

OFFICIAL COUNCIL PROCEEDINGS

**Tuesday, December 20, 2016
Council Chambers
7:00 p.m.**

ROLL CALL

Present: Council Members Cogdal, Mayor Hark, Council Members Ipson, Locke, and Mayor Pro Tem Knickerbocker - 5

Absent: Council Member Van Hoose and Dobson - 2

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 Cogdal.

PLEDGE OF ALLEGIANCE

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

Motion was made by Council Member Ipson to excuse Council Member Van Hoose and Dobson. Motion was seconded by Council Member Locke.

Motion carried.

APPROVAL OF AGENDA

Motion was made by Mayor Pro Tem Knickerbocker to approve the agenda as presented and posted. Motion was seconded by Council Member Locke.

Motion carried.

**APPROVAL OF MINUTES
Regularly Scheduled Council Meeting – December 6, 2016**

Motion was made by Council Member Locke to approve the minutes for the last regularly scheduled Council meeting that was held on December 6, 2016. Motion was seconded by Council Member Ipson.

Motion carried.

**APPROVAL OF PAYROLL AND CLAIMS
First Half – December, 2016**

Motion was made by Council Member Ipson to approve the payroll and claims for the first half of December, 2016. Motion was seconded by Council Member Locke.

Motion carried.

**DENNIS KOLARIK – 536 RIVERSIDE
Re: Adopting Roberts Rules of Order in Council Meetings**

Mr. Denis Kolarik then addressed Council asking a question about parliamentary procedures; he questioned if we had a copy or do we "just fly by night". Mayor Hark responded that the meetings are ran according to State Statute for open meetings. He then questioned if audience was able to participate without completing the 5 minute form according to State Statute. Mayor Hark responded that it did not. He indicated he would defer his other item until there was a full council present.

Re: Establish an Ethics Committee for Hannibal City Government & Council

Item deferred until full Council present.

**ANITA FAILOR – WADE STABLES
Re: 2016/17 Audit Presentation**

Anita Failor of Wade Stables then began her presentation by reviewing the fiscal year 2015/16 audit. She then reviewed the asset increases mainly due to the BPW improvements taking place. GASB 68 dramatically changed the way the budget looks, due to putting the net pension liabilities on the books, on the front page. The net pension liability is over \$12 million. This would include Police & Fire and LAGERS. Liabilities increased by about \$10 million, with the BPW being the largest due to the projects taking place which are debt financed. Based on how we did the cash base is under budget by \$600,000 for revenues and expenditures are under \$400,000. There were no material weaknesses to report with this audit.

Council Member Ipson then asked about the City officials, he pointed out he was not on the council as of June 30th, the seat was vacant at that point. Mayor Pro Tem Knickerbocker pointed out that the last page of the report showing no material findings and he has been here when there has been a full page of findings. Motion was made by Mayor Pro Tem

Knickerbocker to approve the audit with the addition of Council Member Ipson's correction. Motion was seconded by Council Member Locke.

Motion carried.

JAMES R. HARK – MAYOR
Re: Recommendation of Appointment

Mayor Hark made the following recommendation:

HANNIBAL TREE BOARD

- **Steve McGregor – reappointment for a term to expire September, 2017**

This nomination will be considered for approval at the next regular Council meeting, to be held January 3rd, 2016.

JAMES LEMON – CITY ATTORNEY
Re: Hannibal Regional Airport, Private Hangar - Corrective Land Lease
Lexie Pexie, LLC
(Resolution No. 2069-16, to follow)

James Lemon, City Attorney, informed Council that the bank wanted the lease agreement to be modified to include the legal description and provisions allowing Hannibal Regional Airport to have a mortgage that will be used to construct a private hanger. Resolution No. 2069-16, to follow.

