

***CITY OF HANNIBAL***  
***OFFICIAL COUNCIL PROCEEDINGS***

**Tuesday, April 3, 2018**  
**Council Chambers**  
**7:00 p.m.**

**ROLL CALL**

**Present:** Council Member Cogdal, Mayor Hark, Council Members Van Hoose, Welch, Veach and Dobson - 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 by Council Member Cogdal.

**PLEDGE OF ALLEGIANCE**

Mayor Hark then requested Council Member Dobson, to lead the Pledge of Allegiance to the Flag.

**APPROVAL OF AGENDA**

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

Motion carried.

**APPROVAL OF MINUTES**  
**Regularly Scheduled Council Meeting – March 20, 2018**

A motion was made by Council Member Van Hoose to approve the minutes for the last regularly scheduled Council meeting that was held on March 20, 2018. The motion was seconded by Council Member Veach.

Motion carried.

**APPROVAL OF PAYROLL AND CLAIMS**  
**Second Half – March, 2018**

A motion was then made by Council Member Veach to approve the payroll and claims for the second half of March, 2018. The motion was seconded by Council Member Dobson.

Motion carried.

**LINDA STUDER – HISTORIC HANNIBAL MARKETING COUNCIL**  
**Re: Request, Street Closures, Use of City Owned Property, Open Consumption &**  
**Discharge of Firearms (*blanks*)**  
*Twain on Main*  
*May 25 – 27, 2018*

Linda Studer, representing the Historic Hannibal Marketing Council, came forward to request street closures for Twain on Main which is being held May 25 – 27, 2018. She has requested the use of the following City owned property:

1. North Main Street from Broadway to North Street. The north end of Main Street will remain open for access to the MT Home Foundations Interpretive Center parking lots.
2. Cross streets Center and Bird from North Main to the alley east and west and Hill Street to the alley east.
3. The municipal parking lot at the northeast corner of North Main and Bird and the parking lot in the 300 block of North Main where the Planter Hotel formerly stood.
4. The alley east of North Main Street from Bird to Center.

Historic Hannibal Marketing Council is also requesting permission to have beer and wine at the wine garden which is planned to be located on the grassy piece of land on the northeast corner of Hill and Main Streets during the festival. This piece of land is leased by the Mark Twain Boyhood Home and Museum from the City of Hannibal and they have given permission for Twain on Main to use this property. Ms. Studer is requesting open consumption of alcohol Saturday May 26 and Sunday May 27 in the downtown area within the parameters outlined above.

Council Member Dobson made a motion to approve the above street closures for Historic Hannibal Marketing Council's Twain on Main that will be held on May 25-27, 2018. The motion was seconded by Council Member Veach.

Motion carried.

**JOE ANDERSON – BLUFF CITY THEATER**

**Re: Request, Use of Council Chambers**

***Cotton Patch Gospel Production***

*July 23 – August 4, 2018*

Joe Anderson, representing Bluff City Theater, then approached Council regarding something completely different, that being the use of Council Chambers for an environmental production through Bluff City Theater. By that it means using the space as it is, not transforming it into a theater. They will be performing Cotton Patch Gospel, a six person cast with blue grass musicians, which updates the biblical story of Jesus to modern day Georgia. In the summer Bluff City theater includes their younger company which includes younger actors/actresses in the production.

City Manager LaGarce advised that there are no Council meetings scheduled during this requested time and if the City has a Planning/Zoning meeting during that time they can always move the location to another room so it wouldn't interrupt the production.

Mayor Hark questioned what equipment would be needed, in which Mr. Anderson advised the musicians equipment and additional lighting equipment will be here and need to remain on location the entire two week period. Mr. Anderson also mentioned that they just completed renovations for the building across the street, so the actors/actresses should be using that location to change clothes, if that's not sufficient enough he will be contacting the owners of the building next door to acquire permission to use that location. Council Member Cogdal questioned the need for access to any of the offices during this time, Mr. Anderson advised he would not need any offices. Council Member Cogdal then asked if this has ever been done in the past, in which Mayor Hark advised this is new ground. Mr. Anderson advised two years ago they used the Old Federal Building for this same type of thing, environmentally. He feels the majority of those attending the production have probably never been in City Hall and he feels this would be a great way to introduce them to it.

