

***CITY OF HANNIBAL***  
***OFFICIAL PUBLIC HEARING***

**Tuesday, March 6, 2018**  
**6:45 p.m.**  
**Council Chambers**

**CALL TO ORDER**

At the appointed time, Mayor Hark called the public hearing to order.

**EDIE PRICE – DEPARTMENT OF PUBLIC WORKS**  
**Re: Rezoning, 10 Acres – North of Mayapple Lane**  
**F-Industrial to A-One & Two Family**  
*Clinton Conrad*

Department of Public Works Representative, Edie Price addressed council relating to the rezoning of 10 acres of property located north of Mayapple Lane; just off a Paris Gravel Road. All notices were sent out for Planning and Zoning for Council in the appropriate amount of time.

She then requested Clinton Conrad to address Council; who advised he has 10 acres of land that he wishes to rezone for his personal residence where he is planning to build a home. The 10 acres in question is currently zoned as F-Industrial and Mr. Conrad would like it to be A-One & Two Family zoned. Council Member Dobson asked Conrad to explain the road situation for anyone in attendance that was not at the Planning & Zoning meeting. Mr. Conrad explained that Mayapple is part of an association, where they maintain the road, which was created by Carl & Lisa Ball, he is intending to extend off of the end of Mayapple, obtaining an easement from his mother, who owns the adjacent property, to build his driveway from.

City Manager LaGarce advised that Mayapple Road is a dead end road off Paris Gravel Road which dead ends at the city limits. All the areas surrounding the property are zoned industrial but he is unsure why. 70, 80, 90 acres, behind Dr. Cooke's house, is property and access is oriented to the residential area. It may seem like spot zoning, however, he doesn't see it at that way as it meets Conrad's use.

## **PUBLIC COMMENTS**

Mayor Hark asked if there were any questions or comments from those in attendance. Buzz Ballinger then addressed Council, advising he is head of the road association of Mayapple Lane, he doesn't have an objection to the rezoning of this property, however, his problem is Mr. Conrad is planning to use the road to access his property. Mr. Conrad hasn't contacted him about joining the road association and feels it would be nice if Conrad would join the association and make a donation to the road, "it is our road and we have maintained it for 17 years," stated Ballinger. "All I am asking is for is some consideration for "our" road," he continued. Ballinger indicated the association members have spent in excess of \$1,500 each from eight (8) different households located on Mayapple Lane. He realizes this has nothing to do with the rezoning and strictly a proposition for Council to consider.

## **ADJOURNMENT**

With no other comments, the Mayor then closed the public hearing.

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

**Tuesday, March 6, 2018**  
**Council Chambers**  
**7:00 p.m.**

**ROLL CALL**

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

**PLEDGE OF ALLEGIANCE**

Mayor Hark then requested Officer Lakenburger from the Hannibal Police Department, to lead the Pledge of Allegiance to the Flag.

A motion was then made by Council Member Dobson to excuse Mayor Pro Tem Knickerbocker from tonight's meeting, who had a work engagement, according to Mayor Hark. Council Member Veach seconded the motion.

Motion carried.

**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 Van Hoose.

Motion carried.

**APPROVAL OF MINUTES**  
**Regularly Scheduled Council Meeting – February 20, 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 20, 2018. The motion was seconded by Council Member Welch.

Motion carried.

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

A motion was then made by Council Member Van Hoose to approve the payroll and claims for the second half of February, 2018. The motion was seconded by Council Member Welch.

Motion carried.

**TED SAMPSON – YMEN’S CLUB OF HANNIBAL**  
**Re: Request, Street Closures – Down by the River & Mud Volleyball**  
*Down by the River – May 18, June 15, July 20, August 17, October 12, 2018*  
*Mud Volleyball – July 4 – July 8, 2018*

Ted Sampson, representing the Hannibal YMen’s requested street closures for upcoming Down by the River events for the following dates:

- May 18, 2018
- June 15, 2018
- July 20, 2018
- August 17, 2018
- October 12, 2018

He also requested street closures for the annual Mud Volleyball tournaments that are taking place July 4 – July 8, 2018.