Re: Code Amendment, Chapter 16 Miscellaneous Provision & Offenses
Article IV. Offenses Against Public Morals - Division 4 – Prostitution
(Bill No. 16-038, to follow)

He then informed Council that HPD has become aware that prostitution has become more of a problem in Hannibal. As our current ordinances exist there is no prohibition against prostitution. As a result, we are unable to prosecute such crimes in City Court. The ordinance proposed will add a new Article to Chapter 16, with the sections of it specifically aimed at addressing the prostitution problem. Bill No. 16-038, to follow.

JEFF LAGARCE – CITY MANAGER
Re: Approval of Appointment

Jeff LaGarce, City Manager, reminded Council of candidate presented at the last meeting for the following Board:

BOARD OF PUBLIC WORKS

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

LaGarce asked Council for their approval of this recommendation. Motion was made by Mayor Pro Tem Knickerbocker to approve the City Manager's recommendation of Darwin Patterson to the Board of Public works for an appointment for an unexpired term to expire July, 2018. Motion was seconded by Council Member Cogdal.

Motion carried.

Re: Loan Approval (In-Concept) – Shinn Lane Roundabout
Board of Public Works - \$332,000

LaGarce then informed Council that funding exists for the \$1,006,000 roundabout project at Shinn Lane. The city's funding model for street bonds identifies \$400,000 in street funds to be available each year (after all bond payments, fuel, vehicles, etc.), to use for curb repairs, concrete slabs, sidewalks, and the like. It is from these undesignated street funds the BPW loan would be repaid. In the forthcoming July 1, 2017 budget, \$342,000 of this annually-remaining \$400,000 will be budgeted for the city's portion of the roundabout project (shown at the top of this memo). Then in July 1, 2018 budget, the city will have another \$400,000 remaining – to repay the loan. Thus, it's conceivable we could retire the full BPW loan – all \$332,000 – in July 2018 – the first year. However, we prefer an option to repay this loan over a 2-year period; retiring all principal in July 2019. Having some option is preferable, because future infrastructure needs/demands in Hannibal cannot be 100% foreseen at-present.

To conclude, we can repay 50% of the loan each year, for 2 years, beginning in July 2018 (total interest cost of \$10,458), or perhaps liquidate the entire loan (interest included) in July 2018 – the first year (total interest cost of \$6,972). Given current information, full payment in Year 1 should be possible, though a 2-year window provides necessary latitude. The interest rate of 2.1% interest rate is far-less than the city would pay for commercial borrowing, yet greater than BPW's current investment yields; a win-win for both entities. This need was not built into the recent bond issue; intentionally omitted, in-order to keep bond principal amounts down. Had it been built-in, the City would be repaying it for the next 10 years. This approach places the project behind us in one or two years. Staff requests council approval of this loan "in-concept", and authority to prepare the loan instruments. Mayor Pro Tem Knickerbocker made a motion to approve the request. Council Member Ipson seconded the motion.

Motion carried.

Re: Kids-In-Motion – Contract for Services
(Resolution No. 2067-16, to follow)

LaGarce then presented that the FY-2016 budget contains a \$7,500 appropriation in the Hannibal Police Department for contribution to the Kids-In-Motion (KIM) Program. Many young people today are raised without the slightest notion that education, work ethic, and respect are core ingredients for success. Socio-economic problems are well-documented by drop-out rates, teen pregnancies, drugs, crime, and generational dependency. Left unchecked, communities continue to suffer as these kids mature into young adults, while the individuals themselves suffer a lifetime. Headlines both national and local are filled with disappointing

youth outcomes. Almost daily, national leaders and pundits bemoan, “If there was just some way to reach these people during their formative years to avert the paths they’re choosing”. This is exactly what Kids in Motion achieves here in Hannibal. The program has produced hundreds of success stories over the years. It is difficult to speculate the amount of failures averted, or criminal activity that hasn’t occurred here in Hannibal - because of this program. The KIM Program changes lives of youth during their formative ages, allowing them to develop into successful, positive-minded, and law-abiding citizens of tomorrow. The city recognizes the value these outcomes produce for Hannibal as-a-whole, and well as lessened burdens on law enforcement. This Resolution authorizes the Mayor to enact a \$7,500 Contract for Services with Kids-in-Motion/Teensin- Motion. Council Member Ipson added his recommendation of this program. Resolution No. 2067-16, to follow.