Mayor Hark then questioned City Manager LaGarce if an employee would be available to monitor City Hall during these times. City Manager LaGarce advised all the offices will be locked and he would have to issue Mr. Anderson a key to the building for after hours. City Manager LaGarce also advised the large conference table would have to be removed from council chambers and placed somewhere else during this time period. Council Member Cogdal questioned if Bluff City Theater would be providing all the necessary insurance that is required for the production, in which Mr. Anderson concurred.

Council Member Dobson made a motion, pending the certificate of insurance and hold harmless agreement received on file before the event, allowing Bluff City Theater to use City Council Chambers for their production of Cotton Patch Gospel. The motion was seconded by Council Member Veach.

Council Member Welch indicated he is leery of starting a precedence on allowing the use of Council Chambers for events as such, questioning if anyone could now come in and ask to use Council Chambers for anything. Mayor Hark advised if anyone wanted to use chambers, the request would have to be in the same format as this evening, and he doesn't feel this will eliminate the future use or lack of. City Attorney Lemon agreed with Mayor Hark and advised there are already some precedent with other locations such as parking lots and shelters that the City rents out, but he feels while this is different, it is within Council's discretion if they would or would not approve each event. Mayor Hark advised Council is not locked in to approve every event that would happen in the future, just like any other location that can be rented from the City.

All Council Member were not in favor of Bluff City Theater using Council Chambers for their production, in which roll call was taken:

**ROLL CALL**

**Yes:** Mayor Hark, Council Members Van Hoose, Welch, Veach and Dobson – 5

**No:** Council Member Cogdal – 1

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

Motion carried.

Mayor Hark directed Mr. Anderson to see City Clerk Zerbonia to provide the necessary documents, in which she advised the documents would be the hold harmless agreement and certificate of insurance.

**JAMES R. HARK, MAYOR**  
**Re: Recommendation of Appointments**

Mayor Hark made the following recommendations:

**HISTORIC DISTRICT DEVELOPMENT COMMISSION**

- **Kristy Trevathan – appointment for a term to expire May, 2023**
- **Steve Ayers' – appointment for a term to expire May, 2023**

These nominations will be considered for approval at the next regular Council meeting, to be held April 17, 2018.

**JAMES LEMON – CITY ATTORNEY**  
**Re: Acquisition of City Owned Properties, 205 Hill & 325 Main Street**  
**Special Warranty Deed**

*Pilaster House/Grant's Drug Store & John M. Clemens, Justice of the Peace Office*  
**Mark Twain Home Foundation**  
*(Resolution No. 2132-18, to follow)*

City Attorney Lemon advised that he was instructed by Council, during the last Council meeting to prepare a special warranty deed for Pilaster House/Grants's Drug Store (205 Hill Street) and John M. Clemens, Justice of the Peace Office (325 Main Street), which would transfer ownership of the properties from the City to the Mark Twain Home Foundation.

Prior to this evening's Council meeting, Council Member Van Hoose brought to City Attorney Lemon's attention that the reversionary clause, meaning - if Mark Twain Home Foundation is no longer able to maintain the two properties they would revert back to the City of Hannibal. City Attorney Lemon advised that he did correct this before the Council meeting but advised that if Council wanted to go forth with approving Resolution No. 2132-18 at tonight's meeting, they needed to approve the resolution as amended, since the first deed that was presented to the public and City Council did not have the reversionary clause.

**JEFF LAGARCE – CITY MANAGER**  
**Re: Five-Year Capital Improvement Plan – 2019-2023**  
*(Resolution No. 2131-18, to follow)*

City Manager LaGarce began his presentation by reviewing the five-year capital improvement plan, noting there are no discretionary items, such as helicopters, etc. and he is very grateful that all department heads used diligence and responsibility and took it seriously. While this is a five-year plan, which will help the City to envision where they are headed, all items are still subject to the ability to finance.

