

OFFICIAL COUNCIL PROCEEDINGS

Tuesday, February 20, 2018
Council Chambers
7:00 p.m.

ROLL CALL

Present: Council Member Veach, Mayor Pro Tem Knickerbocker, Council Members Dobson, Cogdal, Mayor Hark and Council Members Van Hoose and Welch-7

Absent: -0-

CALL TO ORDER

There being a quorum present, Mayor Hark called the meeting to order.

INVOCATION

The invocation was given by Council Member Van Hoose.

PLEDGE OF ALLEGIANCE

Mayor Hark then requested Fire Chief Hampton, to lead the Pledge of Allegiance to the Flag.

APPROVAL OF AGENDA

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

Motion Carried.

APPROVAL OF MINUTES

Regularly Scheduled Council Meeting – February 6, 2018

A motion was made by Council Member Veach to approve the minutes for the last regularly scheduled Council meeting that was held on February 6, 2018. The motion was seconded by Council Member Van Hoose.

Motion carried.

**APPROVAL OF PAYROLL AND CLAIMS
First Half – February, 2018**

A motion was then made by Council Member Welch to approve the payroll and claims for the First half of February 2018. The motion was seconded by Council Member Veach.

Motion carried.

SUMMER PAGE – YMCA OF HANNIBAL

Re: Request, Street Use & Closures

Shamrock Shuffle

Saturday, March 17, 2018 – 7:00 a.m. – 10:00 a.m.

Drew Earls, Wellness Director of the YMCA was present on behalf of Summer Page who couldn't appear at tonight's meeting. He presented the Shamrock Shuffle race course route requesting the use of city streets for this event. This event is a 5k Walk/Run for the community which will be held on March 17, 2018 from 7:00 A.M. to 10:00 A.M.

Mayor Pro Tem Knickerbocker made a motion to approve, pending certificate of insurance on file, the street usage and closures for the Shamrock Shuffle. Council Member Veach seconded the motion.

Motion carried.

CHLOE MITCHELL – MISS HEART OF OZARK OUTSTANDING TEEN

Re: Request, Declaration of International Day of Happiness

Tuesday, March 20, 2018

Chloe Mitchell, Miss Heart of Ozark, Outstanding Teen with the Miss America Organization, came before Council this evening as part of her platform. Part of her duties as the title holder is to volunteer in her community and she is asking for Council's support engaging the City of Hannibal.

In 2013, the United Nations adopted a concept called National Happiness and declared March 20th the International Day of Happiness. A company called Live Happy has since partnered with the United Nations to advance the movement. The goal is to make the International Day of Happiness a day of celebration of joy and one that reflects our mission of making the world a happier place. Sharing happiness is not just the right thing to do it's the smart thing to do and research shows that happiness is an incredibly important part of life and should never be dismissed. Positive emotions have a positive effect on your health. She is communicating with several of the downtown business to find a place to display a happiness wall. This wall will give people in the community a place to come and display what makes them happy. She will be marketing the happiness movement through several media outlets to encourage people to take part. Her happiness wall be displayed downtown on Sunday March 18th. She is starting with the heart of Hannibal and is asking the City to

help with this movement by declaring March 20, 2018 an official day of happiness. She would like everyone to remember to “Be happy, Share Happy and Live happy”.

Mayor Pro Tem made a motion to have the mayor declare March 20th as the International Day of Happiness in the City of Hannibal. Council Member Van Hoose seconded the motion.

Motion carried.

LARRY SPARKS – MARK TWAIN CORVETTE CLUB

Re: Request, Street Closure

Annual Car Show

Saturday, August 4, 2018 – 6:00 a.m. – 6:00 p.m.

Larry Sparks, representing the Mark Twain Corvette Club is requesting street closures for their 12th Annual Mark Twain Corvette Car Show that will be held Saturday, August 4, 2018 from 6:00 A.M. to 6:00 P.M. He is requesting to close Main Street, from Broadway to North Street with barricades or bollards.

A motion was made by Mayor Pro Tem Knickerbocker to approve, pending the certificate of insurance on file, the street closures for the annual car show. The motion was seconded by Council Member Veach.

Motion carried.

