

## **OFFICIAL COUNCIL PROCEEDINGS**

**Tuesday, November 1, 2016  
Council Chambers  
7:00 p.m.**

### **ROLL CALL**

**Present:** Council Member Locke, Mayor Pro Tem Knickerbocker,  
Council Members Dobson, Cogdal, Mayor Hark, Council  
Members Van Hoose, and Ipson - 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 Cogdal led the Pledge of Allegiance to the Flag.

### **APPROVAL OF AGENDA**

Motion was made by Council Member Dobson to approve the agenda as submitted. Motion was seconded by Council Member Ipson.

Motion carried.

### **APPROVAL OF MINUTES Regularly Scheduled Council Meeting – October 18, 2016 Closed Session – August 16, 2016**

Motion was made by Council Member Van Hoose to approve the minutes for the last regularly scheduled Council meeting that was held on October 18, 2016 and the Closed Session minutes from August 16, 2016. Motion was seconded by Council Member Locke.

Motion carried.

**APPROVAL OF PAYROLL AND CLAIMS**  
**Second Half – October, 2016**

Motion was made by Council Member Dobson to approve the payroll and claims for the second half of October, 2016. Motion was seconded by Mayor Pro Tem Knickerbocker.

Motion carried.

**PAUL LEWELLEN – HHMC**  
**Re: Request, Street Closure – “Living Windows” Christmas Event**  
*Saturday, December 10, 2016 – 2:00 p.m. – 9:00 p.m.*

Paul Lewellen, with the Historic Hannibal Marketing Council, came before Council to request street closure for their “Living Windows” Christmas Event. This event will take place Saturday, December 10, 2016 from 2:00 p.m. to 9:00 p.m. They would like close Broadway to North Main, just blocking North Main Street. Last year it was very dangerous with people crossing the street so they chose to request the street to be closed this year. Motion was made by Mayor Pro Tem Knickerbocker to approve the request. Motion was seconded by Council Member Ipson.

Motion carried.

**SHON THOMPSON – AMERICAN LEGION RIDERS**  
**Re: Request, Street Closures – Veterans Day Parade**  
*Saturday, November 12, 2016 – 10:00 a.m. – 12:30 p.m.*

Francis Foubester on behalf of Shon Thompson, representing the American Legion Riders, came before Council with a request for approval of street closure during the Annual Veterans’ Day Parade to be held on November 12, 2016 from 10:00 a.m. – 12:30 p.m. He requested the closure of Broadway at Save A Lot where they will set up, to Main to North Street. Motion was made by Council Member Locke to approve this request. Motion was seconded by Council Member Ipson.

Motion carried.

**HONG KILMER – RIALTO**  
**Re: Rebuild Matter**

Hong Kilmer then addressed Council representing the Rialto Banquet Center; her neighbor had a fire in August and there are things they are not able to do to repair their building. She does not have the money to remodel again, this is America's hometown and she knows everyone wants to see it reopen. She asked the City Council to help them remove the burned down buildings and stabilize the other ones. She needs help right now as winter is coming and will make the situation worse. The owner, who is here, wants to do anything to help with the situation and get it over. The number one important thing is the safety of the public. The owner does not have insurance for the fire, so who would pay for it if Hannibal people were

to get hurt? As soon as the building is taken care of everybody will be happy and safe.

Mayor Hark then indicated there is always the letter of the law and then the right thing to do. Hark would like to see what we could do without putting the city in a position with liability on the other buildings. Knickerbocker indicated an engineer looked at the buildings and the burnt building structural wise is not causing a current danger. If the City were to take action to remove the structure we would then assume liability for the buildings on either side. He feels if we mitigate the Kilmer's problem we would potentially have greater liability, possibly hundreds of thousands of dollars. The City cannot just order the City crews to go in and take the building down tomorrow. He hopes the building commission can work with the owners to come up with a solution. Ms. Kilmer feels this is a danger to the public because of the glass hanging where the public walks. Knickerbocker indicated the Building Inspector could work with the property owner to secure the outside of the building for safety.

