

## **OFFICIAL COUNCIL PROCEEDINGS**

**Tuesday, December 5, 2017  
Council Chambers  
7:00 p.m.**

### **ROLL CALL**

**Present:** Council Members Dobson, Cogdal, Mayor Hark, Council Members Van Hoose, Welch and Veach – 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**

Mayor Hark then asked Officer Wagoner to lead the Pledge of Allegiance to the Flag.

### **APPROVAL OF AGENDA**

A motion was made by Council Member Dobson to approve the agenda as presented and posted. The motion was seconded by Council Member Veach.

Motion carried.

**APPROVAL OF MINUTES**  
**Regularly Scheduled Council Meeting – November 21, 2017**

A motion was made by Council Member Dobson to approve the minutes of the last regularly scheduled Council meeting that was held on November 21, 2017. The motion was seconded by Council Member Veach.

Motion carried.

**APPROVAL OF PAYROLL AND CLAIMS**  
**Second Half – November, 2017**

A motion was made by Council Member Van Hoose to approve the payroll and claims for the second half of November, 2017. The motion was seconded by Council Member Dobson.

Motion carried.

**JAMES R. HARK - MAYOR**  
**Re: Approval of Appointments**

HANNIBAL CONVENTION & VISITORS BUREAU

➤ **Gayle Viorel – appointment for a term to expire September, 2022**

On his first order of business, Mayor Hark asked Council for their approval of the appointment of Gayle Viorel to the Hannibal Convention & Visitors Bureau for a term to expire September, 2022.

A motion was made by Council Member Welch to approve the Mayor's recommendation of the appointment of Gayle Viorel to the Hannibal Convention & Visitors Bureau. The motion was seconded by Council Member Veach.

Motion carried.

INDUSTRIAL DEVELOPMENT AUTHORITY

➤ **Jeff Evans –appointment for a term to expire January, 2023**

Mayor Hark then asked Council for approval of the reappointment of Jeff Evans to the Industrial Development Authority for a term to expire January, 2023.

A motion was made by Council Member Dobson to approve the Mayor's recommendation of the reappointment of Jeff Evans to the Industrial Development Authority. The motion was seconded by Council Member Van Hoose.

Motion carried.

HANNIBAL TREE BOARD

➤ **Harry Graves – reappointment for a term to expire September, 2020**

Mayor Hark then asked Council for approval of the reappointment of Harry Graves to the Hannibal Tree Board for a term to expire September, 2020.

A motion was made by Council Member Dobson to approve the Mayor's recommendation of the reappointment of Harry Graves to the Hannibal Tree Board. The motion was seconded by Council Member Welch.

**Re: Recommendation of Appointment**

HANNIBAL TREE BOARD

➤ **Stephan Franke – appointment for a term to expire September, 2020**

On his final order of business this evening, Mayor Hark presented as a recommendation of appointment, Stephan Franke to the Hannibal Tree Board for a term to expire September, 2020.

Mayor Hark will be presenting this appointment for approval, by vote, at the December 19<sup>th</sup> Council Meeting.

**GAIL BRYANT – HCVB DIRECTOR**

**Re: 2019 Hannibal Bicentennial Celebration, Event Director – Service Agreement**

*Dr. Cindy L. Lovell*

*(Resolution No. 2118-17, to follow)*

Hannibal Convention & Visitor's Bureau Director, Gail Bryant then addressed Council requesting Council approval for the creation of a temporary, contract position for an event director for the upcoming bicentennial celebration in 2019.

On behalf of the bicentennial steering committee, which is made up of committee chairman that will oversee this celebration. The committee feels that having an event director working on behalf of this huge celebration; a community event, that doesn't happen every year, it vital in the success of the event. This is a very special opportunity for Hannibal to showcase its rich history and all of the events in Hannibal that are held on an annual basis.

With that, the committee sent a Request for Qualifications, looking for a candidate who, if selected for the interview phase, would share their ideas and excitement and they can enhance and make this event very special for the City of Hannibal. The RFQ's were sent out at the end of September and we fielded a lot of calls, through the HCVB and City Clerk's office relating to the position. We did have one candidate submit a RFQ; which we took this to both the selection and steering committees to decide if we should open this back up or we should consider the sole candidate. It was unanimous that we proceed with this candidate through the interview process and then make the selection.

After we interviewed Ms. Lovell; it was unanimous that we move forward. Her enthusiasm

and knowledge about Mark Twain and Hannibal; we feel probably could not be matched. We went back to the steering committee, and they again agreed to proceed with negotiating terms with Ms. Lovell, to be our selected candidate for the event director.

