carried.

Roll Call

Yes: Council Member Locke, Mayor Pro Tem Knickerbocker, Council Members Dobson, Lionberger, Mayor Hark, Council Members Van Hoose and Hark - 7

No: -0-

Absent: -0-

Mayor Hark declared Bill No. 15-007 duly approved and adopted on this date.

BILL NO. 15-008

AN ORDINANCE REZONING, 2200 PALMYRA RD, KNOWN AS A TRACT OF LAND LYING IN AND BEING A PART OF LOTS 5, 6, & 7 OF SECTION 19, IN THE SCIPIO TRACT, TOWNSHIP 57 NORTH, RANGE 4 WEST, IN THE CITY OF

HANNIBAL, MARION COUNTY, MISSOURI, FROM A-ONE AND TWO FAMILY TO B-MULTIPLE FAMILY ZONING DISTRICT AND AMENDING THE CITY'S ZONING MAP ACCORDINGLY

SECOND AND FINAL READING

Motion was made by Council Member Locke to give Bill No. 15-008 a second and final reading and call the roll for adoption. Motion was seconded by Mayor Pro Tem Knickerbocker.

Motion carried. Mr. Meyer was asked whether all issues had been resolved between him and the neighboring developer. He assured Council that he had met with the developer, in regard to the concerns of noise at the event space. It was agreed that they would be following the local noise ordinance. He has also met with Mr. Monroe to plan tree planting locations and types. He added that he had also met with a sound engineer from Columbia, MO, who will be designing sound-proofing options that will not allow music and low frequency sounds to emanate from the barn toward the new subdivision. Per code all music will cease at 10:00 p.m. and weekend events will be limited to an 11:00 p.m. curfew.

Roll Call

Yes: Council Member Locke, Mayor Pro Tem Knickerbocker, Council Members Dobson, Lionberger, Mayor Hark, Council Members Van Hoose and Hark - 7

No: -0-

Absent: -0-

Mayor Hark declared Bill No. 15-008 duly approved and adopted on this date.

BILL NO. 15-009

AN ORDINANCE AMENDING THE ANNUAL BID LIMITS IN ACCORDANCE TO SECTION 9.13 (b) OF THE CITY OF HANNIBAL CHARTER

SECOND AND FINAL READING

Motion was made by Mayor Pro Tem Knickerbocker to give Bill No. 15-009 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Hark.

Motion carried.

Roll Call

Yes: Council Member Locke, Mayor Pro Tem Knickerbocker, Council Members Dobson, Lionberger, Mayor Hark, Council Members Van Hoose and Hark - 7

No: -0-

Absent: -0-

Mayor Hark declared Bill No. 15-009 duly approved and adopted on this date.

CLOSED SESSION

In Accordance with RSMo. 610-021 (1) (2) & (9)

At this time, Mayor Hark entertained a motion to go into closed session in accordance with RSMo 610-021, sub-paragraphs one (1), two (2) and nine (9), admitting himself, rest of Council, City Manager LaGarce, City Attorney James Lemon, City Clerk Angelica Vance, HCVB Director Gail Bryant, Parks & Recreation Director Andy Dorian and Heat Hall of the BPW. Motion was made by Council Member Locke to go into Closed Session, as directed by Mayor Hark. Motion was seconded by Council Member Hark.

Roll Call

Yes: Council Member Locke, Mayor Pro Tem Knickerbocker, Council Members Dobson, Lionberger, Mayor Hark, Council Members Van Hoose and Hark - 7

No: -0-

Absent: -0-

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 Locke.

Motion carried.

ADJOURNMENT

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

Motion carried.