**Re: Purchase of City Owned Property, 1913 Spruce Street – Special Warranty Deed**  
*Timothy Dade*  
*(Resolution No. 2133-18, to follow)*

LaGarce's next item of business was the acquisition of surplus real estate property. The first property being located at 1913 Spruce Street. It was agreed at the last Council meeting to offer the property to Mr. Dade for the sum of \$120 which would cover the cost of a title search or a letter report and recording fees. City Manager LaGarce advised that City Attorney Lemon did complete a title search, which reported the property had no liens attached to it. LaGarce did address the issue that Mr. Dade had brought forth during the last meeting, where there was a problem with his property and the person the county had listed as the owner. After researching the county records, City Manager LaGarce did not see any error and in fact the county showed Mr. Dade as the current owner. In fact, he is the property owner of five to six properties in a row and that the property he requested to acquire from the City is located right in the middle of his existing properties. The City will record the sale, pending approval from Council, to be sure that it has been recorded.

**Re: Purchase of City Owned Property, 417 Oak Street – Special Warranty Deed**  
*Richard Cerretti*  
*(Resolution No. 2134-18, to follow)*

LaGarce's next item is almost identical to the previous issue, this property being located at 417 Oak Street and was acquired by the City from the county trustee. City Manager LaGarce has shown the property to several community pride developers with no interest, as it on a

very steep hill/slope. Again, Council agreed to sell this property to Mr. Cerretti during the last Council meeting for a sum of \$120, to cover fees incurred by the city. The City will record this deed, pending Council approval, as well.

Citing a good news item not on the agenda; City Manager LaGarce advised he received a letter from the Missouri Department of Natural Resources in reference to the former Display Center site, noting the City has received clearance and can now proceed with soil removal, along with other things allowing the City to do something with the property.

**ANGELICA ZERBONIA, MRCC – CITY CLERK**

**Re: Approval, Destruction of Documents**

- Investigative Case Files - Class B, C & D Felonies (1976-1996)
- Investigative Misdemeanor Case Files (1976-1996)

City Clerk Zerbonia advised she is requesting destruction of the following Police Department records that, pending approval, will be destroyed in accordance with the Missouri Secretary of State, Police Clerk's Records Retention Schedule:

- **Investigative Case Files - Class B, C & D Felonies (1976-1996)**
- **Investigative Misdemeanor Case Files (1976-1996)**

City Clerk Zerbonia explained if approved by Council, the method of destruction will be secured shredding by Learning Opportunities/Quality Works. All employees associated with the shredding of the Hannibal Police Department records have been cleared and approved to shred confidential criminal history.

Council Member Welch made a motion to approve the destruction of the records. The motion was seconded by Council Member Van Hoose.

Motion carried.

**ANDY DORIAN – PARKS & RECREATION DIRECTOR**

**Re: Presentation, Riverfront Design**

Andy Dorian, Parks and Recreation Director, then approached Council and introduced Mark Bross, Engineer with Klingner & Associates, who is the engineer of record on the Riverfront redesign project. Dorian advised this is an exciting night for many and a long time coming, expressing his gratitude for those who have participated in the development of this project. A lot of time from City staff and others, including the public have gone into this project. After this evening the presentation will be made to the Park Board, then Tourism Board, Board of Public Works Board and then he will bring the final design back to City Council, potentially in May, to seek final approval.