Re: Amendments, Employee Guide to Success – Light Duty, Sick Leave & Vacation Payouts
(Resolution No. 2068-18, to follow)

LaGarce informed Council that there have been interpretation issues when it comes to light duty, sick leave, and vacation payouts in the Employee Guide to Success. These changes provide better clarification, rather than changes in substance. Changes are:

1. Light duty – while light duty assignments for injury recoveries is a good thing, this change provides the city some latitude. The policy currently reads as “mandatory” for the city to provide light duty opportunities. The proposed change renders it less than mandatory on the city’s part, though light duty is a very good thing, and we will provide light duty opportunities in 99% of all cases anyway.
2. To obtain any payout of sick leave banks at the time of separation, employees must work here for 5 years and give proper notice when leaving. Wording modifications in the Resolution change nothing; they make the policy abundantly clear. In fact, so clear, the policy will now define circumstances where such payouts are NOT received.
3. For vacation time payouts at separation, clarification was provided for (i) payout of vacation banks, and (ii) payout of vacation accruals (there is a difference). The old wording was confusing, and recently caused some difficult interpretation.

Resolution No. 2068-18, to follow.

BRIAN CHAPLIN – DPW SUPERINTENDENT
Re: Airport Improvement Program, Amendment #3 – State Block Grant Agreement
Missouri Highways and Transportation Commission
(Bill No. 16-037, to follow)

Brian Chaplin, DPW Superintendent, informed Council that the Department of Public Works has been allocated monies through MoDOT for Aviation projects at the Hannibal Regional Airport. The original approved funds were not sufficient enough to cover the costs associated with the Terminal Area Plan; Design and Construct Taxi lanes. There a grant amendment earlier on this project asking for additional funds and time. This will be the third and final grant extension as the project is now complete. The Commission grants to sponsor and additional \$16,446.00 for the Terminal Area Plan, Design and Construct Taxi lane project.

The City will have to match their 10% payment as we have done on the previous amendments. Bill No. 16-037, to follow.

Re: Road Improvement Project – Engineering/Architectural Agreement

Poepping, Stone, Bach & Associates

(Resolution No. 2070-16, to follow)

Chaplin this informed Council that on Thursday, November 17th 2016 RFQ's (request for quotes) were sought for engineering services for the Road Improvement Project. Two Engineering firms submitted proposals for the project. Poepping, Stone, Bach and Associates and MECO Engineering were interviewed by a team of staff members, PSBA was determined to be the most qualified firm for the project. PSBA proposes to assist the city by helping to develop, implement and maintain a plan for the successful completion of the pavement improvement project which includes inventory, condition analysis, maintenance and resurfacing of several miles of streets within a \$6.0M construction budget. Upon approval of the conceptual plan by the City, PSBA will assist in the development of a project manual which will allow contractors to submit competitive bids for the placement of hot mix asphalt and will develop necessary documentation for the bidding, certification and inspection of work performed by contract or city crews. Staff recommends approval from the council to accept the Engineering/Architectural Service Agreement from Poepping, Stone, Bach and Associates in the lump sum amount of \$260,000.00 for the Road Improvement Project. Resolution No. 2070-16, to follow.

ANDY DORIAN – DIRECTOR, PARKS & RECREATION

Re: Park Property Acquisition – Contract for the Sale of Real Estate

1111 St. Johns, 1100-1108 S. Arch, 1103-05-07-09 St. Johns – Ronald Caldwell

(Resolution No. 2071-16, to follow)

Re: Caldwell Acquisition – Recipient Agreement

The Conservation Fund

(Resolution No. 2072-16, to follow)