JOHN PAUL TOMKO – CITIZEN

Re: Compost Site

John Paul Tomko then addressed Council to offer a response to the relocation of the Compost site from 9th Street and Warren Barrett Drive. The surrounding businesses have expressed opposition for relocation for various reasons. But as the temporary manager of America Vehicle and boat storage, he has been asked to present testimony to the Council on how this move affects the community. First of all it is his understanding that the surrounding businesses weren't consulted about a relocation plan, if this was not the case then he apologizes in advance. However, he believes that such action would have been a courtesy and this would have allowed for a dialogue to take place to consider other places for the relocation. He then quoted an article by John Arden on October 24, 2017, he writes about the compost site of Summerland in British Columbia.

Secondly, other cities have faced similar oppositions to compost sites in the areas that are zoned for businesses with multiple concerns. He quoted an article by Trisha Kline July 14, 2017, the city of Harrisburg Pennsylvania, recently submitted an application to build a compost facility in Susquehanna Township drawing ire from township residents. Health hazards, plummeting property values and an unavoidable stench were all reasons community members begged township commissioners to fight against the city's recent application. Others expressed concern about the lack of manpower to effectively control what is dumped, and presented studies of how the volatile organic compounds and bio aerosols of other

compost facilities have been linked to various fungal lung infections. Fortunately our compost site does not accept food scraps at our Hannibal location except for illegal dumping that might occur.

In an article by Grace Wong, dating April 7, 2017, she cites concerns about traffic, diminished property values, vermin and especially odor, north suburban residents are organizing in opposition to plans for a new composting facility just outside Des Plaines, Illinois. One of the panelists, Joseph Pollina, who lives near the proposed site, said he appreciates the need for composting, "but this is not the right spot for it."

Then he stated that with all due respect, may he please the council, his main concerns of relocating the compost site are as follows:

- Traffic
- Vermin
- Property Values
- Manpower to effectively control the site
- Creating a pleasing environment for new businesses to launch

The simple fact that there is only one option for relocation that was offered to the tax payers leaves him with multiple concerns. With that being said he now wants to allot his time to Michael Bost.

Michael Bost then addressed Council relating to his concern, which is safety. He has personally been on Colfax when a traffic jam has happened, and with it being located there which doesn't have much traffic and it's easy to "just work it out". Since the new location will be on Warren Barrett, he is afraid of traffic jams causing a safety issue, a safety hazard and can see several incidents happening there. With that being said he would like to allot his time to Mr. Dennis Kolarik.

Mr. Kolarik then addressed Council and said his understanding for moving the lot was to make room for dirt that the City was getting from the new Casey's building located by New London. On his way to Columbia last week, he observed a huge pile of dirt at Casey's location, on his way back the dirt had already been spread at Casey's lot. His opinion is that we will not be getting the dirt now since it has already been spread out. He has offered up to about 400 truckloads of dirt located behind his house available for free, the city would just have to haul it, He feels this would be a better suit for the City since it would only be about a mile haul to the riverfront where the other location is a 5.5 mile haul. His other argument is about the fence to help block the view of what is being dumped and the size of tree limbs is supposed to only be 6 in in diameter and some of them are 2 1/2 foot thick. As far as people being able to get into the street department property from the old lot, it won't matter if you move because if someone wants in bad enough, they will get in no matter what. He understands it's whatever the Council agrees on but just wanted his opinion brought forth.

Mr. Paul Tomko then addressed Council advising that people have been dropping things onto Warren Barrett, in fact it happened the night of the last council meeting but he didn't bring it up because he didn't know who the citizen was. They did come back and pick everything up. However, last Friday, a skid loader came by and left some things in the street and was in the process of picking it up when a street department truck, driven by a young man, stopped and helped her pick up the rest of the brush. Mr. Tomko did get her name and number but the

most important information he got from her, without any pressing from him, was that she didn't like the new location; she prefers to take Colfax in case she drops something she can retrace her steps to go back and pick it up and not have to worry about heavy traffic.

Council Member Dobson then indicated that the younger Mr. Tomko missed the whole point, it's not a compost site, it's a collection site for tree waste and when there is enough to fill a 40 yard dumpster, it is hauled away to a compost site somewhere in Illinois. Dobson then asked Mike McHargue for clarification on that and he concurred. Dobson then addressed that the Street Department is kind enough to put up a fence to block the view of the brush while it sits there. Again Dobson pointed out that it's not a compost site and Mr. Tomko was way off base with his six pages of notes on composting and doesn't get where he was going with all his information. This new location will be more of a convenience for the citizens to access and provide better security for the Street Department and a more conducive lot.

Mayor Pro Tem Knickerbocker indicated he has worked on Warren Barrett drive for the past 10 years and people go up and down Warren Barrett Drive with their yard waste; very few ever use Colfax to get to the old site. Thankfully, most people that drop anything do stop and pick their items up and he thinks this is an ideal location for the lot and good idea all around.