Counselor Lemon indicated whether the owner had insurance or not, the owner is specifically liable for cleaning the building up and protecting the citizens from danger and harm. The City cannot just go in and fix it without going through processes; one suing the owner for a nuisance. Lemon is unsure whether the owner has sufficient funds to repair the building. Structurally the building does not hold a threat; however, if the building were to come down, it could affect both adjoining properties. The property owners are not currently legally required to bring the building down because it has not been deemed a danger to the public structurally. Kilmer then again mentioned the glass and that teenagers are running through the building. It is dangerous to the public. What she wants to do is ask the City to help them; they can't wait until the middle of the paperwork if someone were to get hurt. Lemon indicated Kilmer had a legal right to bring legal action against the property owner in the same manner the City does as she is suffering, in her words, a loss as an adjoining property owner. Someone from the audience then spoke up and said lawsuits were not going to fix the problem. She does not have the time to sue her, the time is critical and the more damage is done, the more money that will have to be paid. She wants the City to step in right now.

Mayor Hark requested the building inspector reevaluate the property to see what conditions exist tomorrow morning and see if there are deficiencies that will affect the safety. Ms. Kilmer then thanked them for helping them out as the City is their only hope right now, they don't have time, the City has more power and she depends on us. Council Member Dobson then asked to assist Ms. Kilmer in getting on the next building commission meeting; in which the Mayor indicated she could be added next Monday, at 4:00 p.m.

**JAMES R. HARK – MAYOR**  
**Re: Approval of Appointment**

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

**HANNIBAL MUNICIPAL ASSISTANCE CORPORATION**

➤ **Mark Grieshaber – appointment for a term to expire June, 2018**

Mayor Hark asked Council for their approval of this recommendation. Motion was made by Mayor Pro Tem Knickerbocker to approve the Mayor's recommendation of Mark Grieshaber

to the Hannibal Municipal Assistance Corporation, for appointment for terms to expire June, 2018. Motion was seconded by Council Member Ipson.

Motion carried.

**Re: Recommendation of Appointments**

Mayor Hark made the following recommendation:

**AFFIRMATIVE ACTION COMMITTEE**

- **Joel Dant – appointment for a term to expire March, 2018**
- **Wesley Foster – reappointment for a term to expire March, 2019**

These nominations will be considered for approval at the next regular Council meeting, to be held November 15, 2016.

**JAMES LEMON – CITY ATTORNEY**

**Re: Property Acquisition – General Warranty Deed**

*First Presbyterian Church – Gordon Street  
(Resolution No. 2060-16, to follow)*

James Lemon, City Attorney, then informed Council of a Property Acquisition. First Presbyterian Church offered this property to the City on Gordon Street. Resolution No. 2060-16, to follow.

**Re: Code Amendment – Chapter 13, Article II, Section 13-27**

*Where Smoking Not Regulated  
(Bill No. 16-032, to follow)*

Lemon then reminded Council of the directive to draft an ordinance that would make changes to allow nursing home residents to smoke in certain limited situations. The change adds a new subsection 6 to Section 13-27 of our ordinances which would allow an additional exception to the law. Mayor Pro Tem Knickerbocker commended Lemon on the specific details of the Ordinance that meet exactly the circumstance in question. Bill No. 16-032, to follow.

**JEFF LAGARCE – CITY MANAGER**

**Re: Granulated Activated Charcoal (GAC) Study –Professional Services Agreement**

*Jacobs Engineering Group, Inc.  
(Resolution No. 2063-16, to follow)*

Jeff LaGarce, City Manager, presented a contract with Jacobs Engineering Group, Inc. for a feasibility study on GAC. The agreement is \$78,500 and includes looking at a lot of options. They start with a kickoff meeting and then move to data collections and site visits. They would also identify alternatives as there are a lot of different ways to do GAC. Once it was wrapped up, they would have a presentation during a Council Meeting. The study costs more than he thought, but believes it is worth the additional cost.

**JOEY BURNHAM – BUILDING INSPECTOR**  
**Re: Demolition, 417 Oak Street – Contract Agreement**  
*For Him Salvage*  
*(Resolution No. 2061-16, to follow)*

Joey Burnham, Building Inspector, came before Council to discuss demolition bids were opened on October 10 for five properties. They received bids from two contractors. For Him Salvage was the lowest bidder on 417 Oak. He recommends For Him Salvage for this demolition. Resolution No. 2061-16, to follow.

**Re: Demolition, 807 Paris Avenue, 820 Bird, 1916 Spruce & 2314 Chestnut Streets – Contract Agreement**  
*Donald Martin*  
*(Resolution No. 2062-16, to follow)*

Donald Martin was the lowest bidder on 807 Paris, 820 Bird, 1916 Spruce, and 2314 Chestnut. He recommends Donald Martin for these demolitions. Resolution No. 2062-16, to follow.