Andy Dorian, Director of Parks & Recreation, discussed both issues at the same time, informing Council that the Hannibal Parks and Recreation Department, Conservation Fund and United States Fish and Wildlife Service have been working on acquiring a group of properties located at 1111 St. John's Street, 1103-05-07-09 St. John's Street and 1100-1108 S. Arch Street. These properties are grouped together and are directly adjacent to the new Sodalís Nature Preserve. The significance of these properties is that they are at the end of an old abandoned rail line/road. This road is a potential access for unwanted motor vehicles entering the Nature Preserve. This old road also has the benefit of being another phase of the Parks Department Trail System. Once complete this trail will follow Bear Creek and connect to the current trail in Sodalís. This future trail has a great benefit because it will be flat, scenic and connects another large neighborhood to amenities such as Sodalís, Dog Park, Norfolk and Southern Sports Complex, Clemens Field, Admiral Coontz Recreation Center and Downtown Hannibal. As part of this partnership, the Conservation Fund has agreed to pay \$19,500 for the purchase of the property. This will be reimbursed to the City after the closing. The Parks Department will cover all closing costs, a Phase 1 Environmental Study and demolition of an abandoned dilapidated home on the property. There is a clause in the

Real Estate Contract that if a Phase 1 study comes back negative and would require a pricey Phase 2 Remediation that the City has the option to void the Real Estate Contract. They will address that issue if it arises. Once the property is purchased and all demolition and grading work is complete, the property will be planted with trees and become part of the Sodalis Nature Preserve. A Conservation Easement amendment with the Iowa Natural Heritage Foundation will take place once everything is completed. This property will be under the same land use restrictions as the current Sodalis Nature Preserve. Resolution No. 2071-16 & 2072-16, to follow.

ROBERT STEVENSON – BPW GENERAL MANAGER

Re: Lease Purchase Financing – Diesel Generators

UMB Bank

(Resolution No. 2073-16, to follow)

Robert Stevenson, BPW General Manager, informed Council that the Hannibal Board of Public Works plans to undertake a lease-purchase transaction to finance the purchase and installation of ten diesel driven generators. The Board will enter into an annually renewable Lease Purchase Agreement with UMB Bank, N.A., as trustee. The Board will lease the generators from the Trustee on a year-to-year basis with an option to purchase the Trustee's interest in the generators at the end of the lease. The Board must pay rental payments to the Trustee in an amount sufficient to pay the principle and interest that will become due on the Certificates of Participation delivered by the Trustee to Commerce Bank, the lender. The Certificates bear interest at a fixed rate of 2.89% and mature on Feb. 1, 2027. One purpose of the resolution is to approve the transaction because the City Charter requires Council approval of such contracts by the Board. Another purpose is for the Council to designate the Certificates as "qualified tax exempt obligations" or "bank qualified" under the Internal Revenue Code. With that designation Commerce Bank can deduct its interest expense associated with the purchase of the Certificates allowing them to offer us a lower interest rate. Even though the City is designating the Certificates as "bank qualified", the Certificates are still an obligation of the Board and are payable solely from board revenues. The Board will have an opportunity at its regular December meeting to approve similar resolutions and all associated closing documents for this financing. Stevenson was not able to report the results of the Board meeting as there was not a quorum present. He advised that this resolution should be approved dependent on it being approved by the Board. Resolution No. 2073-16, to follow.

RESOLUTION NO. 2067-16

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT
IN THE AMOUNT OF \$7.500 WITH DOUGLASS COMMUNITY SERVICES, INC.
AND KIDS IN MOTION/TEENS IN MOTION FOR THE PROVISION OF YOUTH
SERVICES THAT TEACH GOOD CITIZENSHIP, WORK ETHIC, PERSONAL
RESPONSIBILITY, ACCOUNTABILITY, LEADERSHIP, RESPECT FOR
AUTHORITY, AND
THE VALUE OF EDUCATION**

Motion was made by Council Member Ipson to have the City Clerk read Resolution No. 2067-16 and call the roll for adoption. Motion was seconded by Mayor Pro Tem Knickerbocker.

Motion carried.