The street closures he is requesting include the alleyway west of the YMen’s Pavilion and Hill Street – Main to the floodwall.

Council Member Veach made a motion to approve, pending the certificate of insurance being on file, the requested street closures for the dates listed above. The motion was seconded by Council Member Welch.

Motion carried.

**ANGIE WILCOXSON – HANNIBAL REGIONAL FOUNDATION**

**Re: Request, Street Closures – 23<sup>rd</sup> Annual Hannibal Cannibal**

*Saturday, July 7, 2018 – 5:00 a.m. – 10:00 a.m.*

Angie Wilcoxson, representing the Hannibal Regional Foundation, is requesting street closures for their 23<sup>rd</sup> annual Hannibal Cannibal race to be held July 7, 2018 from 5:00 a.m. to 10 a.m. Her request includes closure of Main Street from North to Center; Main Street from Center to Church; and Church Street from Main to Highway 79; closing Lover’s Leap along with no parking along Main Street from North to Church and Church to Highway 79, until the race concludes.

Council Member Veach made a motion to approve, pending the certificate of insurance being on file, the requested street closures for the annual Hannibal Cannibal race to be held July 7<sup>th</sup>. The motion was seconded by Council Member Van Hoose.

Motion carried.

**JENNIFER HART – DRAKE’S STEAK & ALE**

**Re: Request, Caterer’s License – *The Orchard*, 2200 Palmyra Road**

*April 13, 2018 – 7:00 p.m. – 11:00 p.m.*

*“Barn Bash” – Hannibal Regional Foundation*

Angie Wilcoxson, representing Hannibal Regional Foundation, and Tim Hart, representing Drake’s Steak and Ale, on behalf of Jennifer Hart, are requesting Council approval for a Caterer’s License. Council approval is being sought for the sale of alcohol by Drake’s Steak & Ale, allowing them to serve alcohol for Hannibal Regional Foundation’s Barn Bash that is being held Friday April 13, 2018 from 7:00 p.m. – 11:00 p.m.

City Clerk Zerbonia advised Council approval for the caterer’s license is necessary due to the fact that this venue is not zoned for the sale of alcohol, therefore she nor the building inspector are allowed to approve.

Council Member Welch made a motion to approve the caterer’s license for Drake’s Steak & Ale at *The Orchard*, located at 2200 Palmyra Road for Hannibal Regional Foundation’s event to be held April 13<sup>th</sup> from 7:00 p.m. – 11:00 p.m. Council Member Veach seconded the motion.

Motion carried.

**JEFF LAGARCE – CITY MANAGER**

**Re: The Villas of St. Elizabeth (109 Virginia) - Lease Modification**

*(Resolution No. 2128-18, to follow)*

LaGarce began his presentation by advising on December 19, 2017, the City Council approved a Resolution entering into a 50-year Lease with The Villas of St. Elizabeth, LP. That Lease included two (2) Exhibits: (i) a legal description, and (ii) an Assignment of Grant

and Land Use Option. Both exhibits appropriately contained the same/identical metes & bounds legal descriptions for the old hospital property.

While the investors were preparing their application for low-income housing tax credits to the Missouri Housing Development Commission, however, they discovered that one (1) sentence in both legal descriptions had been omitted (the exact same sentence for each). We do not know the cause of this error, nor did WE make this error. It does need to be fixed, however.