Council Member Cogdal advised she has done some research on the matter; however, she would rather speak after Mr. McHargue from the Street Department speaks.

MIKE MCHARGUE – STREET DEPARTMENT SUPERVISOR
Re: Compost Site Location

Mike McHargue advised last week he had Richie Dauma, worker for the Street Department, contact the two businesses that are near the site, Independent Signs and the trucking company. They did speak to the co-owner of Independent Signs; however he did not get her name. It was McHargue's hope the Mr. Dauma would be here this evening to address who she was and exactly what she said; Dauma did indicate to him there was absolutely no opposition to having the compost site located where it was now. McHargue then spoke to the number two person at the trucking company who also advised she didn't have a problem with the relocation. He did state however, he did not talk to anyone prior to moving the site but even now he hasn't received any negative feedback about moving the location. In fact, the woman at Independent Signs said that she prefers to look at a fence rather than an empty lot. He advised there are approximately four cars per day that use the lot based on the piles that are left. On the weekend there could be 8-10 but on weekdays there could be 1-none. He thinks Warren Barrett Drive is quite sufficient to handle this amount of traffic.

He advised that he was pretty sure they would still be getting the dirt; however, he is not sure if indeed it was coming from the Casey's lot or somewhere else. According to the contractor that he spoke to about a month ago we will still be receiving the dirt. However, even if we don't get the dirt the old lot is still ideal to store other dirt, broken up concrete, or a temporary lot to store the dirt from the pond renovation project coming up. Moving the dirt off site if not efficient, even if it's one mile, it will take two people but if the dirt is on site it will only require one person. He has not found anyone that has any opposition to the relocation.

Mayor Pro Tem Knickerbocker questioned the issue about the dirt from the industrial park, advising there is a reason that the dirt has to be removed due to water retention and we don't want to create a storm water issue.

Council Member Cogdal advised that she spoke to an individual at Independent Sign, who has no issue with relocating the waste lot. The gentlemen she talked to is not located there, however, he is over the area. She did not reach out to the Blue's as Council Member Van Hoose had already done so, but basically they didn't have problem with the site, just spending the money on the site. Council Member Van Hoose advised Mr. Blue was under the impression there were other options. Council Member Cogdal continued by advising there is a "coffee group" comprised of local residents who contacted her and they all felt it was more manageable to move the location and the best part of relocation was the flat entrance. Rick Skinner contacted her advising he too felt the relocation and moving about is much more beneficial. Donna Sofia also contacted her who does use the lot frequently and likes the new location much better. She also wanted to mention that she did not realize that the fencing would go around the entire site until today.

McHargue advised the fencing will cover all three sides; the one side not covered is the back side of the Street Department. McHargue advised that BPW has moved the light pole and he will have a camera going up on that site. He will have lighting where it will shine back into the lot so it won't shine in anyone's eyes at night. This will also help to monitor illegal dumping and he is in the lot every morning counting the piles that are left and just to make sure no illegal dumping has been done.

Council Member Van Hoose made a motion to leave the lot at the original Colfax location. Council Member Veach seconded the motion.

ROLL CALL

Yes: Council Member Van Hoose - 1

No: Council Member Veach, Mayor Pro Tem Knickerbocker, Council Members Dobson, Cogdal, Mayor Hark and Council Member Welch-6

Absent: -0-

Motion failed.

Mayor Pro Tem Knickerbocker made a motion to allow the street supervisor to relocate the waste collection site to where he determines appropriate. The motion was seconded by Council Member Dobson. (SEE MY NOTES)

ROLL CALL

Yes: Mayor Pro Tem Knickerbocker, Council Members Dobson, Cogdal, Mayor Hark and Council Member Welch - 5

No: Council Members Veach and Van Hoose - 2

Absent:

-0-

Motion carried.

JEFF LAGARCE – CITY MANAGER

Re: Code Amendment, Chapter 3, Section 3-125 (b) – Public Consumption
(Bill No. 18-006, to follow)

City Manager Jeff LaGarce stated that in 2013, several restaurant owners on Main Street requested a city policy change to permit outdoor dining. More accurately, it wasn't so-much the outdoor dining element, but the outdoor service of liquor to accompany the outdoor dining experience. The city council passed an Ordinance creating an additional liquor license category to enable this, which also contains strict provisions:

- Applicant must first obtain written consent from all adjacent property owners
- Applicant must have permission from the MO Division of Alcohol and Tobacco Control
- Applications must be approved by Police, Fire, Streets, DPW, and City Manager
- Law enforcement violations can cause suspension or forfeiture of the license

Since adoption, this policy appears successful for businesses and patrons. Outdoor service has been well-received, while Hannibal Police have not encountered problems. Chief Davis states there have been no increases in calls, nor have police experienced problems with this policy.

