

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

**Tuesday, June 19, 2018**  
**Council Chambers**  
**7:00 p.m.**

**ROLL CALL**

**Present:** Council Member Godert, Mayor Pro Tem Dobson, Council Members Cogdal, Welch and Veach – 5

**Absent:** Mayor Hark and Council Member Van Hoose – 2

**CALL TO ORDER**

There being a quorum present, Mayor Pro Tem Dobson called the meeting to order.

**INVOCATION**

The invocation was given at this time by Council Member Cogdal.

**PLEDGE OF ALLEGIANCE**

Mayor Pro Tem Dobson then requested Council Member Welch to lead the Pledge of Allegiance to the Flag.

**APPROVAL OF AGENDA**

Mayor Pro Tem Dobson requested a motion to allow the addition of Pastor Kevin Williams to speak on behalf of Embassy Church following resident David Grubb.

A motion was made by Council Member Welch to approve the agenda with the addition of Pastor Kevin Williams to speak after David Grubb. The motion was seconded by Council Member Cogdal.

Motion carried.

**APPROVAL OF MINUTES**  
**Closed Session Meeting – June 6, 2017**  
**Regularly Scheduled Council Meeting – June 5, 2018**

A motion was made by Council Member Veach to approve the minutes from the closed session meeting held June 6, 2017, and the last regularly scheduled Council meeting held June 5, 2018. The motion was seconded by Council Member Cogdal.

Motion carried.

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

A motion was made by Council Member Veach to approve the payroll and claims for the first half of June, 2018. The motion was seconded by Council Member Welch.

Motion carried.

**LOIS SNIDER – 416 LAKE APOLLO DRIVE**  
**Re: Purchase City Owned Property – Apollo North Subdivision, Lot 12**

Lois Snider addressed Council; advising she lives and owns 416 Lake Apollo Drive and is requesting to purchase a piece of unused City property adjacent to hers approximately 3/100's of an acre. She has maintained this piece of property for the entire 16 years that she has resided there. Ms. Snider recently learned that the City owns the unused lot and would like to acquire this portion.

Ms., Snider is willing to pay for the surveying and title fees associated with the transfer. Edie Price, of the Department of Public Works, came forward and advised that City Manager LaGarce had sent an email to all department heads receiving no objections for Ms. Snider to purchase the lot. The only thing asked is that all Board of Public Works easements be maintained.

Council Member Godert made a motion to allow resident, Lois Snider, to purchase the 3/100's of an acre of City owned property that is adjacent to her property at 416 Lake Apollo Drive. Council Member Cogdal seconded the motion.

Motion carried.

City Manager LaGarce advised this issue will next go to the Planning and Zoning Commission to combine her property and the small piece of property she is purchasing. He was waiting for approval from Council before obtaining Ms. Snider's property and the property in question surveyed. Now that the acquisition was approved, Ms. Snider will get the property surveyed.

Mayor Pro Tem Dobson questioned if this would be on the next Planning and Zoning Commission meeting agenda. From the audience, Edie Price advised it would be on the July agenda.

**DOUG COLBERT – HOMESTEADING LIFE CONFERENCE**

**Re: Request, Use of City Owned Property**

*August 12 & 13, 2018 – 8:00 a.m. – 7:00 p.m.*

Doug Colbert, representing Homesteading Life Conference, then requested for Council the use of City owned property located across from the Star Theater to set up tables for vendors and demonstrators on August 12 & 13, 2018 from 8:00 a.m. to 7:00 p.m.

Mayor Pro Tem Dobson questioned Mr. Colbert about acquiring insurance for the event, in which Mr. Colbert explained he was in the process of doing so and will provide to the City Clerk, prior to the event.

Council Member Welch stated he noticed that Mr. Colbert has already obtained permission from the property owner of the parking lot, adjacent to the area to be used for parking for the event.

Council Member Veach made a motion to approve, pending insurance is on file prior to the event, Homesteading Life Conference for use of City owned property on August 12 & 13, 2018. The motion was seconded by Council Member Welch.

Motion carried.