Mark Bross then addressed Council, also expressing his gratitude to everyone who has been involved in this project. He has three parts to his presentation, the first part being a general overview of the plan, the second is the status of permitting and the third is, where we go from

here. The plan currently shows a marina with 48 slips, fuel station, docking for two large riverboats plus Canton Marine Towing and the Mark Twain Riverboat. When the larger boats aren't docked, this creates enough space for the transient boaters. Mr. Dorian advised lighting and security cameras would be in place on all sides, since most of the negative comments the Parks Department has received about the current marina is security and lighting. Mr. Bross continued by advising this is a park setting, green space with a large area for festivals, events and a good central location for large gatherings. One thing that has arrived from the design process is a rock wall instead of a sheet metal wall, due to the fact that the riverfront is very uneven in relation to depth. Over the long haul, what we have in place, which is sheet piling - is failing, and will not last another 50 years. Should the City chose to use steel, we would just be adding to the existing, not to mention the price being so volatile there was not a good comfort level where the budget is concerned. When factoring in the cost of the sheet piling, it came in around \$5 million with an overall project cost being just over that (\$5.4 million being the proposed budget), therefore it would leave no room for a project.

They are currently looking at a rip rap wall, with stones weighing about 150-200 pounds per stone which won't float away during a flood. This is probably the biggest feature that is different from the beginning plan. Mr. Bross believes this will also give the marina a more natural look, not making it look so industrial. There are also alternates that are in place in the event the funding and pricing come in better than expected but the key elements will be included in the project, regardless. Mr. Dorian added that some of the alternates, like the trellis, a war memorial that Parks is working on to include in the project and the bell that was donated to the City by USS Hannibal may be in different locations than the design shows.

All the different areas along the riverfront will have electric capabilities which will assist with all the special events and have the ability to bring in a mobile stage. There is unlimited potential for different kinds of events. Mr. Bross continued by advising that the sidewalk will be 14 feet wide which is enough for vehicular (emergency) access and hydrants will also be included. Mr. Dorian stressed that this entire area will be ADA accessible and citizens never have to actually get out onto the road, even the walkers and joggers will have the ability to get to and from Glascock landing without getting outside the "park" area.

Council Member Dobson, then questioned Mr. Bross on the reasoning for eliminating the sheet metal wall as from the start, which was about a year ago was the proposed method, but in the last month all of a sudden it's not possible. Mr. Bross advised that they have actually delayed the design process until it got closer to construction time, because of permitting and some other things and now that they have investigated it further, it was found the sheet piling would be thicker, thus more metal needed. They then began putting together the final cost estimate and that's when it was determined a different process had to be taken, as it would take the majority of the projects funds to use sheet piling. Council Member Dobson advised this area lies in his ward and he gets calls from citizens, and a riverboat Captain, about the look of the current wall and that nothing is being done about it. Council Member Veach concurred with Dobson's thoughts and wonders what will be different about this wall and why it won't look like the current wall in 50 years. Mr. Bross then advised that he would disagree with Council Member Dobson that currently there is concrete and other things in or on the current wall so it's not a true riprap wall. Council Member Veach questioned what materials would be used to keep this in place, in which Mr. Bross advised with the weight of these stones, being around 200 pounds, this will not move as the existing wall does. Mr.

Dorian advised Dubuque used riprap for their design, which they spent about \$50 million on their Riverfront redesign. Mr. Dorian then showed a picture of Dubuque's riverfront on the projection screens that portrayed the look of the large riprap, further advising that fencing would be placed along the area as well.

City Manager LaGarce advised the fencing will be important, as children will be curious and what child doesn't want to catch a frog, so the fence would keep people off the wall helping with safety issues. Council Member Dobson questioned if the steel wall would be removed first in which Mr. Bross advised it would be left in place for extra stabilization.

Mr. Bross then moved onto the permitting phase, advising Council the major permit being the 404 Army Corps of Engineers, which requires a public notice. They have received two comments, one being from the US Fish and Wildlife, who have advised that there are mussels located on the base of the river front. The mussels will have to be relocated/mitigated. We will be required to move and place bolder clusters; accommodating the mussels, along with relocating and inventory them. We've also received a comment from the State Historic Preservation Office, Missouri Department of Natural Resources, requesting the history of Nipper Park. Mr. Bross expressed the State Historic Preservation does not have jurisdiction since the project won't be receiving federal funding. The mussel relocation will cost in the neighborhood of \$60,000 - \$80,000. Mr. Bross does not recommend bidding the project until all permits are in place, which is about 30-60 days out.