City Ordinance limits this licensing to Main Street and its immediate side streets. Since that time, Broadway businesses are now expressing interest in this licensing. Reinvestment on the Broadway corridor has been growing in recent months. Site purchases, exterior and interior renovations, and new business-openings have been deemed very positive. Several of which are restaurants, wanting to provide the outdoor venue.

A problem has arisen, however, the current Open Consumption License, which includes written consents by neighbors, state approvals, police checks, and a litany of departmental approvals, was inadvertently issued to the Broadway Bar – unfortunately located outside the geographic area to which this Ordinance applies. When that license was accidentally issued, the geographic limitation went completely unnoticed by four department heads; 5 including him. We simply missed it, and an apology is certainly appropriate here (if you make a mistake, apologize). We've discussed the best manner in-which to address this, and given the success of this policy on Main Street, favorable reviews from police, and renovation of properties along Broadway, we are recommending expansion of this model to Broadway businesses between the riverfront and 10th Street. The proposed Ordinance prescribes no other changes, aside from the geographic boundary to-which this provision would apply.

Clerk Zerbonia advised she had provided Council with a listing of those businesses that fall within the Broadway parameters that would be eligible to apply for this type of license. City Manager LaGarce apologized due to the error once again and Mayor Hark advised LaGarce, there is no need to have to apologize, it was just something that was missed and not on his shoulders.

SEAN HAMPTON – FIRE CHIEF
Re: Bid Award Approval, Breathing Air Compressor
Banner Fire Equipment - \$17,785

Chief Hampton then addressed Council, requesting a bid award approval to replace Hannibal Fire Departments air compressor. Chief Hampton expressed that over the last several months, HFD has experienced major issues with their current breathing air compressor, which is 19 years old. The old compressor is passing significant amounts of oil through the system putting at risk the air that the fire fighters rely on during emergencies creating a safety issue and liability for the city. HFD attempted to address the issue with repairs with no access and their service vendor has worked with the manufacturer and determined the problem is much bigger than anticipated. It's much more expensive and the repairs are more extensive than originally expected. HFD sent it out for bid, sending two packets, only one bid was received which was from Banner Fire Equipment and their bid meets all of HFD's bid specifications including their delivery timeline. The bid from Banner Fire Equipment came in at \$17,785.00 for a Bauer Legacy 13scfm 10 HP Compressor with P2 Sercurus air purification system. This price does include freight charge, installation and travel; expected delivery will be 21 days from date of order. This will be paid out of the HFD budget for the year.

Council Member Dobson, just for knowledge of the Council, asked if HFD sends off samples periodically and if they come back contaminated, the compressor was immediately taken out of service. Hampton stated that samples are taken quarterly and sent off for analyzing. Once the results indicated contamination, the compressor was taken out of service. During this time Hannibal Rural Fire Department has allowed HFD to fill their tanks with their compressor, which has kept them in service, in which he expressed his sincere gratitude.

A motion was made by Mayor Pro Tem Knickerbocker to accept the bid and purchase the new air compressor for HFD in the amount of \$17,785.00. Council Member Dobson seconded the motion.

Motion carried.

Mayor Pro Tem Knickerbocker advised that he when dropped his Christmas tree off at the fire station, he wasn't sure exactly where to drop it off so they knocked on the door. The fire fighters that were on duty, took his girls in, gave them a tour of the station and the trucks and his girls really enjoyed the tour; Mayor Pro Tem Knickerbocker wanted to let Chief Hampton know that he really has some good guys that work for him. Hampton thanked him for his compliment and said he would pass this on to the Firemen that were on duty that day.

The Mayor then requested Andy Dorian, Parks and Rec director, to approach Council; Mayor Hark advised that a dog had fallen down an air shaft at the Sodalis Nature Park over the holiday weekend. Once the notifications from 911 were sent out, Chief Hampton supplied the men to go down the 30-40 foot shaft to repel the dog out. The Mayor thanked them both, making themselves available on the holiday and doing what was right, making the extra effort along with a using this as a great training effort. He thanked both of them for rising to the occasion and helping out. Dorian added that by the time 911 called him, and the dog was set free was less than three hours, the fire department was there in the blink of an eye freeing

the dog, safely. Dorian commented the little boy who was the owner of the dog was overjoyed when he found out his dog was safe and was returned home.