**SEAN HAMPTON – FIRE CHIEF**  
**Re: Bid Award Approval, Structural Firefighter Turnout Gear (20 sets)**  
*Leo M. Ellebracht Company - \$47,380*

Sean Hampton, Fire Chief, requested bid approval for structural firefighter turnout gear. Over the last 2 months the Hannibal Fire Department had 3 different vendors come in and demonstrate their brand of turnout gear. We were able to try on and perform different task in each brand to determine pros and cons. Sealed bids were requested and a bid opening was conducted on October 20, 2016. The only bid submitted was from Leo M. Ellebracht. This bid was for the requested 20 sets of coats and pants and meets all of the Hannibal Fire Department's bid specifications. The bid price from Leo M. Ellebracht Company is \$2,369 per set for a total of \$47,380 for the requested 20 sets. Approval is requested to award the Hannibal Fire Department Turnout Gear bid to Leo M. Ellebracht Company in the amount of \$47,380 for the 20 sets of Honeywell Morning Pride gear. This equipment would be purchased by funds in the Hannibal Fire Department Capital Improvement budget. A total of \$50,000 was budgeted for this purchase. This will equip half of our firefighters with new turnout gear this year.

Council Member Dobson questioned how often gear is replaced. Chief Hampton responded that some of the gear is 8 years old. Council Member Ipson questioned if this was a standard price, to which Chief Hampton responded that it is cheaper than normal. Motion was made by Council Member Ipson to approve the request. Motion was seconded by Mayor Pro Tem Knickerbocker.

Motion carried.

**ANDY DORIAN – DIRECTOR, PARKS & RECREATION**  
**Re: Riverfront Concept Modification**

Andy Dorian, Director of Parks & Recreation, then addressed Council concerning the Riverfront Redevelopment project and slight modifications to the Plan. The Park Board has since then approved this plan. This has a 48 slip marina with a gas dock, security fencing, cameras, and a boat ramp. Council Member Ipson questioned how much would be taken away from Nipper Park, Dorian indicated this is still a concept but it would be a good chunk of the park. Council Member Van Hoose questioned whether they had feedback from the save the Marina group. Dorian indicated he has spoken with some of its current slip renters and they were fine with the modification, however, it was slightly different than the one that was presented this evening. There will be security fencing and cameras in place, the gas dock will also be in place. It is a double lane road in and a double lane boat ramp. This would be cost neutral in comparison with Plan C, possibly a little of a deduction.

Dobson then questioned weeds that have grown up and would there be a way to work with the engineers to be somewhat weed free. Dorian indicated they would be looking at barriers, however, when it floods, weeds seep in. They will be meeting with the state and DNR. Council Member Cogdal questioned the location of the tugboat, to which Dorian responded that the tugboat is not physically placed in the drawing; however, everything will shift up. Where it would be has not been decided, however, they will be included. They are working to share utilities and some other details with the Riverboat. Cogdal then questioned the increase in slots where Dorian indicated that was to accommodate the transient boaters. The original 36 slips did not include a place for the gas docks, putting the transients cut it even more, they expanded the wall 7 feet to accommodate for all of this. If they aren't all rented there will be more available for the transient boaters. Dorian indicated they could probably get 50 boats if need be.

Van Hoose questioned if the item should be tabled until Andy is able to meet with the Save the Marina group. Knickerbocker withdrew his motion and made a motion to table. Mayor Hark indicated that in his opinion it was a compromise but it would be good to get opinions from the group. Motion was seconded by Council Member Dobson.

Motion carried.

**RESOLUTION NO. 2060-16**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A GENERAL  
WARRANTY DEED FOR THE ACQUISITION OF REAL ESTATE BETWEEN THE  
CITY OF HANNIBAL AND THE FIRST PRESBYTERIAN CHURCH OF  
HANNIBAL, MISSOURI FOR PROPERTY LOCATED IN LOT 12, BLOCK 8 OF  
RICHMOND'S ADDITION**

Motion was made by Council Member Ipson to have the City Clerk read Resolution No. 2060-16 and call the roll for adoption. Motion was seconded by Council Member Dobson.

Motion carried.

**Roll Call**

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

**No:** -0-

**Absent:** -0-

Mayor Hark declared Resolution No. 2060-16 duly approved and adopted on this date.