Mayor Hark then questioned the modification design looking like a more natural look, using the rocks would speed up the timeline, in which Mr. Bross concurred, advising sheet piling can be obtained domestically or internationally, which could create months of delays. Using the riprap will save at least six months by not having to wait on materials. The new marina could potentially be used next summer, baring weather, no floods, etc. City Manager LaGarce advised using steel we would not be able to break ground until next spring. Council Member Dobson then questioned Mr. Bross on the vendor used to purchase of the rock that, would it be from local vendors? in which Bross advised some could possibly come locally from Central Stone. Mr. Dorian advised that we will be able to use fill from the Huckleberry Pond project and the development park as well.

So what's next – the final design adoption by the Park Board and hopefully in two weeks from tonight back to the City Council for final approval. We want all boards vested to have an opportunity to make comments prior to submitting to Council for final approval. The design will also be available for the public to view and make comments. Mr. Dorian advised there is a large donor, probably six figures, and other donations coming and it is their hope to use these donations for benches and other items. Most of the work in the Marina area will not be done until after the upcoming boating season has wound down, around October or so. There are several other facets of the project that can be done, while keeping the riverfront open.

City Manager LaGarce advised the mussel mitigation will most likely be removed from the specifications of the bids, having Klinger and Associates put separate specifications together for vendors with experience specific to the removal of mussels. The concerns of not removing the mussel aspect from the bid documents would be that a contractor may not bid due to this requirement.



Mayor Hark advised this project has been discussed since the mid 1990's and the time is now and it won't be any cheaper later and this Riverfront is a monument for our community. If it weren't for the riverfront and boat traffic, this community would not be here. Mr. Dorian again reiterated Parks and Recreation is open to comments and suggestions and encourage those to come forth with any.

**KAREN BURDITT – FINANCE DIRECTOR**

**Re: Request, Set Budget Worksession (CWC)**

*Wednesday, May 16, 2018 – 5:30 p.m.*

Karen Burditt, City Finance Director, came forward to propose the following budget schedule for review and approval relative to the 2018/19 fiscal year budget:

- May 1<sup>st</sup> – budget will be submitted to City Council and request made to set budget hearing for Tuesday, June 5<sup>th</sup>.
- May 16<sup>th</sup> – Budget workshop – typically 60-90 minutes
- June 5<sup>th</sup> – Hold public hearing; approval of first reading
- June 19<sup>th</sup> – Final reading and approval of 2018/19 budget

She then requested Council's approval to schedule a Committee of the Whole Council (CWC) budget workshop on Wednesday May 16, 2018 at 5:30 p.m.

Council Member Welch made a motion to approve the budget schedule that was presented along with the budget workshop to be held May 16, 2018 at 5:30 p.m. The motion was seconded by Council Member Van Hoose. All City Council were not in favor of the motion, roll call was then taken:

**ROLL CALL**

**Yes:** Council Member Cogdal, Mayor Hark, Council Members Van Hoose, Welch and Dobson - 5

**No:** Council Member Veach - 1

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

Motion carried.

**MIKE MCHARGUE – STREET DEPARTMENT SUPERVISOR**

**Re: Request, Declaration of Additional Surplus Property**

Mike McHargue, Street Department Supervisor, came forward to request Council approve the following items to be deemed as surplus, which he will plan to place in the City auction that is to be held April 28, 2018:

Five computer monitors

Five computers

Five computer keyboards  
One walk behind paint striper/sprayer  
One eyewash station

Council Member Welch made a motion to declare the items listed as surplus property be added to the items that will be sold at the City auction, Saturday April 28, 2018. The motion was seconded by Council Member Veach.

Motion carried.