The legal description for the property itself is huge, spanning a full page, and is comprised of two separate tracts, and includes all or parts-of twelve (12) original lots platted in the 19<sup>th</sup> century. It's the "parts of lots" that created complications. The Resolution this evening, will allow this missing sentence to be inserted/included into each Exhibit: (i) the lease itself, and (ii) the accompanying Assignment of Grant and Lane Use Option. It omitted sentence – to be inserted - reads:

*All of Lot Nine (9) in Susan A. Richmond's Subdivision of the South part of Lot Three (3) of Richmond's Original Subdivision of the East Half (E1/2) of the Southeast Quarter (SE1/4) of Section Thirty (30), township fifty-Seven (57), Range Four (4) West.*

This modification neither invalidates the December 31<sup>st</sup> lease nor changes the intent of either party. It's basically a scrivener's error that's being repaired with formal legislation.

Mayor Hark asked City Attorney Lemon if he had reviewed the Resolution, he advised he had not, however he is doing so now and he has no problems. He did state that City Manager LaGarce is accurate in the legal description is comprised of multiple lots because of multiple purchases when additions or parking lots were added to the property. The City Attorney does believe this amendment to be appropriate.

**KAREN BURDITT – FINANCE DIRECTOR**  
**Re: 2018/19 Audit Services – Engagement Letter**  
*Wade Stables, PC*  
*(Resolution No. 2129-18, to follow)*

Karen Burditt, Finance Director, addressed Council relating to the 2018/2019 fiscal year audit. Wade Stables have completed the audit for a number of years with last year being the end of the three (3) year quote. Ms. Burditt did intend to go out and get quotes for this year, however, with the computer system the City has currently, she didn't want to go out and educate a new auditor on our system when we are in the process of updating the system. She is asking for two (2) years to stay with Wade Stables. This fiscal year they have agreed to hold the price the same as last year with the following year an increase of just \$900.

Council Member Dobson then asked if we were bringing our bookkeeping into the 21<sup>st</sup> century so any auditing firm would be able to audit our books. Ms. Burditt advised this would be her intention; however, updating a system is very expensive. She has asked the auditors in the past for recommendations on systems, but currently they don't have another town that is close to our size, however BPW does have a system that could be tweaked to accommodate us, but it is still set up for utility not a city. Ms. Burditt does have a quote

from the company the BPW uses and she has currently been going out and getting quotes from other firms that do specialize with city governments. Dobson asked if we were working toward going paperless and not using checks, Burditt advised that payroll did go to direct deposit in the last year. She advised that there are a lot of city systems that are completely paperless, but she doesn't think the City of Hannibal will go quite that far. She would, however, like to have a more user friendly system where each department can be linked to all other departments within the City itself.

City Manager LaGarce advised the one thing holding the City back from upgrading the current system is the overall price, we had a quote a few years ago, however, it was unaffordable. The system we have now doesn't really communicate within itself; we have a payable system that doesn't speak to receivables. Burditt did advise that if the City would update the system that our audit costs could possibly go down. Ms. Burditt also advised that a new system would cost around \$150,000 just for the initial startup.

**Re: 2018/19 Bid Limit Amendments**  
*(Bill No. 18-007, to follow)*

On her next item of business, Burditt advised every year the City looks at what the rate for increase for items have been based on the CPI (Consumer Price Index) and this last year it was increased by 2.11% therefore Burditt increased all bid limits by that amount. Any item over the bid limit has to go to a sealed bid. Any item under the limit but exceeds \$1,000 has to have at least two reliable quotes and we have a form for that.

**EDIE PRICE – DEPARTMENT OF PUBLIC WORKS**  
**Re: Rezoning, 10 Acres – North of Mayapple Lane**  
**F-Industrial to A-One & Two Family**  
*Clinton Conrad*  
*(Bill No. 18-008, to follow)*

Eddie Price, representing the Department of Public Works, is asking for approval for the first reading of the tract of land (10 acres-North of Mayapple Lane), that was discussed at the public meeting earlier in the night. This land is owned by Clinton Conrad, he is planning on building his own residence and would like it rezoned from F-Industrial to A-One & Two Family. She indicated it was discussed a lot in the public meeting held earlier.

