

OFFICIAL COUNCIL PROCEEDINGS

Tuesday, September 15, 2015
Council Chambers
7:00 p.m.

ROLL CALL

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

PLEDGE OF ALLEGIANCE

Council Member Lionberger led the Pledge of Allegiance to the Flag.

APPROVAL OF MINUTES Regularly Scheduled Council Meeting – September 1, 2015

Motion was made by Council Member Locke to approve the Council minutes of the last regular Council meeting that was held on September 1, 2015. Motion was seconded by Council Member Dobson.

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS
First Half – September, 2015

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

Motion carried.

MICHAEL GAINES – HANNIBAL ARTS COUNCIL
Re: Amended Request, Liquor Sales Organization–Historic Folklife Festival
(October 16 – 18, 2015)

Michael Gaines, of the Hannibal Arts Council, presented a request to amend Council’s previous approval of the 2015 Historic Folklife Festival. He explained that the amendment to their previous request for approval was being done in order that they could obtain a picnic license, since the organization handling the beer sales was being switched from the Downtown Development Corporation to the Hannibal Arts Council. The letter, which has the correct location, needs to be changed to reflect the change in vendor. Mayor Pro Tem Knickerbocker made the motion to approve this change, even though he advised that there was no requirement for this change to be approved by Council. Motion was seconded by Council Member Lionberger.

Motion carried. City Clerk Vance advised that, according to State Statutes, there was a requirement that the vendor be approved by City Council; and, since the previous minutes specifically stated approval of the Downtown Development Corporation as the vendor for this event, it was necessary to return to Council for approval of the amendment.

JENNIFER FOSTER – HANNIBAL JAYCEES
Re: Request, Street Closures – Zombie Run
(Saturday, October 10, 2015 – 4:00 p.m. – 6:00 p.m.)

Jennifer Foster, representing the Hannibal Jaycees, came before Council with a request for approval of street closures during the proposed Zombie Run, to be sponsored by her organization. She added that the event registration would begin at 4:00 p.m. on Saturday, October 10, 2015 and the actual “Run” would begin at 6:00 p.m.

Ms. Foster advised that there was a slight change in this year’s route and she detailed this change. She also explained that all necessary paperwork had been submitted and that she had spoken with Richard Dauma, of the Street Department, Parks & Recreation Superintendent Andy Dorian and HPD Sergeant Collier who had all agreed to provide any needed assistance. She asked for Council approval of the street closures so the event could be held on October 10, 2015. She noted that all proceeds would assist in covering the expenses of the 2016 Project Graduation. Motion was made by Mayor Pro Tem Knickerbocker to approve Foster’s request. Motion was seconded by Council Member Hark.

Motion carried.

ROY G. HARK – MAYOR
Re: Recommendation of Appointment

Mayor Hark made the following recommendation:

HANNIBAL AIRPORT COMMISSION

- Darin Logue – reappointment for a term to expire September, 2018

This nomination will be considered for approval at the next regular Council meeting, to be held on October 6, 2015.

JEFF LAGARCE – CITY MANAGER
Re: Approval of Appointments

City Manager LaGarce reminded Council of a candidate presented at the last meeting for the Hannibal Park Board. This was:

HANNIBAL PARK BOARD

- Andrew Wood – appointment for a term to expire July, 2018

He asked Council for their approval of this nomination. Motion was made by Mayor Pro Tem Knickerbocker to approve Andrew Wood's appointment to the Hannibal Park Board for a term to expire July, 2018. Motion was seconded by Council Member Dobson.

Motion carried. Next, LaGarce reminded Council of three candidates presented at the last meeting for the Hannibal Board of Adjustment. These were:

BOARD OF ADJUSTMENT

- John Moore – appointment for a term to expire May, 2019
- Greg Lay – appointment as an alternate for a term to expire May, 2018
- Scott Meyer – appointment as an alternate for a term to expire May, 2017

He asked Council for their approval of these nominations. Motion was made by Mayor Pro Tem Knickerbocker to approve John Moore's appointment for a term to expire May, 2019, Greg Lay's appointment for a term to expire May, 2018 and Scott Meyer's appointment for a term to expire May, 2017. All of these appointments were for service on the Board of Adjustment. Motion was seconded by Council Member Dobson.

Motion carried.

Re: Hannibal Sanitary Landfill – Settlement Agreement

(Resolution No. 2010-15, to follow)

Missouri Department of Natural Resources & Attorney General's Office

City Manager LaGarce reminded Council of a citation issued to the City of Hannibal by the Missouri Department of Natural Resources in November, 2009 for leachate basin overflow. The City was again issued a citation for the same violation in February, 2014, according to LaGarce, who explained that both events were 100% storm-related and neither situation could have been prevented without violating DNR standards for aerating.

