

OFFICIAL COUNCIL PROCEEDINGS

**Tuesday, May 5, 2015
Council Chambers
7:00 p.m.**

ROLL CALL

Present: Council Member Lionberger, Mayor Hark, Council Members Van Hoose, Hark, Mayor Pro Tem Knickerbocker and Council Member Dobson - 6

Absent: Council Member Locke - 1

CALL TO ORDER

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

INVOCATION

The invocation was given, at this time, by Judge Fredrich Cruse.

PLEDGE OF ALLEGIANCE

Council Member Hark led the Pledge of Allegiance to the Flag. Mayor Hark entertained a motion to excuse Council Member Locke from the proceedings. Motion was made by Mayor Pro Tem Knickerbocker to excuse Council Member Locke from the evening's proceedings. Motion was seconded by Council Member Hark.

Motion carried.

APPROVAL OF MINUTES

**Closed Session Minutes – February 3, 2015
Closed Session Minutes – March 17, 2015
Regularly Scheduled Council Meeting – April 21, 2015**

Motion was made by Council Member Dobson to approve the minutes of the last regular Council meeting that was held on April 21, 2015 and the closed session Council minutes held on February 3, 2015 and March 17, 2015. Motion was seconded by Council Member Van Hoose.

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS
Second Half – April, 2015

Motion was made by Council Member Lionberger to approve the payroll and claims for the second half of April 2015. Motion was seconded by Council Member Hark.

Motion carried.

JEFF LAGARCE – CITY MANAGER
Re: Approval of Appointment

City Manager LaGarce reminded Council of a candidate presented at the last meeting for the Planning and Zoning Commission. This was:

PLANNING & ZONING COMMISSION

- **Barry Louderman – appointment for a term to expire June, 2019**

He asked Council for their approval of this nomination. Motion was made by Mayor Pro Tem Knickerbocker to approve Barry Louderman's appointment to the Planning and Zoning Commission for a term to expire June, 2019. Motion was seconded by Council Member Van Hoose.

Motion carried.

ANGELICA VANCE – CITY CLERK
Re: Certification, April 2015 Municipal Election

Mayor Hark asked City Clerk Vance to read the Certification of the April 7, 2015 Municipal Election, at this time. She read:

I, Angelica N. Vance, City Clerk of Hannibal, Missouri, do hereby certify that the following is a complete and true Certification of the General Municipal Election, held on April 7, 2015, as certified to me by the Marion and Ralls County Clerks.

**Witness my Hand and the Seal
Of the City of Hannibal. Done
This 5th day of May, 2015.**

CERTIFICATION OF ELECTION
General Municipal Election of
April 7, 2015

For Municipal Judge

	<u>Marion</u>	<u>Ralls</u>	<u>Total</u>
Fredrich J. Cruse	654	5	659
Write In	<u>28</u>	<u>0</u>	<u>28</u>
TOTAL VOTES	682	5	687

Declaring Fredrich J. Cruse winner of the Municipal Judge seat.

For Council Member – First Ward

	<u>Marion</u>	<u>Ralls</u>	<u>Total</u>
Kevin L Knickerbocker	146	N/A	146
TOTAL VOTES	146		146

Declaring Kevin L. Knickerbocker winner of the First Ward Council seat.

For Council Member – Third Ward

	<u>Marion</u>	<u>Ralls</u>	<u>Total</u>
Kevin Lionberger	71	N/A	71
Write In	<u>5</u>		<u>5</u>
TOTAL VOTES	76		76

Declaring Kevin Lionberger winner of the Third Ward Council seat.

For Council Member – Fourth Ward

	<u>Marion</u>	<u>Ralls</u>	<u>Total</u>
Jim Van Hoose	65	N/A	65
J.D. Foust	8		8
Write In	<u>1</u>		<u>1</u>
TOTAL VOTES	74		74

Declaring Jim Van Hoose winner of the Fourth Ward Council seat.