We then began working with the City Counselor, putting together the agreement that was submitted to Council, with the Resolution, authorizing the selection of and the terms as set forth in the agreement. Bryant then requested the approval, authorizing the Mayor to enter into the agreement with Dr. Lovell for the 2019 Bicentennial Event director, for a three (3) year term. This position, is a temporary, contraction position, with no benefits and strictly a flat fee as described in the agreement. There is an incentive opportunity for Ms. Lovell, if net profits exceed \$5,000 on concerts.

This is a tremendous opportunity for our community and we really want to invest to make this a very special celebration, one to remember and one for the whole community to participate in; large and small businesses; organizations, schools, anyone that wants to participate. We want this point of contact to help the committee to move this forward and celebrate.

Council Member Welch advised that Missouri is celebrating their bicentennial in 2021; he has seen social media pages for this event and the necessity of this position, the way he sees it, is absolutely needed. One of those things that if the City of Hannibal is celebrating their bicentennial, two years before Missouri is, it is something to be said.

Bryant agreed with Welch, also indicating she had failed to mention that 2019 is also the 200<sup>th</sup> year celebration for the Mark Twain Cave and she believe the City of Palmyra as well. This will be a very exciting time for the City of Hannibal.

**BRIAN CHAPLIN – DPW SUPERINTENDENT**

**Re: Traffic Committee Recommendation**

- *Stop Sign – 30<sup>th</sup> Street & Huckleberry Park Road*

DPW Superintendent, Brian Chaplin then addressed Council relating to a recommendation from the Traffic Committee, which would be to place a stop sign at 30<sup>th</sup> Street and Huckleberry Park.

Mayor Hark questioned if this was the “T” intersection by the fire station, in which Chaplin confirmed. Mayor Hark continued by advising there is currently a stop sign located on the ‘park side’, however, no traffic control on the actual street (30<sup>th</sup>).

Council Member Van Hoose addressed the issue by indicating previously the street was not marked very well, however, recently they (Street Department) have painted a double yellow stripe there and with that he questions the need for a stop sign. The double yellow stripe, if you are going east towards the fire department, if you have the double yellow stripe there, thinking about turning left into the park, this striping should make you realize that if there is traffic coming towards you, you need to yield to the traffic and use your turn signal. His concern about the stop sign, is for people driving west, as there are a lot of people traveling along there and that cause 40 cars to stop there for every car that “thinks” about turning left and driving into that area of the park. He feels the double yellow stripes that have been placed will go a long way in solving the problem.

LaGarce advised when the Traffic Committee met and discussed this issue, there were a lot of pros and cons to this and the double yellow stripes were proposed. Someone also

suggested the double yellow stripes and the stop sign. The stripping was proposed as a sole solution and LaGarce feels Van Hoose is on to something with his recommendation, as the Traffic Committee had discussed this same type of solution, however, in the end the recommendation was for both the stop sign and striping.

Mary Hark then restated this was a recommendation of the Traffic Committee, however, Council Member Van Hoose, feels that the double yellow stripes will go a long way and he questioned the need for the stop sign.

City Attorney Lemon indicated, while this rarely comes up, being a recommendation of the Traffic Committee, if the Council takes no action, their recommendation will go into effect, therefore, if Council Member Van Hoose does not agree, he should make a motion, seeing if he can get and second with Council taking a vote.

Council Member Van Hoose then made a motion that the new stop sign NOT be installed at that location. Council Member Welch seconded the motion. The Mayor then asked if there were further discussion, where Council Member Cogdal questioned if there was a traffic study conducted in this area, as the information provided to Council by the Committee, stated there had been some "close calls". She questioned if there had been a high amount of accidents in the area. Chief Lyndell Davis, speaking from the audience indicated he is not aware of accidents that have occurred there, however, he had not been asked for the data.

Chaplin advised this recommendation was brought forth by the Parks Department, Park Director, Andy Dorian, from the audience, advised this was not a Parks request; someone had made a complaint and Parks in turn brought it to the Traffic Committee; placing the stop sign doesn't matter to them, they don't care either way, whatever Council decides has no effect on them. He did advise that the Parks Department has not ever had to deal with an accident in that location, however,

Chief Davis, again from the audience, addressed Council advising that if Council would like his department could provide the data; and conduct a traffic study to check the volume of traffic in that area. LaGarce advised that one of the concerns is that when you are entering the park by the duck pond towards the fire station, for the motorist that are not familiar with the area, theoretically, if you go straight you actually turn onto the park road and if you turn right you stay on main road, 30<sup>th</sup> Street. Van Hoose advised the double yellow lines will make you follow the road, making it a deliberate act to actually turn into the park. Council Member Dobson does not feel delaying this discussion a couple of weeks will hurt anything and Chief has offered to supply the Council with more data to make a better informed decision.