**DAVID GRUBB – 417 NORTH 6<sup>TH</sup> STREET**

**Re: Area Zoning Change**

David Grubb of 417 North 6<sup>th</sup> Street then approached Council relating to an issue he was recently made aware of. Embassy Christian Church has began the process to bring in ex-cons to rehabilitate inside the church. He is requesting to rezone the property so this is not allowed in his neighborhood for the home owners own security and the possibility of decreasing the value of his property. Mr. Grubb would like to know what, if anything can be done to not allow this in the neighborhood. Mayor Pro Tem Dobson questioned if Mr. Grubb has spoken to the City Manager about this matter, in which Mr. Grubb concurred. Mr. Grubb also indicated he has met with one of the church elders, however, the Williams were out of town and he has not heard back from them about a meeting. He stated neighbors do have concerns about the security of their neighborhood and property values. Mr. Grubb also wanted to bring up that he has heard that a lot of the residents that will housed are past addicts, he stated that the City already has two of these homes, one being Chloe's Place and "we all know what is going out there", with lots of Police presence there. He just doesn't want that kind of traffic in his neighborhood if at all possible.

Pastor Kevin Williams, who was added to the agenda by Mayor Pro Tem Dobson tonight, then addressed Council, advising that an article in the paper stated that the Church was going to be transformed into a group home, he stated that was not true; the paper also suggested it was to be a group home for convicted felons, he stated that was also not true. Pastor Williams stated that since 2001 the Church has been there, he has lived in Hannibal for 60 years. He stated that at one time in the 80's he sold drugs on these streets and was an alcoholic, but with the power of God, he has set out on a mission to help people who are down on their luck. They have encountered several ladies who have come from

rehabilitation, lost their kids, and he feels if they could do something for these ladies while helping them get their GED's and get their children back. Pastor Williams explained this idea is only in the talking phase at this point. The only thing they have done thus far was speak to the building inspector to see if it was even possible to do this. Pastor Williams explained that the people that will be allowed to reside there have to show signs they want to really change their lives. The church will pay for this program themselves and not receive funding.

Council Member Welch then questioned Pastor Williams, if he has spoken with the neighbors, in which he advised he had not. Mayor Pro Tem Dobson questioned if Pastor Williams is willing to meet with the neighbors; he advised he is very willing and this is the first time he has heard that the neighbors wanted to meet. Mayor Pro Tem Dobson expressed, since the property in question is located in his ward, he would like to be present at the meeting with Mr. Grubb, Pastor Williams and any other neighbors. City Manager LaGarce stated he would like to be present as well. Mayor Pro Tem Dobson advised that if anything else needs to be brought to Council after the meeting, they will do so.

### **JEFF LAGARCE – CITY MANAGER**

#### **Re: Approval of Appointments**

City Manager LaGarce requested Council to approve the candidates presented as a recommendations of appointment/reappointment to the Board of Public Works during the last meeting:

#### **BOARD OF PUBLIC WORKS**

- **Stephan Franke – appointment for an unexpired term to expire July, 2019**
- **Steve Smith - reappointment for a term to expire July, 2022**

Council Member Veach made a motion to approve the appointment of Stephan Franke for a term to expire July, 2019 and reappointment of Steve Smith for a term to expire July, 2022 to the Board of Public Works. Council Member Cogdal seconded the motion.

Motion carried.

#### **Re: Recommendation of Appointment**

City Manager LaGarce made the following recommendation of reappointment:

#### **PARK BOARD**

- **Casey Welch – reappointment for a term to expire July, 2021**

Council Member Godert made a motion to approve the reappointment of Casey Welch to the Park Board for a term to expire July, 2021. Council Member Veach seconded the motion.

Motion carried.

*(Note: as Casey Welch was only a recommendation of appointment to the Park Board, it was not required for Council to approve; approval of reappointment will be slated during the next Council meeting on July 3, 2018.)*

City Manager LaGarce explained that when Bill No. 18-012 is brought up for a 2<sup>nd</sup> reading, he will be proposing an amendment, which is the payroll ordinance.

**ANGELICA ZERBONIA – CITY CLERK**  
**Re: Missouri Ethics Commission – Conflict of Interest Policy**  
*(Bill No. 18-014, to follow)*

City Clerk, Angelica Zerbonia explained that in order for the City of Hannibal to comply with statutory requirements, RSMo. 105.483 & 105.485, the City is required, biennially, to adopt an ordinance ratifying and reaffirming the procedure to disclose potential conflicts of interest and substantial interest for certain municipal officials and employees. All candidates must file a ***Financial Interest Statement for Political Subdivisions*** if they have any transactions over \$500 with the City of Hannibal, even if candidates are not listed specifically in the ordinance. Otherwise filing of the *Statements* only apply to the City Manager and City Clerk.