KAREN BURDITT – FINANCE DIRECTOR
Re: Riverfront Park Development Project Bonds
Financial Advisory Agreement – WM Financial Strategies
Engagement Letter – GilmoreBell
(Resolution No. 2127-18, to follow)

Karen Burditt, City Finance Director, then addressed Council relating to a resolution to engage in the services of WM Financial Strategies, as financial advisor and Gilmore & Bell, P.C as the bond and disclosure counsel for the Riverfront development project. Burditt stated that the resolution was not asking for the approval of the bond, this is just setting everything in motion. Before we can really get details from our financial advisor we must have a written engagement letter to get started and for the bond purpose we must hire a financial advisor. Joy Hoard with WM Financial Strategies, with whom we have worked with before on the Street Bonds, does an excellent job and it is required by law that we have a financial advisor. Fees for service is a flat \$18,000, if something happens that we don't proceed with the bond, we don't owe her anything, and her fees aren't paid until after the bond closing. The bond counsel she is referring is Gilmore Bell, there again, this is a requirement and having them in place now will allow us to have things ready to go when we do go out for bid. If anything happens where we don't have a bond we will not owe Gilmore Bell anything as well.

The last thing on the resolution is an item for reimbursement of expenditures, as we are going to be using money for engineering and other fees, this says we can use bond proceeds to reimburse those funds we have used from other funds, such as the street department, parks department, or any other department.

RESOLUTION NO. 2127-18

**A RESOLUTION OF THE CITY OF HANNIBAL ENGAGING THE
SERVICES OF WM FINANCIAL STRATEGIES, AS FINANCIAL
ADVISOR, IN THE AMOUNT OF \$18,000, AND GILMORE & BELL,
P.C., AS BOND AND DISCLOSURE COUNSEL, IN THE AMOUNT OF
\$50,000, IN CONNECTION WITH THE ISSUANCE OF LEASEHOLD
REVENUE BONDS FURTHERMORE AUTHORIZING
REIMBURSEMENT OF EXPENDITURES WITH SUCH BOND
PROCEEDS, RELATIVE TO THE RIVERFRONT PARK
DEVELOPMENT PROJECT**

A motion was made by Council Member Welch, to have the City Clerk read Resolution No. 2127-18 and call the roll for adoption. The motion was seconded by Council Member Veach.

ROLL CALL

Yes: Council Member Veach, Mayor Pro Tem Knickerbocker, Council Members Dobson, Cogdal, Mayor Hark and Council Members Van Hoose and Welch-7

No: -0-

Absent: -0-

Motion carried.

Mayor Hark declared Resolution No. 2127-18 duly approved and adopted on this date.

BILL NO. 18-005

AN ORDINANCE CLARIFYING THE SPECIFIC TERRITORY ON JIMMY O'DONNELL ROAD ANNEXED BY ORDINANCE 4768 OF THE CITY OF HANNIBAL

Second & Final Reading

A motion was made by Mayor Pro Tem Knickerbocker to have the City Clerk read Bill No. 18-005 and call the roll for adoption. The motion was seconded by Council Member Van Hoose.

ROLL CALL

Yes: Council Member Veach, Mayor Pro Tem Knickerbocker, Council Members Dobson, Cogdal, Mayor Hark and Council Members Van Hoose and Welch-7

No: -0-

Absent: -0-

Motion carried.

Mayor Hark declared Bill No. 18-005 duly approved and adopted on this date.

BILL NO. 18-006

AN ORDINANCE AMENDING CHAPTER 3, SECTION 3-125 *Public Consumption* OF THE MUNICIPAL CODE OF THE CITY OF HANNIBAL, AMENDING SAID ORDINANCE TO INCLUDE AN ADDITIONAL AREA ON BROADWAY BETWEEN THE MISSISSIPPI RIVER AND 10TH STREET

First Reading

A motion was made by Mayor Pro Tem Knickerbocker to have the City Clerk give Bill No. 18-006 a first reading. The motion was seconded by Council Member Dobson.

Motion carried.

ADJOURNMENT

A motion was then made by Mayor Pro Tem Knickerbocker to adjourn the meeting. The motion was seconded by Council Member Dobson.

Motion carried.

James R. Hark, Mayor

Angelica N. Zerbonia, MRCC - City Clerk