Council Member Van Hoose then amended his motion to table the issue until the traffic study report has been received by the Chief of Police, during the next Council meeting. Council Member Welch seconded the motion.

Motion carried.

**MIKE MCHARGUE – STREET DEPARTMENT SUPERVISOR**

**Re: Approval, Declaration of Surplus Property**

*1993 Mauldin 690F Paver*

His next item; he discussed the second piece of equipment that he has, which is a small alley paver. The department currently has three of these machines, a larger one, and a second smaller alley paver, which has been rebuilt. This equipment he is addressing truly is surplus and he doesn't see a reason for us to have three asphalt pavers, all in running condition. He would like to deem this as surplus and sell the equipment.

Mayor Hark questioned the last time this piece of equipment was used, McHargue indicated that he began working with the Street Department in August, and he hasn't seen it used yet, they have, however, used both of the other machines while he has been here. Mayor continued by questioning that if he had all three of these pieces of equipment available for us, would there even be enough men to run them all. McHargue advised they won't not be able to have all three of these in use at one time, in fact, each machine takes about four men to run. Based on his research, the machine is worth about \$8,000 full retail and he does not feel the City would get anything near close to that amount if we were to sell it, however, there is one offer on the machine for \$4,000 which he feels is a fair amount.

Council Member Dobson then questioned McHargue on the year of the newer one. McHargue advised that on these type of machines, it is not particularly the year you have to worry about, it is the condition of. It could have been in the 1950's and work as well as a newer one, very little changes are made in the manufacturing of these. It is solely based on the condition with the upkeep and maintenance. McHargue advised he is not certain of the year of the machine they are keeping, however, it has been rebuilt. Chaplin advised this was the machine that caught fire and was completely rebuilt, virtually brand new. He feels this has much more life than the one he is requesting to deem surplus.

A motion was made by Council Van Hoose to deem the 1993 Mauldin Paver as surplus property. Council Member Welch seconded the motion.  
Motion carried.

**Re: Bid Award Approval, Asphalt Recycler Machine**

*Cummings, McGowan and West*

On his final order of business, he reminded council that he had come before them about six weeks ago for the approval to let bids and purchase a 4-ton asphalt recycler. One bid was received in the amount of \$26, 375 and he would like Council's permission to go ahead and purchase this machine. The \$4,000 offer he mentioned on the paver, is in trade on this particular machine. He would suggest to Council that we do trade this machine, using the \$4,000 against the purchase price.

Council Member Welch questioned if deeming this surplus required the City to actually let bids for the equipment or could we actually trade it in. Mayor Hark advised a trade was indeed allowable and is done in several departments throughout the City for fleet purchases, as an example.

Council Member Veach made a motion to approve the purchase of the asphalt recycler. Council Member Welch seconded the motion. Dobson questioned whether we needed to specifically state in the motion to approve the trade-in to be included in purchase price.

Council Member Veach then amended his motion to include the purchase approval, including the trade of the 1993 Mauldin paver. Council Member Welch seconded the motion.

Motion carried.

**Re: Approval, Declaration of Surplus Property**  
*2010 Pelican Sweeper*

Street Supervisor Mike McHargue approached Council, asking for their permission to deem a couple pieces of property as surplus.

The first item he would like to address is the Pelican sweeper, which fell upon disrepair this past summer, the transmission is gone. This is a very expensive fix and even if the repairs were to be made, he does not feel this machine is exactly right for the City, therefore he would like to deem it as surplus. He would also like to let bids for the sale, in its current state of disrepair, and he has already had someone express interest in it. The machine is worth somewhere around \$80,000 in repaired condition, with the Street Department receiving quotes to repair that range from \$35 - \$50,000. He would expect bids to purchase this piece of equipment to come in around the \$35,000 range. If we don't repair, the machine is just sitting, taking up space, therefore we may as well sell it, placing the money back into the City coffers. Currently, the older machine, they have up and running, spending around \$3,000 for repair/maintenance and they had done an assessment on this machine and he feels they can get another three years life out of this machine.