City Clerk Zerbonia requested Council to approve the first reading of Bill No.18-014 that will meet the requirements set forth by the Missouri Ethics Commission, adhering to the policy, as adopted originally by City Council August 20, 1991. Slight modifications to the original Ordinance, have been made to incorporate the City Manager form of government, versus the original Mayoral form that was over looked. Furthermore, the Missouri Ethics Commission requires this process to be completed, biennially, no later than September 15<sup>th</sup>.

**ANDY DORIAN – DIRECTOR, PARKS & RECREATION**  
**Re: Veterans Memorial – Short Form Engineering Service Agreement**  
*Klingner & Associates*  
*(Resolution No. 2142-18, to follow)*

Andy Dorian, Director of Parks and Recreation, approached Council showing the plaque that was refurbished for the World War I and II Memorial, located in Central Park. Dorian stated that Parks and Recreation is scheduled to paint the Memorial next week, weather permitting. He stated they are waiting for the sponsorship plaque to be completed; and when done so they will have an unveiling and presentation of the newly refurbished Memorial, which was paid for strictly by donations from the public.

Dorian's next order of business relates to a Veteran's Memorial. The Parks and Recreation Department, along with the Veteran's Service Committee, are working together to design, raise funds and eventually build a new Veteran's Memorial to be located in one of our Hannibal parks. They are still working on the exact location, but plan to use some of the riverfront cobblestone as part of the foundation for the Memorial. Dorian explained they will showcase the Memorial around the old bell that is currently located in Kiwanis Park. This

bell was originally located on the U.S.S. Hannibal, which served in World Wars I and II, and the Spanish America War.

Dorian advised that Klingner & Associates have agreed to work with Parks and Recreation on this project, which will include; design and details for the concrete foundation and cap slab, concrete columns and cap slab. In addition, Klingner plans to develop an engineer cost estimate as well as a project rendering that can be used for fund raising purposes.

Dorian explained in order to pay for this project, Parks and Recreation will be selling “bricks” honoring our Veterans that will be placed around the new Veterans Memorial. Once the project has an engineer estimate on cost; the fundraising efforts will begin.

Klingner & Associates has provided Dorian with a contract totaling \$3,500 based on the engineer’s hourly estimation. Dorian explained that if the project would happen to go over the current hourly estimation, due to project changes, the additional charges will be reflected. In addition, Klingner plans to make a donation to the Memorial of \$3,500, once the project has been designed. If everything goes accordingly, the City, in turn, will get the design at no cost.

**KAREN BURDITT – FINANCE DIRECTOR**  
**Re: Approval, Fund Transfer – Due to/Due From**

Karen Burditt, Finance Director, then addressed Council relating to a housekeeping procedure, which is a “due to/due from” to clear up past accounting transactions. She explained these are created when one fund owes another fund for any particular reason. She was made aware of these during the City’s 2016 bond call. Some of the due to/due from are from 2009 and 2010 audits and after doing research she found the source and would like to clear them up before the end of this fiscal year. There will be one, however, that won’t get cleared up, which is a “due to” the Revolving Loan account. Burditt explained this will make for a clearer audit report in the future. She has found the following items that need corrected:

- \$250,000 CD deposited entirely into the General Fund, should have been broken down into Tourism, Parks and Library so the following will be transferred:
  - a. Tourism \$ 1,839.52
  - b. Library \$12,384.19
  - c. Parks \$24,741.74
- \$6,400 from the 2008 audit is “due from” the General Fund to Unused Sick Leave
- \$584 from 2015 is due back from Unused Sick Leave to General Fund for overpayment of the loan to adjust for lost interest
- Capital Equipment “due to” General Fund for \$3,831,746 to clear up accounting procedures, that were used to transfer funds from General Fund to Capital Equipment (this no longer needs to be adjusted, because Capital Equipment has been merged into the General Fund)
- Dare “due to” General Fund for \$381 from FY 2009
- Parks “due to” General Fund for \$23,090 from FY 2010
- Law Enforcement training “due to” General Fund for \$959 from FY 2009
- Sales Tax Capital to Capital Equipment, now General Fund, for \$25,706 from FY 2009

- Loan from Revolving Loan to General Fund of \$90,000 was paid back January 23, 2018

Burditt explained the total net to General Fund will be \$5,354.55 to the positive; with the \$90,000 paid to Revolving Loan in January, the net to General Fund is negative \$84,645.45. But by taking care of these issues now, the City's 2018 audit will be more clear and easier to explain. Burditt stated the only "due to" other funds will be the revolving loan fund for \$565,000, and the only long term will be the loan to the Hannibal Board of Public Work for Sawyer's Creek and the new \$200,000 Shinn Lane roundabout, which she will be addressing next.