**Re: Online Auction Services – Memo of Understanding**  
*GovDeals*  
(Resolution No. 2135-18)

The next item on the agenda was also presented by Mr. McHargue in relation to the City auction as well. A few of the items that were deemed surplus items could potentially bring a lot of money back to the City that could in turn be used to replace items that are needed within the department. The worry is that some specialty equipment, with limited local use/interest, may find greater interest when advertised and auctioned nationally, across the U.S., with thousands of cities and counties having opportunity to bid and pay top dollar to the City.

GovDeals, Inc. is an online auction service that is operated thru Missouri Department of Transportation to assist government agencies in selling unused items for top dollar. Using this service would help showcase the City's listings of surplus items to other potential markets and would help in securing the top dollar for what our items have to offer.

A contract has been written up between the City of Hannibal and GovDeals, Inc. with Resolution 2130-18 to follow.

**RESOLUTION NO. 2131-18**

**A RESOLUTION OF THE CITY OF HANNIBAL APPROVING AND ADOPTING  
THE FIVE-YEAR CAPITAL IMPROVEMENT  
PLAN FOR YEARS 2019-2023**

A motion was made by Council Member Welch, to have the City Clerk read Resolution No. 2131-18 and call the roll for adoption. The motion was seconded by Council Member Cogdal.

**ROLL CALL**

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

**No:** -0-

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

Motion carried.

Mayor Hark declared Resolution No. 2131-18 duly approved and adopted on this date.

**RESOLUTION NO. 2132-18**  
**(As Amended)**

**A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING THE MAYOR TO  
EXECUTE A SPECIAL WARRANTY DEED (AS AMENDED) TO THE MARK  
TWIN HOME FOUNDATION AS TO  
205 HILL ST. AND 325 MAIN ST  
*(Grant's Drug Store & John M. Clemens – Justice of the Peace Office)***

A motion was made by Council Member Welch, to have the City Clerk read Resolution No. 2132-18 and call the roll for adoption. The motion was seconded by Council Member Cogdal.

**ROLL CALL**

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

**No:** -0-

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

Motion carried.

Mayor Hark declared Resolution No. 2132-18 duly approved and adopted on this date.

**RESOLUTION NO. 2133-18**

**A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING THE MAYOR TO  
EXECUTE A SPECIAL WARRANTY DEED TO TIMOTHY DADE AS TO 1913  
SPRUCE STREET IN THE AMOUNT OF \$120**

A motion was made by Council Member Dobson, to have the City Clerk read Resolution No. 2133-18 and call the roll for adoption. The motion was seconded by Council Member Van Hoose.

**ROLL CALL**

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

**No:** -0-

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

Motion carried.

Mayor Hark declared Resolution No. 2133-18 duly approved and adopted on this date.

### **RESOLUTION NO. 2134-18**

#### **A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING THE MAYOR TO EXECUTE A SPECIAL WARRANTY DEED TO RICHARD CERRETTI AS TO 417 OAK STREET IN THE AMOUNT OF \$120**

A motion was made by Council Member Van Hoose, to have the City Clerk read Resolution No. 2134-18 and call the roll for adoption. The motion was seconded by Council Member Cogdal.

#### **ROLL CALL**

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

**No:** -0-

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

Motion carried.

Mayor Hark declared Resolution No. 2134-18 duly approved and adopted on this date.

### **RESOLUTION NO. 2135-18**

#### **A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN ONLINE AUCTION MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF HANNIBAL AND GOVDEALS, INC. TO ALLOW ON-LINE AUCTION SERVICES FOR THE SALE OF SURPLUS ITEMS**

A motion was made by Council Member Welch, to have the City Clerk read Resolution No. 2135-18 and call the roll for adoption. The motion was seconded by Council Member Van Hoose.

#### **ROLL CALL**

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

**No:** -0-

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

Motion carried.

Mayor Hark declared Resolution No. 2135-18 duly approved and adopted on this date.

### **ADJOURNMENT**

A motion was then made by Council Member Dobson to adjourn the meeting. The motion was seconded by Council Member Veach.

Motion carried.

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**James R. Hark, Mayor**

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