Roll Call

Yes: Council Members Cogdal, Mayor Hark, Council Members Ipson, Locke, and Mayor Pro Tem Knickerbocker - 5

No: -0-

Absent: Council Member Van Hoose and Dobson - 2

Mayor Hark declared Resolution No. 2067-16 duly approved and adopted on this date.

RESOLUTION NO. 2068-16

A RESOLUTION AMENDING THE CITY OF HANNIBAL'S PERSONNEL MANUAL KNOWN AS THE *EMPLOYEE GUIDE TO SUCCESS* RELATING TO LIGHT DUTY, SICK AND VACATION TIME PAYOUT

Motion was made by Council Member Locke to have the City Clerk read Resolution No. 2068-16 and call the roll for adoption. Motion was seconded by Council Member Ipson.

Motion carried.

Roll Call

Yes: Council Members Cogdal, Mayor Hark, Council Members Ipson, Locke, and Mayor Pro Tem Knickerbocker - 5

No: -0-

Absent: Council Member Van Hoose and Dobson - 2

Mayor Hark declared Resolution No. 2068-16 duly approved and adopted on this date.

RESOLUTION NO. 2069-16

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN AMENDED AIRPORT LAND LEASE AGREEMENT FOR PRIVATE HANGAR WITH LEXIE PEXIE, L.L.C.

Motion was made by Council Member Ipson to have the City Clerk read Resolution No. 2069-16 and call the roll for adoption. Motion was seconded by Council Member Locke.

Motion carried.

Roll Call

Yes: Council Members Cogdal, Mayor Hark, Council Members Ipson, Locke, and Mayor Pro Tem Knickerbocker - 5

No: -0-

Absent: Council Member Van Hoose and Dobson - 2

Mayor Hark declared Resolution No. 2069-16 duly approved and adopted on this date.

RESOLUTION NO. 2070-16

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN ENGINEERING/ARCHITECTURAL SERVICE AGREEMENT BETWEEN THE CITY OF HANNIBAL AND POEPPING, STONE, BACH AND ASSOCIATES IN THE AMOUNT OF \$260,000.00 FOR THE CITY-WIDE ROAD IMPROVEMENT PROJECT

Motion was made by Council Member Locke to have the City Clerk read Resolution No. 2070-16 and call the roll for adoption. Motion was seconded by Mayor Pro Tem Knickerbocker.

Motion carried.

Roll Call

Yes: Council Members Cogdal, Mayor Hark, Council Members Ipson, Locke, and Mayor Pro Tem Knickerbocker - 5

No: -0-

Absent: Council Member Van Hoose and Dobson - 2

Mayor Hark declared Resolution No. 2070-16 duly approved and adopted on this date.

RESOLUTION NO. 2071-16

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR THE SALE OF REAL ESTATE BETWEEN THE CITY OF HANNIBAL PARKS AND RECREATION DEPARTMENT AND RONALD CALDWELL

INDIVIDUALLY AND RONNIE L. CALDWELL & MARILYN C. WEBB LIVING TRUST OF MARION COUNTY FOR THE PURCHASE OF PROPERTY KNOWN AS 1111 ST. JOHNS, 1103-05-07-09 ST. JOHNS AND 1100-1108 S. ARCH FOR A PRICE OF \$19,500 PLUS CLOSING COSTS

Motion was made by Mayor Pro Tem Knickerbocker to have the City Clerk read Resolution No. 2071-16 and call the roll for adoption. Motion was seconded by Council Member Ipson.

Motion carried.

Roll Call

Yes: Council Members Cogdal, Mayor Hark, Council Members Ipson, Locke, and Mayor Pro Tem Knickerbocker - 5

No: -0-

Absent: Council Member Van Hoose and Dobson - 2

Mayor Hark declared Resolution No. 2071-16 duly approved and adopted on this date.