Mayor Pro Tem Dobson questioned if this was going to be the last of the transfers from one account to the other from old errors, Burditt replied, she hopes so.

Council Member Godert made a motion authorizing the Finance Director to transfer all "due to" and "due from" discussed at the meeting, before the end of the fiscal year. Council Member Welch seconded the motion.

Motion carried.

**Re: Shinn Lane Roundabout Financing – Promissory Note**

*Board of Public Works - \$200,000  
(Resolution No. 2143-18, to follow)*

On Burditt's next item of business she discussed a promissory note to the City from the Board of Public Works, for a loan relating to the Shinn Lane roundabout project. During the Council meeting held October 4, 2016, City Manager LaGarce, presented a resolution to execute an agreement with Klingner & Associates for design of the Shinn Lane roundabout. Originally it was thought the City might need to borrow \$350,000, however, Burditt is only requesting a loan for \$200,000. To date, the City has paid \$500,000 on the project.

Burditt explained the loan is primarily due to the timing of the construction being at the same time the Sales Tax Capital fund is paying \$833,681.30 in bond payments. It is the City's plan to pay this partial or full amount back prior to the two year agreement. Two percent interest payments will be made bi-yearly beginning December 20, 2018. The maximum amount of interest for the full two years will equal \$8,000, if no early principal payment is made.

City Attorney Lemon indicated we would not be in violation of the constitution by this borrow as it's technically from one City fund to another being as the Board of Public Works is part of the City of Hannibal.

**EDIE PRICE – DPW Assistant**  
**Re: Request, Set Public Hearing – Rezoning 4500 Paris Gravel Road,**  
**F-Industrial to B-Multiple Family**  
*Tuesday, July 3, 2018 – 6:45 p.m.*  
*Gregg R. Sims*

Eddie Price, DPW Assistant, approached Council requesting to set a public hearing on July 3rd at 6:45 p.m., in Council Chambers. Price explained, an application has been received, from Gregg R. Sims to rezone 4500 Paris Gravel Road (old Army recruiting building) from F-Industrial to B-Multiple Family. Mr. Sims has indicated that he would like to turn this building into a residential care facility.

The Planning and Zoning Commission public hearing, for this request, has been set for June 21, 2018 at 4:00 p.m.

Council Member Veach made a motion to set the public hearing on July 3<sup>rd</sup> at 6:45 p.m. in Council Chambers. Council Member Welch seconded the motion.

Motion carried.

**BILL NO. 18-011**

**AN ORDINANCE APPROVING THE FISCAL YEAR 2018-2019  
BUDGET AND APPROPRIATING TO THE VARIOUS  
DEPARTMENTS, BOARDS, COMMISSIONS AND AGENCIES OF  
THE CITY GOVERNMENT OF THE CITY OF HANNIBAL,  
MISSOURI FOR THE FISCAL YEAR ENDING JUNE 30, 2019**

*Second & Final Reading*

A motion was made by Council Member Welch to have the City Clerk read Bill No. 18-011 and call the roll for adoption. The motion was seconded by Council Member Veach.

**Roll Call**

**Yes:** Council Member Godert, Mayor Pro Tem Dobson, Council Members Cogdal, Welch and Veach - 5

**No:** -0-

**Absent:** Mayor Hark and Council Member Van Hoose - 2

Motion carried.

Mayor Pro Tem Dobson declared Bill No. 18-011 duly approved and adopted on this date



## BILL NO. 18-012

### AN ORDINANCE TO PAY OFFICERS AND EMPLOYEES OF THE CITY OF HANNIBAL, MISSOURI FOR THE FISCAL YEAR 2018/2019

#### *Second & Final Reading*

City Manager LaGarce advised the Street Department Supervisor, Mike McHargue, will complete his one year probationary period in about six weeks. In the City's Employee Guide to Success, it state's if approved, the employee would get a two-step increase. By reclassifying him, McHargue would miss out on the pay increase. City Manager LaGarce is requesting to increase his pay now from \$50,236 to \$53,111. He advised this isn't an oversight by any means, it's just that he hasn't seen this happen before with a probationary employee promoting prior to the end of their probationary period.

Council Member Cogdal advised she was confused and questioned if LaGarce has combined the two jobs or if he took a different position entirely. LaGarce advised the job description for this position will not be ready for approval until the next Council meeting. Council Member Cogdal would like to table just this portion until the job descriptions are in place so Council is able to review the actual description and see what all it entails, prior to approving the additional amount, above what was originally proposed. She would like to look at the job descriptions that will be ready at the next meeting.

