

OFFICIAL COUNCIL PROCEEDINGS

**Tuesday, December 6, 2016
Council Chambers
7:00 p.m.**

ROLL CALL

Present: Council Members Dobson, Cogdal, Mayor Hark, Council Members Van Hoose, Ipson, 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

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

PLEDGE OF ALLEGIANCE

Hannibal Fire Fighters and Police Officers led the Pledge of Allegiance to the Flag.

APPROVAL OF AGENDA

Motion was made by Council Member Dobson to approve the agenda with the addition of 2nd reading, Approval of Appointment for Melissa Cogdal to the Building Commission. Motion was seconded by Council Member Van Hoose.

Motion carried.

APPROVAL OF MINUTES

Regularly Scheduled Council Meeting – November 15, 2016

Motion was made by Council Member Locke to approve the minutes for the last regularly scheduled Council meeting that was held on November 15, 2016. Motion was seconded by Council Member Dobson.

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS
Second Half – November, 2016

Motion was made by Council Member Ipson to approve the payroll and claims for the second half of November, 2016. Motion was seconded by Council Member Dobson.

Motion carried.

PAUL LEWELLEN - HHMC
Re: Amended Request, Use of City Owned Property – Living Windows
Saturday, December 10, 2016 – 2:00 p.m. – 9:00 p.m.

Paul Lewellen with Historic Hannibal Marketing Council came before Council to present an amended request for use of city owned property for their Living Windows event December 10, 2016 from 2: 00 p.m. to 9:00 p.m. They would like to add use of the parking lot on the east side of the 300 block of North Main Street. Motion was made by Council Member Dobson to approve the request. Motion was seconded by Council Member Locke.

Motion carried.

ALAN BOWEN – LOAFERS CAR CLUB
Re: Request, Street Closures – Annual Car Show
Saturday, May 13, 2017 – 8:00 a.m. – 5:00 p.m.

Alan Bowen with the Loafers Car Club came before Council to request street closures for their Annual Car Show. The event will take place Saturday, May 13, 2017 from 8:00 a.m. to 5:00 p.m. Mr. Bowen mentioned Debbie White, the Office Manager in the City Clerk’s office, for her extra effort in getting him on this agenda in time for the meeting. Motion was made by Council Member Locke to approve the request. Motion was seconded by Council Member Van Hoose.

Motion carried.

Re: Request, Street Closures – Reunion Cruise/Show
Saturday, September 9, 2017 – 12:00 p.m. – 9:00 p.m.

Alan Bowen with the Loafers Car Club came before Council to request street closures for their Reunion Cruise/Show to be held in Central Park. The event will take place Saturday, September 9, 2017 from 12:00 p.m. to 9:00 p.m. Motion was made by Council Member Ipson to approve the request. Motion was seconded by Council Member Van Hoose.

Motion carried.

JAMES R. HARK – MAYOR
Re: Hannibal Fire Department, Letter of Appreciation

Mayor Hark read aloud a Letter of Appreciation from the Palmyra Fire Department. The letter thanked the Hannibal Fire Department for their assistance during a multiple structure fire on November 13th, 2016.

Re: Approval of Appointments

Mayor Hark reminded Council of candidate presented at the last meeting for the following Board:

BUILDING COMMISSION

- **Melissa Cogdal**

Mayor Hark asked Council for their approval of this recommendation. Motion was made by Council Member Van Hoose to approve the Mayor's recommendation of Melissa Cogdal to the Building Commission. Motion was seconded by Council Member Locke.

Motion carried.

MARK TWAIN HOME BOARD

- **Mary Lou Callicott – reappointment for a term to expire November, 2022**

Mayor Hark asked Council for their approval of this recommendation. Motion was made by Council Member Ipson to approve the Mayor's recommendation of Mary Lou Callicott to the Mark Twain Home Board, for reappointment for a term to expire November, 2022. Motion was seconded by Council Member Dobson.

Motion carried.