Approximately six weeks ago, the Department of Natural Resources provided the City with a SEP (Supplemental Environmental Agreement), which may be completed in order to eliminate a large portion of the fine imposed for these violations. Subsequent to the completion of the SEP, all but \$18,333 of the City's \$64,000 fine can be eliminated.

LaGarce explained that three of the eight SEP projects were accepted by DNR. These were:

- Creation of Natural Grasslands Experience near Delaney Park
- Purchase of Recyclable-Material Picnic Tables
- Bear Creek Cleanup Day

City Manager LaGarce then enumerated other future requirements of the City that DNR has detailed. He added that, even though these new requirements were unrelated to the citations, they were included within the Supplemental Environmental Agreement (SEP). At this time, he itemized the costs of these requirements and indicated that it would be necessary to budget for some of these expenses.

LaGarce concluded by saying that he itemized all these expenses so that Council would understand the total costs of the agreement to be approved with Resolution No. 2010-15, to follow. Aside from the SEP projects, which are actually good projects, all other expenses within the agreement would be required by DNR anyway, and not because of anything that the City had done. He recommended approval of Resolution No. 2010-15 that would authorize Mayor Hark to execute the settlement agreement with DNR and the Attorney General's Office.

BRIAN CHAPLIN – DPW SUPERINTENDENT

Re: Light Equipment Purchase Approval - Crafcoc E-Z 200 Gallon Crack Pot

DPW Superintendent Brian Chaplin came before Council, at this time, to request Council approval for the purchase of a used Crafcoc E-Z 200-gallon Crack Seal Pot, to be used for improvements to City streets. He explained that \$12,500.00 had been budgeted for this item; however, this used piece of equipment could be obtained for \$10,900.00. Chaplin added that a new Crack-seal pot would cost between \$25,000.00 and \$31,000.00. He recommended the approval of this purchase from Raymond Charleton, in the amount of \$10,900.00, and asked for Council approval to complete this transaction. Motion was made by Mayor Pro Tem Knickerbocker to approve this purchase. Motion was seconded by Council Member Hark.

Motion carried.

GAIL BRYANT – DIRECTOR, HCVB
Re: 2016 Historic Preservation Grant - Planning/Outreach Projects Application
(Resolution No. 2011-15, to follow)

HCVB Director Gail Bryant presented the next request on the evening’s agenda. The request was for Council approval of Resolution No. 2011-15, to follow, authorizing the Mayor to sign a grant application to the Missouri Department of Natural Resources allowing the City of Hannibal, Convention & Visitors Bureau, to host the 2016 Statewide Historic Preservation Conference. Included would be planning and outreach projects for Hannibal and the surrounding communities, according to Bryant who recommended Council approval of the resolution. This undertaking, if approved, would be in partnership with the State Historic Preservation Committee who unanimously supported the grant application.

ROBERT STEVENSON – BPW GENERAL MANAGER
Re: Water System Bond Sales
(Bill No. 15-022, to follow)

Robert Stevenson, the Board of Public Works General Manager, came before Council to present the final item on the evening’s agenda, a request for approval of Bill No. 15-022, to follow, authorizing the sale of water system bonds. The purpose of these bonds, according to Stevenson, was to finance improvements to the water system in an amount up to \$12,960,000.00. These improvements, which have been in the planning stage for the past two years, include:

- Water Treatment Plant Improvements
- Raw Water Pipe Replacement
- Southside Water Tower Replacement
- Distribution System Extensions

With Council approval, this bill would receive a first reading later, during the meeting.

Stevenson explained that earlier in the day, the BPW board had approved this resolution and made a recommendation to Council for its approval. He added that the bond sale would be made through the MoDNR using their State Revolving Fund (SRF), since the interest rates are “very attractive”.

General Manager Stevenson reminded Council that in 2013, a public referendum authorized the bond sale for the water fund. He added that the designed projects are expending all the funds provided with this bond authorization. Stevenson was unsure of the interest rate, at the time of his presentation; however, he was certain that the rate would be less than 3%, which was half the amount paid on the sewer bonds in 2013, saving the City millions of dollars. He concluded by stating that the BPW’s bond counsel, Gilmore and Bell, in conjunction with DNR and their

counsel, prepared the final paperwork that was being presented for Council approval. Stevenson projected that construction could begin as early as mid-November.

In response to a question by Council Member Dobson regarding the time frame for completing the raw water intake improvements, Stevenson projected that, even though time was beginning to be a critical factor, he believed it could be completed before year end.