Council Member Cogdal made a motion to table McHargue's additional pay increase, as proposed by LaGarce, until after next regular Council meeting, when Council has had an opportunity to review the revised job description. Council Member Veach seconded the motion.

Motion carried.

A motion was then made by Council Member Welch to have the City Clerk read Bill No. 18-012 and call the roll for adoption. The motion was seconded by Council Member Veach.

#### **Roll Call**

**Yes:** Council Member Godert, Mayor Pro Tem Dobson, Council Members Cogdal, Welch and Veach - 5

**No:** -0-

**Absent:** Mayor Hark and Council Member Van Hoose - 2

Motion carried.

Mayor Pro Tem Dobson declared Bill No. 18-012 duly approved and adopted on this date.

**BILL NO. 18-013**

**AN ORDINANCE APPROVING AND ACCEPTING THE FINAL  
PLAT OF PHASE ONE AND TWO OF MINNOW CREEK  
SUBDIVISION, A SUBDIVISION LYING IN THE PART OF THE  
SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 57  
NORTH, RANGE 5 WEST OF THE FIFTH PRINCIPAL  
MERIDIAN IN THE CITY OF HANNIBAL,  
MARION COUNTY, MISSOURI**

*Second & Final Reading*

A motion was made by Council Member Veach to have the City Clerk read Bill No. 18-013 and call the roll for adoption. The motion was seconded by Council Member Welch.

**Roll Call**

**Yes:** Council Member Godert, Mayor Pro Tem Dobson, Council Members Cogdal, Welch and Veach - 5

**No:** -0-

**Absent:** Mayor Hark and Council Member Van Hoose - 2

Motion carried.

Mayor Pro Tem Dobson declared Bill No. 18-013 duly approved and adopted on this date

**BILL NO. 18-014**

**AN ORDINANCE RATIFYING AND REAFFIRMING THE CITY  
OF HANNIBAL'S, PROCEDURE TO DISCLOSE POTENTIAL  
CONFLICTS OF INTEREST AND SUBSTANTIAL INTERESTS  
FOR CERTAIN MUNICIPAL OFFICIALS AND EMPLOYEES AS  
REQUIRED, BIENNIALY, BY MISSOURI STATE STATUTES  
105.483 & 105.485**

*First Reading*

A Motion was made by Council Member Veach to give Bill No 18-014 a first reading. The motion was seconded by Council Member Welch.

Motion carried

## **RESOLUTION NO. 2142-18**

### **A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A SHORT FORM ENGINEERING SERVICE AGREEMENT BETWEEN THE CITY OF HANNIBAL AND KLINGNER & ASSOCIATES IN THE AMOUNT OF \$3,500 FOR DESIGN PLANS, RENDERING AND COST ESTIMATES FOR A NEW VETERANS MEMORIAL**

A motion was made by Council Member Godert to have the City Clerk read Resolution No. 2142-18 and call the roll for adoption. The motion was seconded by Council Member Veach.

#### **Roll Call**

**Yes:** Council Member Godert, Mayor Pro Tem Dobson, Council Members Cogdal, Welch and Veach - 5

**No:** -0-

**Absent:** Mayor Hark and Council Member Van Hoose - 2

Motion carried.

Mayor Pro Tem Dobson declared Resolution No. 2142-18 duly approved and adopted on this date.

## **RESOLUTION NO. 2143-18**

### **A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE A PROMISSORY NOTE BETWEEN THE CITY OF HANNIBAL AND THE HANNIBAL BOARD OF PUBLIC WORKS IN ORDER TO FINANCE A PORTION OF THE SHINN LANE ROUNDABOUT, WITH THE BOARD PROVIDING \$200,000.00 BY AN INTERDEPARTMENTAL TRANSFER OF FUNDS TO THE CITY OF HANNIBAL**

A motion was made by Council Member Godert to have the City Clerk read Resolution No. 2143-18 and call the roll for adoption. The motion was seconded by Council Member Veach.

**Roll Call**

**Yes:** Council Member Godert, Mayor Pro Tem Dobson, Council Members Cogdal, Welch and Veach - 5

**No:** -0-

**Absent:** Mayor Hark and Council Member Van Hoose - 2

Motion carried.

Mayor Pro Tem Dobson declared Resolution No. 2143-18 duly approved and adopted on this date.

**ADJOURNMENT**

A motion was made by Council Member Welch 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**