JEFF LAGARCE – CITY MANAGER
Re: Recommendation of Appointment

City Manager Jeff LaGarce made the following recommendation:

BOARD OF PUBLIC WORKS

- **Darwin (Dan) Patterson – appointment for an unexpired term to expire July, 2018**

This nomination will be considered for approval at the next regular Council meeting, to be held December 20, 2016

Re: Amendment, Ordinance No. 4736 - FLSA-Exempt Positions Deferment

*Injunction of U.S. Department of Labor Mandates
(Bill No. 16-036, Emergency Reading, to follow)*

Jeff LaGarce, City Manager, informed Council that the U.S. Department of Labor (DOL) issued new rules to take effect on December 1, 2016, specifying that FLSA-Exempt-salaried

employees in the U.S. earning less than \$47,276 must now be paid overtime. On November 15, 2016, Ordinance 4736 was adopted as an emergency measure, and authorized necessary measures to achieve DOL compliance in-time for the December 1st deadline. However, the Ordinance hasn't been implemented because December 1st has not yet arrived, and on November 22, 2016 a federal judge issued an injunction blocking the Department of Labor from implementing their new overtime rules. At this writing, the new rules have been suspended by the federal court, with no insight as to "when" or even "if" the new rules might be implemented (or the injunction lifted or overturned). For that reason, staff requests passage of a second Bill by emergency measure – a Bill modifying 4736; one that would simply permit the City Manager to defer implementation of 4736 until federal rules make it necessary. Bill No. 16-036, to follow.

**ANGELICA ZERBONIA – CITY CLERK
Re: Certification, November, 2016 General Election**

Tiffany Rubemeyer, Acting City Clerk, read the Certification of Election as follows:

I, Angelica N. Vance, City Clerk of Hannibal, Missouri, do hereby certify that the attached is a complete and true copy of the Certification of Election, held on November 8, 2016, as certified to me by the Marion and Ralls County Clerks.

**Witness my Hand and the Seal
Of the City of Hannibal. Done
This 6th day of December, 2016**

**CERTIFICATION OF ELECTION
Results of the General Election of
November 8, 2016**

The City Clerk gave the following results from the election:

Hannibal Recycling Fee:

	<u>Marion</u>	<u>Ralls</u>	<u>Total</u>
Yes	4,125	65	4,190
No	2,740	47	2,787

Showing a total vote of 4,190 for the Hannibal Recycling Fee for the City of Hannibal: 4,190 - YES and 2,787 -NO votes; declaring the Hannibal Recycling fee having passed by 1,403 votes.

KAREN BURDITT – FINANCE DIRECTOR
Re: Approval, Bond Interest Payment

Karen Burditt, Finance Director, came before Council for approval of the Bond Interest Payment. This is only a payment of the interest. Payment will be wired and will not show up in the accounts payable distribution for Council's approval. Motion made by Council Member Ipson to approve the request. Motion seconded by Council Member Locke.

Motion carried.

BRIAN CHAPLIN – DPW SUPERINTENDENT
Re: Warren Barrett Drive Bridge Replacement – Contract Agreement
Bleigh Construction Company
(Resolution No. 2066-16, to follow)

Brian Chaplin, DPW Superintendent, informed Council that on Tuesday, November 22, 2016 the City went out for bids for the Warren Barrett Bridge. Two bids were received and were publically opened. The two companies that submitted were Bross Construction and Bleigh Construction Company. Bleigh Construction came in as the low bidder in the amount of \$523,981.80 as their base bid and their overall total bid being \$565,141.80, which included the optional bridge items. The Engineer's estimate for the bridge was \$655,000.00 (without the optional bridge items) so this quote has come in under the estimated amount. Staff recommends approval from council to accept the Award of Contract to Bleigh Construction Company in the amount of \$565,141.80. Construction would begin in a week. Resolution No. 2066-16, to follow.

RESOLUTION NO. 2066-16

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT AGREEMENT WITH BETWEEN THE CITY OF HANNIBAL AND BLEIGH CONSTRUCTION IN THE AMOUNT OF \$565,141.80 TO COMPLETELY REPLACE THE BRIDGE ON WARREN BARRETT DRIVE

Motion was made by Council Member Van Hoose to have the City Clerk read Resolution No. 2066-16 and call the roll for adoption. Motion was seconded by Council Member Dobson.

Motion carried.

Roll Call

Yes: Council Members Dobson, Cogdal, Mayor Hark, Council Members Van Hoose, Ipson, and Locke - 6

No: -0-

Absent: Mayor Pro Tem Knickerbocker - 1

Mayor Hark declared Resolution No. 2066-16 duly approved and adopted on this date.