RESOLUTION NO. 2072-16

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A RECIPIENT AGREEMENT BETWEEN THE CONSERVATION FUND AND THE CITY OF HANNIBAL FOR THE REIMBURSEMENT OF \$19,500 FOR THE PURCHASE OF REAL ESTATE BETWEEN THE CITY OF HANNIBAL PARKS AND RECREATION DEPARTMENT AND RONALD CALDWELL INDIVIDUALLY AND RONNIE L. CALDWELL & MARILYN C. WEBB LIVING TRUST OF MARION COUNTY FOR THE PURCHASE OF PROPERTY KNOWN AS 1111 ST. JOHNS, 1103-05-07-09 ST. JOHNS AND 1100-1108 S. ARCH

Motion was made by Mayor Pro Tem Knickerbocker to have the City Clerk read Resolution No. 2072-16 and call the roll for adoption. Motion was seconded by Council Member Locke.

Motion carried.

Roll Call

Yes: Council Members Cogdal, Mayor Hark, Council Members Ipson, Locke, and Mayor Pro Tem Knickerbocker - 5

No: -0-

Absent: Council Member Van Hoose and Dobson - 2

Mayor Hark declared Resolution No. 2072-16 duly approved and adopted on this date.

RESOLUTION NO. 2073-16

A RESOLUTION AUTHORIZING THE BOARD OF PUBLIC WORKS OF THE CITY OF HANNIBAL, MISSOURI, TO ENTER INTO A LEASE PURCHASE TRANSACTION, THE PROCEEDS OF WHICH WILL BE USED TO PAY THE COSTS OF ACQUIRING AND INSTALLING GENERATORS AND OTHER UTILITY EQUIPMENT

Motion was made by Council Member Ipson to have the City Clerk read Resolution No. 2073-16 and call the roll for adoption. Motion was seconded by Mayor Pro Tem Knickerbocker.

Motion carried.

Roll Call

Yes: Council Members Cogdal, Mayor Hark, Council Members Ipson, Locke, and Mayor Pro Tem Knickerbocker - 5

No: -0-

Absent: Council Member Van Hoose and Dobson - 2

Mayor Hark declared Resolution No. 2073-16 duly approved and adopted on this date.

BILL NO. 16-037

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT #3 TO THE STATE BLOCK GRANT AGREEMENT BETWEEN THE CITY OF HANNIBAL AND THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR THE TAXIWAY EXTENSION AND FUTURE T-HANGER PROJECT AT THE HANNIBAL MUNICIPAL AIRPORT IN THE AMOUNT OF \$16,446.00

First Reading

Motion was made by Council Member Ipson to have the City Clerk give Bill No. 16-037 a first reading. Motion was seconded by Council Member Locke.

Motion carried.

BILL NO. 16-038

**AN ORDINANCE REVISING CHAPTER 16, MISCELLANEOUS PROVISIONS
AND OFFENSES, ARTICLE IV. –OFFENSES AGAINST PUBLIC MORALS, BY
ADDING DIVISION 4 PROSTITUTION**

First Reading

Motion was made by Mayor Pro Tem Knickerbocker to have the City Clerk give Bill No. 16-038 a first reading. Motion was seconded by Council Member Locke.

Motion carried.

CLOSED SESSION

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

At this time, Mayor Hark entertained a motion to go into closed session in accordance with RSMo 610-021, sub-paragraph (1) (2), admitting himself, City Manager Jeff LaGarce, City Council, City Clerk Angelica Zerbonia, City Attorney James Lemon, Parks Director Andy Dorian, and Police Chief Lyndell Davis. Motion was made by Council Member Ipson to enter into Closed Session. Motion was seconded by Mayor Pro Tem Knickerbocker.

Motion carried.

Roll Call

Yes: Council Members Cogdal, Mayor Hark, Council Members Ipson, Locke, and Mayor Pro Tem Knickerbocker - 5

No: -0-

Absent: Council Member Van Hoose and Dobson - 2

Motion carried.

OPEN SESSION

Motion was made by Council Member Ipson to return to open session at this time. Motion was seconded by Council Member Locke.

Motion carried.

ADJOURNMENT

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

Motion carried.