Proposition 1

In attempt to eliminate the un-fair advantage enjoyed by out-of-state vendors over local vendors, shall the City of Hannibal impose a local use tax at the same rate as the total local sales tax rate, currently, two and one-quarter percent (2.25%), provided that if the local sales tax rate is reduced or raised by voter approval, the local use tax rate shall also be reduced or raised by the same action? Use tax shall not be required to be paid by persons whose purchases from out-of-state vendors do not exceed in total more than two thousand dollars in any calendar year.

	<u>Yes</u>	<u>No</u>	<u>TOTAL</u>
Marion County	530	361	891
Ralls County	<u>1</u>	<u>6</u>	<u>7</u>
TOTAL VOTES	531	367	898

Showing a total vote of 898 for Proposition 1 for the City of Hannibal: 531-YES and 367-NO votes; declaring Proposition 1 having passed by 164 votes.

Proposition 2

Shall the City of Hannibal continue applying and collecting the local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer?

Continuation of this measure will not result in a reduction of local revenue to provide for vital services for the City of Hannibal and it will not place Missouri dealers of motor vehicles, outboard motors, boats, and trailers at a competitive disadvantage to non-Missouri dealers of motor vehicles, outboard motors, boats, and trailers.

	<u>Yes</u>	<u>No</u>	<u>TOTAL</u>
Marion County	543	328	871
Ralls County	<u>4</u>	<u>3</u>	<u>7</u>
TOTAL VOTES	547	331	878

Showing a total vote of 878 for Proposition 2 for the City of Hannibal: 547-YES and 331-NO votes; declaring Proposition 2 having passed by 216 votes.

BILL NO. 15-010

AN ORDINANCE OF THE CITY OF HANNIBAL, MISSOURI IMPOSING A USE TAX AT THE RATE OF TWO AND ONE-QUARTER PERCENT (2.25%) PURSUANT TO THE AUTHORITY GRANTED BY AND SUBJECT TO PROVISIONS OF RSMO SECTIONS 144.600 THROUGH 144.761; PROVIDING FOR USE TAX TO BE REPEALED, REDUCED OR RAISED IN THE SAME AMOUNT AS THE CITY SALES TAX IS REPEALED, REDUCED OR RAISED; AS APPROVED BY THE DULY QUALIFIED VOTERS OF THE CITY DURING THE APRIL 7, 2015 MUNICIPAL ELECTION

SECOND AND FINAL READING

Motion was made by Council Member Lionberger to give Bill No. 15-010 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Van Hoose.

Motion carried.

Roll Call

Yes: Council Member Lionberger, Mayor Hark, Council Members Van Hoose, Hark, Mayor Pro Tem Knickerbocker and Council Member Dobson - 6

No: -0-

Absent: Council Member Locke - 1

Mayor Hark declared Bill No. 15-010 duly approved and adopted on this date.

BILL NO. 15-011

AN ORDINANCE OF THE CITY OF HANNIBAL TO CONTINUE THE APPLICATION AND COLLECTION OF THE LOCAL SALES TAX ON THE TITLING OF MOTOR VEHICLES, TRAILERS, BOATS, AND OUTBOARD MOTORS THAT WERE PURCHASED FROM A SOURCE OTHER THAN A LICENSED MISSOURI DEALER; AS APPROVED BY THE DULY QUALIFIED VOTERS DURING THE APRIL 7, 2015 MUNICIPAL ELECTION

SECOND AND FINAL READING

Motion was made by Council Member Van Hoose to give Bill No. 15-011 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 Lionberger, Mayor Hark, Council Members Van Hoose, Hark, Mayor Pro Tem Knickerbocker and Council Member Dobson - 6

No: -0-

Absent: Council Member Locke - 1

Mayor Hark declared Bill No. 15-011 duly approved and adopted on this date.

ADJOURNMENT

Sine-Die

Motion was made by Council Member Dobson to adjourn the meeting, sine-die. Motion was seconded by Council Member Hark.

Motion carried.