Changes to Bill No. 16-033 were discussed by Tom Cunningham. Final bond pricing was favorable to the City. Jeff LaGarce informed Council that the City Clerk had the most recent Bill to be read. Motion to amend the Ordinance was made by Council Member Ipson. Motion seconded by Council Member Locke.

Motion carried.

BILL NO. 16-033

AN ORDINANCE APPROVING THE ISSUANCE BY HANNIBAL MUNICIPAL ASSISTANCE CORPORATION OF ITS \$6,765,000 PRINCIPAL AMOUNT OF LEASEHOLD REVENUE BONDS, SERIES 2016 (CITY OF HANNIBAL, MISSOURI, LESSEE); AUTHORIZING CONVEYANCE OF CERTAIN REAL PROPERTY TO HANNIBAL MUNICIPAL ASSISTANCE CORPORATION; AUTHORIZING AND APPROVING CERTAIN DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF SAID BONDS; MAKING CERTAIN FINDINGS AND DETERMINATIONS; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF SAID BONDS AND THE EXECUTION OF THE DOCUMENTS APPROVED HEREIN

Second & Final Reading

Motion was made Council Member Dobson to give Bill No. 16-033 a second and final reading as amended and call the roll for adoption. Motion was seconded by Council Member Van Hoose.

Motion carried.

Roll Call

Yes: Council Members Dobson, Cogdal, Mayor Hark, Council Members Van Hoose, Ipson, and Locke - 6

No: -0-

Absent: Mayor Pro Tem Knickerbocker - 1

Mayor Hark declared Bill No. 16-033 duly approved and adopted on this date.

A motion was made by Council Member Locke to excuse Mayor Pro Tem Knickerbocker. Motion was seconded by Council Member Ipson.

Motion carried.

BILL NO. 16-034

AN ORDINANCE TO ENABLE THE CITY OF HANNIBAL, MISSOURI TO JOIN SHOW ME PACE, PURSUANT TO SECTIONS §67.2800 TO §67.2835, RSMO, THE “PROPERTY ASSESSMENT CLEAN ENERGY ACT,” AND STATING THE TERMS UNDER WHICH THE CITY WILL CONDUCT ACTIVITIES AS A MEMBER OF SUCH DISTRICT

Second & Final Reading

Motion was made Council Member Van Hoose to give Bill No. 16-034 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, Cogdal, Mayor Hark, Council Members Van Hoose, Ipson, and Locke - 6

No: -0-

Absent: Mayor Pro Tem Knickerbocker - 1

Mayor Hark declared Bill No. 16-034 duly approved and adopted on this date.

BILL NO. 16-036

AN ORDINANCE AMENDING ORDINANCE 4736 REGARDING PAY GRADES AND COMPENSATION LEVELS OF CERTAIN CITY EMPLOYEES PURSUANT TO NEW OVERTIME RULES ESTABLISHED BY THE U.S. DEPARTMENT OF LABOR AND A SUBSEQUENT FEDERAL INJUNCTION BLOCKING IMPLEMENTATION OF THOSE NEW RULES IN THE U.S.

Emergency Reading

Motion was made Council Member Ipson to give Bill No. 16-036 an Emergency Reading and call the roll for adoption. Motion was seconded by Council Member Dobson.

Motion carried.

Roll Call

Yes: Council Members Dobson, Cogdal, Mayor Hark, Council Members Van Hoose, Ipson, and Locke - 6

No: -0-

Absent: Mayor Pro Tem Knickerbocker - 1

Mayor Hark declared Bill No. 16-036 duly approved and adopted on this date.

CLOSED SESSION
In Accordance with RSMo. 610-021 (1) (2) (3)

At this time, Mayor Hark entertained a motion to go into closed session in accordance with RSMo 610-021, sub-paragraph (1) (2) (3), admitting himself, City Manager Jeff LaGarce, City Council, City Clerk, City Attorney James Lemon, Tourism Director Gail Bryant and Finance Director Karen Burditt. Motion was made by Council Member Locke to enter into Closed Session. Motion was seconded by Council Member Ipson.

Motion carried.

Roll Call

Yes: Council Members Dobson, Cogdal, Mayor Hark, Council Members Van Hoose, Ipson, and Locke - 6

No: -0-

Absent: Mayor Pro Tem Knickerbocker - 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 Locke.

Motion carried.

ADJOURNMENT

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

Motion carried.