Mayor Hark questioned if this was the machine that takes hours to get from one location to the other, McHargue stated this machine is just a sweeper, with a maximum speed of 12 miles per hour and it holds about half what the current truck does. If they were to get a call to go to Walmart, it takes a long time to road it to Walmart and fills up quickly. The other machine is on a truck, goes the speed limit and can carry twice as much.

A motion was made to approve declaring the 2010 Pelican street sweeper as surplus property was made by Council Member Veach. Council Member Dobson seconded the motion.

Motion carried.

**BILL NO. 17-028**  
*(as amended)*

**AN ORDINANCE APPROVING AND ACCEPTING DEDICATION  
OF STREETS IN FETTE SUBDIVISION, FIRST ADDITION,  
EXCEPT BRAEBURN DRIVE, IN THE CITY OF HANNIBAL,  
MARION COUNTY, MISSOURI**

*Second & Final Reading*

A motion was made by Council Member Dobson to have the City Clerk read Bill No. 17-028 as amended, and call the roll for adoption. Council Member Veach seconded the motion.

**Roll Call**

**Yes:** Council Members Dobson, Cogdal, Mayor Hark, Council  
Members Van Hoose, Welch and Veach – 6

**No:** -0-

**Absent:** Mayor Pro Tem Knickerbocker – 1

Motion carried.

Mayor Hark declared Bill No. 17-028 duly approved and adopted on this date.

**BILL NO. 17-029**

**AN ORDINANCE REGARDING CHAPTER 15 OF THE  
ORDINANCES OF THE CITY OF HANNIBAL, AMENDING  
SECTION 15-49 (a) (9) AND SECTION 15-49 (b)(9)c. RELATING  
TO ELECTRICAL CONTRACTORS WHO POSSESS  
STATE LICENSURE**

*Second & Final Reading*

A motion was made by Council Member Van Hoose to have the City Clerk read Bill No. 17-029 and call the roll for adoption. Council Member Cogdal seconded the motion.

**Roll Call**

**Yes:** Council Members Dobson, Cogdal, Mayor Hark, Council Members Van Hoose, Welch and Veach – 6

**No:**

**Absent:** Mayor Pro Tem Knickerbocker – 1

Motion carried. -0-

Mayor Hark declared Bill No. 17-029 duly approved and adopted on this date.

**RESOLUTION NO. 2118-17**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A SERVICE AGREEMENT WITH AN EVENT DIRECTOR (DR. CINDY LOVELL) FOR THE 2019 HANNIBAL BICENTENNIAL CELEBRATION FROM JANUARY 2018 WITH A FINAL COMPLETION DATE OF NO LATER THAN DECEMBER 31, 2020 IN THE AMOUNTS AS DEFINED WITHIN THE ATTACHED AGREEMENT**

A motion was then made by Council Member Welch to have the City Clerk read Resolution No. 2118-17 and call the roll for adoption. The motion was seconded by Council Member Dobson.

**Roll Call**

**Yes:** Council Member Veach, Council Members Dobson, Cogdal, Mayor Hark and Council Members Van Hoose and Welch – 6

**No:** -0-

**Absent:** Mayor Pro Tem Knickerbocker – 1

Motion carried.

Mayor Hark declared Resolution No. 2118-17 duly approved and adopted on this date.

**CLOSED SESSION**

***In Accordance with RSMo. 610-021***

- ***(1) Legal Actions***
- ***(2) Leasing, purchase or sale of real estate***

At this time, Mayor Hark entertained a motion to go into closed session in accordance with RSMo 610-021, sub-paragraph (1) and (2), admitting himself, City Manager Jeff LaGarce, City Council, City Attorney James Lemon, Special Counsel Greg Mollet, City Clerk Angel Zerbonia, Parks Director Andy Dorian and Judge Don Bastian.

A motion was made by Council Member Dobson to enter into Closed Session. Motion was seconded by Council Member Cogdal.

**Roll Call**

**Yes:** Mayor Pro Tem Knickerbocker, Council Members Dobson, Cogdal, Mayor Hark, Council Members Van Hoose, Welch and Veach – 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 Cogdal.

Motion carried.

**ADJOURNMENT**

Council Member Dobson made a motion to adjourn the meeting. Motion was seconded by Council Member Welch.

Motion carried, meeting adjourned.

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**James R. Hark, Mayor**

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**Angelica N. Zerbonia, MRCC - City Clerk**