ROY G. HARK - MAYOR

Re: Oath of Office

- *Municipal Judge – Fredrich J. Cruse*
- *1st Ward Council Member – Kevin L. Knickerbocker*
- *3rd Ward Council Member – Kevin Lionberger*
- *4th Ward Council Member – Jim Van Hoose*

Mayor Hark administered the Oath of Office to Fredrich J. Cruse, being sworn in as the Municipal Judge, Kevin Knickerbocker, being sworn in as the 1st Ward Council Member, Kevin Lionberger, being sworn in as the 3rd Ward Council Member and Jim Van Hoose, being sworn in as the 4th Ward Council Member.

ROLL CALL

Present: Council Member Lionberger, Mayor Hark, Council Members Van Hoose, Hark, Mayor Pro Tem Knickerbocker and Council Member Dobson - 6

Absent: Council Member Locke - 1

CALL TO ORDER

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

JACOB NACKE – HANNIBAL COMMUNITY PROMOTIONS

Re: Request, Street Closures & Fireworks Display

Saturday, July 4, 2015

Jacob Nacke came before Council, on behalf of the Hannibal Community Promotions Corporation, to request permission to present a fireworks display from two locations during the upcoming July 4th Celebration and to request street closures during this event. With Council approval, locations for this display will be Lover's Leap and the slurry site at Washington and Main Streets. Motion was made by Mayor Pro Tem Knickerbocker to approve Nacke's request. Motion was seconded by Council Member Dobson.

Motion carried.

JEFF LAGARCE – CITY MANAGER
Re: Recommendation of Appointment

City Manager LaGarce made the following recommendation:

HANNIBAL BOARD OF PUBLIC WORKS

- **Tim Goodman – reappointment for a term to expire July, 2019**

This nomination will be considered for approval at the next regular Council meeting, to be held on May 19, 2015.

Re: Request, Set Public Hearing – Fiscal Year 2015/16 Budget

Tuesday, June 2, 2015 – 6:45 p.m.

The City Manager noted the proposed budgets for the FY 2015/16 that had been distributed and requested that Council set a budget public hearing on Tuesday, June 2, 2015, beginning at 6:45 p.m. Motion was made by Council Member Van Hoose to approve LaGarce's request. Motion was seconded by Council Member Lionberger.

Motion carried.

Re: Recognition, Finance Director Doug Warren – Hannibal High School Personal Finance Program

Next, LaGarce recognized the City Finance Director, Doug Warren, for his part in the Hannibal High School Personal Finance Program, devoting one hour a week to students as a practitioner mentor/advisor.

During the recent *Missouri Personal Finance Challenge*, an event that is held each year with over 200 Missouri high schools competing, the Hannibal High School's Finance class took 1st place, which qualified them to advance to the Nationals that will be held in May.

LaGarce recognized the Missouri Council on Economic Education, the "team", the educators and Warren, who were in attendance, for their efforts.

GAIL BRYANT – DIRECTOR, HANNIBAL CONVENTION & VISITOR'S BUREAU

Re: Riverfront Docking Agreement – American Queen Steamboat Company

(Resolution No. 1997-15, to follow)

HCVB Director Gail Bryant came before Council with a request from the American Queen Steamboat Company for Council approval of a docking agreement with the City of Hannibal. Bryant explained that, in addition to docking privileges, this agreement outlines the services requested during the dockings, while the passengers are in Hannibal. Bryant explained that, after review by the City's legal counsel, James Lemon, she was requesting approval of Resolution No. 1997-15, to follow, that would authorize Mayor Hark to execute this agreement with American Queen Steamboat Operating Company, d/b/a the American Queen Steamboat Company for a term of one year, with yearly renewable options for the next four

consecutive years. She indicated that the approval would depend on the resolution of the 2015 scheduling conflict. She concluded by advising Council that twenty-two (22) riverboat dockings were scheduled for the 2015 season.

HALLIE YUNDT-SILVER – LIBRARIAN

Re: Request, Street/Alley Closure – Community Super Heroes

Wednesday, June 3, 2015 – 1:00 p.m. – 4:00 p.m.