RESOLUTION NO. 2010-15

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A SETTLEMENT AGREEMENT BETWEEN THE MISSOURI DEPARTMENT OF NATURAL RESOURCES, THE ATTORNEY GENERAL'S OFFICE, AND THE CITY OF HANNIBAL RELATIVE TO LANDFILL OPERATIONS OF FEBRUARY 2014

Motion was made by Council Member Locke to have the City Clerk read Resolution No. 2010-15 and call the roll for adoption. Motion was seconded by Council Member Hark.

Motion carried.

Roll Call

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

No: -0-

Absent: -0-

Mayor Hark declared Resolution No. 2010-15 duly approved and adopted on this date.

RESOLUTION NO. 2011-15

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF HANNIBAL TO EXECUTE AN APPLICATION FOR A HISTORIC PRESERVATION FUND GRANT ON BEHALF OF THE CONVENTION & VISITOR'S BUREAU

Motion was made by Council Member Dobson to have the City Clerk read Resolution No. 2011-15 and call the roll for adoption. Motion was seconded by Mayor Pro Tem Knickerbocker.

Motion carried.

Roll Call

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

No: -0-

Absent: -0-

Mayor Hark declared Resolution No. 2011-15 duly approved and adopted on this date.

BILL NO. 15-019

AN ORDINANCE APPROVING ANNEXATION OF A 3.6 ACRE TRACT OF LAND LYING IN THE WEST HALF OF THE WEST HALF OF SECTION 24, TOWNSHIP 57 NORTH, RANGE 5 WEST, INTO THE CITY OF HANNIBAL, MARION COUNTY, MISSOURI

SECOND AND FINAL READING

Motion was made by Council Member Locke to give Bill No. 15-019 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 Van Hoose, Hark, Locke, Mayor Pro Tem Knickerbocker, Council Members Dobson, Lionberger and Mayor Hark - 7

No: -0-

Absent: -0-

Mayor Hark declared Bill No. 15-019 duly approved and adopted on this date.

BILL NO. 15-020

AN ORDINANCE OF THE CITY OF HANNIBAL FIXING AND ADOPTING THE RATE OF TAXATION FOR THE YEAR OF 2015 AND LEVYING TAXES THEREFORE

SECOND AND FINAL READING

Motion was made by Council Member Van Hoose to give Bill No. 15-020 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 Van Hoose, Hark, Locke, Mayor Pro Tem Knickerbocker, Council Members Dobson, Lionberger and Mayor Hark - 7

No: -0-

Absent: -0-

Mayor Hark declared Bill No. 15-020 duly approved and adopted on this date.

BILL NO. 15-021

AN ORDINANCE ADOPTING FINAL ENVIRONMENTAL COVENANTS RELATIVE TO 929 WARREN BARRETT DRIVE, TO BE FILED WITH THE MARION COUNTY RECORDER OF DEEDS, PURSUANT TO THE MISSOURI DEPARTMENT OF NATURAL RESOURCES' BROWNFIELDS/VOLUNTARY CLEANUP PROGRAM, FOR COMPLIANCE WITH PROVISIONS OF THE COMMERCIAL FLOOD BUYOUT PROGRAM

SECOND AND FINAL READING

Motion was made by Council Member Dobson to give Bill No. 15-021 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 Van Hoose, Hark, Locke, Mayor Pro Tem Knickerbocker, Council Members Dobson, Lionberger and Mayor Hark - 7

No: -0-

Absent: -0-

Mayor Hark declared Bill No. 15-021 duly approved and adopted on this date.

BILL NO. 15-022

AN ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$12,960,000 PRINCIPAL AMOUNT OF WATERWORKS REVENUE BONDS (STATE OF MISSOURI – DIRECT LOAN PROGRAM) SERIES 2015 OF THE CITY OF HANNIBAL, MISSOURI, FOR THE PURPOSE OF EXTENDING AND IMPROVING THE CITY’S WATERWORKS SYSTEM; PRESCRIBING THE FORM AND DETAILS OF THE BONDS AND THE AGREEMENTS MADE BY THE CITY TO FACILITATE AND PROTECT THEIR PAYMENT AND PRESCRIBING OTHER RELATED MATTERS

FIRST READING

Motion was made by Mayor Pro Tem Knickerbocker to give Bill No. 15-022 a first reading. Motion was seconded by Council Member Dobson.

Motion carried.

ADJOURNMENT

Motion was made by Mayor Pro Tem Knickerbocker to adjourn the meeting. Motion was seconded by Council Member Hark.

Motion carried.