**RESOLUTION NO. 2061-16**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT AGREEMENT FOR DEMOLITION OF CONDEMNED PROPERTY LOCATED AT 417 OAK BETWEEN THE CITY OF HANNIBAL AND FOR HIM SALVAGE IN THE AMOUNT OF \$5,800**

Motion was made by Council Member Locke to have the City Clerk read Resolution No. 2061-16 and call the roll for adoption. Motion was seconded by Council Member Ipson.

Motion carried.

**Roll Call**

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

**No:** -0-

**Absent:** -0-

Mayor Hark declared Resolution No. 2061-16 duly approved and adopted on this date.

**RESOLUTION NO. 2062-16**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT AGREEMENT FOR DEMOLITION OF CONDEMNED PROPERTIES LOCATED AT 807 PARIS, 820 BIRD, 1916 SPRUCE, AND 2314 CHESTNUT, BETWEEN THE CITY OF HANNIBAL AND DON MARTIN IN THE AMOUNT OF \$41,220**

Motion was made by Mayor Pro Tem Knickerbocker to have the City Clerk read Resolution No. 2062-16 and call the roll for adoption. Motion was seconded by Council Member Dobson.

Motion carried.

**Roll Call**

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

**No:** -0-

**Absent:** -0-

Mayor Hark declared Resolution No. 2062-16 duly approved and adopted on this date.

**RESOLUTION NO. 2063-16**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH JACOBS ENGINEERING IN THE AMOUNT OF \$78,500 TO PERFORM A COST AND FEASIBILITY-COMPLIANCE STUDY OF GRANULATED ACTIVATED CHARCOAL (GAC) AS A POSSIBLE ALTERNATIVE TO THE USE OF AMMONIA FOR TREATMENT OF HANNIBAL'S DRINKING WATER**

Motion was made by Council Member Ipson to have the City Clerk read Resolution No. 2063-16 and call the roll for adoption. Motion was seconded by Council Member Locke.

Council Member Van Hoose questioned the funding for the GAC study as it was double what he expected it to be. LaGarce indicated the money could be taken from the current reserve with a supplemental budget appropriation being made. Typically there are also unspent funds and he does not feel we will need to amend the budget. He will still have to bring an amendment to move money between departments for this. There are two options to cover this. The budget can be amended, but more than likely the cost savings through the year would make it to where it won't even affect the bottom line of the budget. Mayor Pro Tem Knickerbocker indicated that we needed the information now, prior to the ballot issue. Council Member Dobson indicated this was very encompassing and he feels we owed it to ourselves and constituents to go the extra mile.

Council Member Cogdal abstained in case of a possible conflict of interest.

**Roll Call**

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

**No:** -0-

**Abstain:** Council Member Cogdal - 1

Motion carried for the City Clerk to read Resolution 2063-16.

**Roll Call**

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

**No:** -0-

**Abstain:** Council Member Cogdal - 1

Mayor Hark declared Resolution No. 2063-16 duly approved and adopted on this date.

**BILL NO. 16-031**

**AN ORDINANCE OF THE CITY OF HANNIBAL PROVIDING FOR A MUNICIPAL ELECTION TO BE HELD, TUESDAY, APRIL 4, 2017 FOR THE PURPOSE OF ELECTING COUNCIL MEMBERS OF THE THIRD, FIFTH AND SIXTH WARDS**

*Second & Final Reading*

Motion was made by Mayor Pro Tem Knickerbocker to give Bill No. 16-031 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Dobson.

Motion carried.

**Roll Call**

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

**No:** -0-

**Absent:** -0-

Mayor Hark declared Bill No. 16-031 duly approved and adopted on this date.

**BILL NO. 16-032**

**AN ORDINANCE OF THE CITY OF HANNIBAL REVISING CHAPTER 13 HEALTH AND SANITATION, ARTICLE II, SMOKING PROHIBITED IN INDOOR WORPLACES AND PUBLIC PLACES**

***First Reading***

Motion was made by Council Member Ipson to have the City Clerk give Bill No. 16-032 a first reading. Motion was seconded by Council Member Locke.

Motion carried.

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

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

**Roll Call**

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

**No:** -0-

**Absent:** -0-

Motion carried.

**OPEN SESSION**

Motion was made by Mayor Pro Tem Knickerbocker to return to open session at this time. Motion was seconded by Council Member Dobson.

Motion carried.

**ADJOURNMENT**

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

Motion carried.