In Hallie Yundt-Silver's absence, City Clerk Vance presented her request for street/alley closure. The request was made in order to hold an event, known as Community Super Heroes Event, on Wednesday, June 3, 2015. Time for the requested closure was between the hours of 1:00 p.m. and 4:00 p.m. and the specific request was for the closure of South Church Street between the alley and South 5th Street. Motion was made by Council Member Lionberger to approve Yundt-Silver's request. Motion was seconded by Mayor Pro Tem Knickerbocker.

Motion carried.

BRIAN CHAPLIN – DPW SUPERINTENDENT

Re: Request, Bid Waiver – Removal & Replacement – Ely Street Bridge

Removal – Bleigh Construction

Replacement – ACROW Bridge Company

DPW Superintendent Brian Chaplin reminded Council that the Ely Street Bridge had been closed for approximately 11-12 weeks. He indicated that he had been working with Poepping, Stone, Bach and Company to find a solution; and, during this time, options have been discussed regarding whether to repair or replace the existing structure.

Chaplin stated that repairing the bridge would extend its life by only three to five years; and, even though the cost would be much less, he did not support this option. He believed that replacing the bridge would be more cost effective and those options included:

- ACROW Bridge – 80 ft. 700XS ACROW Panel Bridge (18 ft. wide) with a 5 ft. pedestrian walkway - \$177,491.07
- ACROW Bridge – 80 ft. 700XS ACROW Panel Bridge (18 ft. wide) with a 8 ft. bike and pedestrian walkway - \$184,049.10

Chaplin added, of the two quotes taken for the removal/disposal of the existing bridge, Bleigh Construction was the lowest bidder with an amount of \$12,207.00. He requested that the bid requirement be waived because of the urgency of this project and Council approval to accept the quotes from Bleigh Construction and ACROW Bridge for removal of the existing bridge and cost of the replacement bridge for Ely Street. He added that the Street Department would install the replacement bridge, upon delivery. Motion was made by Council Member Lionberger to waive the bidding process and award the Ely Street Bridge

removal/disposal to Bleigh Construction in the amount of \$12,207.00. Motion was seconded by Council Member Van Hoose.

Motion carried. Motion was made by Mayor Pro Tem Knickerbocker to approve the bridge option, containing the 8 ft. bike and pedestrian walkway for a total of \$184,049.10. Motion was seconded by Council Member Hark.

Motion carried.

RESOLUTION NO. 1997-15

A RESOLUTION ALLOWING THE MAYOR TO ENTER INTO AN DOCKING AGREEMENT WITH THE AMERICAN QUEEN STEAMBOAT OPERATING COMPANY, LLC., DBA THE AMERICAN QUEEN STEAMBOAT CO.

Motion was made by Mayor Pro Tem Knickerbocker to have the City Clerk read Resolution No. 1997-15 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 Van Hoose, Hark, Mayor Pro Tem Knickerbocker and Council Member Dobson – 6

No: -0-

Absent: Council Member Locke - 1

Mayor Hark declared Resolution No. 1997-15 duly approved and adopted on this date.

CLOSED SESSION

In Accordance with RSMo. 610-021 (1)

At this time, Mayor Hark entertained a motion to go into closed session in accordance with RSMo 610-021, sub-paragraphs one (1), admitting himself, rest of Council, City Manager LaGarce, City Attorney James Lemon, City Clerk Angelica Vance, and DPW Superintendent Brian Chaplin. Motion was made by Council Member Hark to go into Closed Session, as directed by Mayor Hark. Motion was seconded by Council Member Van Hoose.

Roll Call

Yes: Council Member Lionberger, Mayor Hark, Council Members Van Hoose, Hark, Mayor Pro Tem Knickerbocker and Council Member Dobson - 6

No: -0-

Absent: Council Member Locke - 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 Hark.

Motion carried.

ADJOURNMENT

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

Motion carried.