**ROBERT STEVENSON – BPW GENERAL MANAGER**  
**Re: BPW Lighting, Marion County US 61 (between West Ely Road & Route MM)**  
**Lighting Maintenance Agreement**  
*Missouri Highways & Transportation Commission*  
*(Bill No. 18-009, to follow)*

Robert Stevenson, BPW General Manager, then addressed Council on a street lighting project on a portion of Highway 61; south of Pleasant Street that began early last summer. After several meetings with MODOT, they have asked the City to sign a standard agreement ensuring we will do the maintenance of the lighting in the future, which the BPW fully

intends to do so. There is a similar agreement on file from the 1960's relating to lighting on the viaduct on Third Street. The City Attorney has reviewed the agreement and HBPW's Board also approved the agreement during their last meeting on February 20, 2018.

**Re: Update, Chloramine Replacement Project**

Mr. Stevenson provided Council with a progress report on the chloramine replacement project, advising the last board meeting on February 20, 2018, they voted to go with the activated carbon. The Board also agreed to the Black & Veatch's engineering proposal that was before them at \$1.2 million for the detailed design contract. Within a few days of the meeting and after he wrote this memo to the Council Black & Veatch did complete the preliminary report, which is now at DNR awaiting final feedback/approval. We are unsure if we will get any comments back, DNR representatives seem pretty happy with the proposal. Concurrently, the board hired a financial advisor and bond counsel to work on the financing side of the chloramine replacement project, there are no results of this as of yet. Also, the Board has engaged a cost of service consultant to look at the rates, no output on that either. The results may be received by March or April. The pilot test, which is owned by Calgon, is now being discussed in which the Board is trying to buy, so they can use it for pilot testing of other products and maybe find ways to save money on future projects.

The Board has done everything they can to move this project along at this point. Mayor Hark questioned Mr. Stevenson about who the bond counsel and financial advisor is, Stevenson advised Gilmore Bell is the bond Counsel and financial advisor is Joy Howard.

**RESOLUTION NO. 2128-18**

**A RESOLUTION AUTHORIZING MODIFICATION OF THE  
DECEMBER 31, 2017 LEASE AND ACCOMPANYING  
ASSIGNMENT OF GRANT AND LAND OPTION, BETWEEN THE  
CITY OF HANNIBAL AND THE VILLAS OF ST. ELIZABETH, LP  
RELATIVE TO THE OLD ST. ELIZABETH HOSPITAL  
LOCATED AT 109 VIRGINIA STREET**

A motion was made by Council Member Dobson to have the City Clerk read Resolution No. 2128-18 and call the roll for adoption. The motion was seconded by Council Member Van Hoose.

**ROLL CALL**

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

**No:** -0-

**Absent:** Mayor Pro Tem Knickerbocker



Motion carried.

Mayor Hark declared Resolution No. 2128-18 duly approved and adopted on this date.

## **RESOLUTION NO. 2129-18**

### **A RESOLUTION AUTHORIZING AND APPROVING A CONTRACT WITH WADE STABLES P.C. FOR AUDIT SERVICES FOR THE CITY OF HANNIBAL INCLUDING LIBRARY AND BOARD OF PUBLIC WORKS IN THE AMOUNT OF \$42,600 (CITY \$25,200, BPW \$17,400)**

A motion was made by Council Member Veach, to have the City Clerk read Resolution No. 2129-18 and call the roll for adoption. The motion was seconded by Council Member Welch.

#### **ROLL CALL**

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

**No:** -0-

**Absent:** Mayor Pro Tem Knickerbocker

Motion carried.

Mayor Hark declared Resolution No. 2129-18 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 10<sup>TH</sup> STREET**

#### ***Second and Final Reading***

A motion was made by Council Member Welch, to have the City Clerk read Bill No. 18-006 and call the roll for adoption. The motion was seconded by Council Member Veach.

**ROLL CALL**

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

**No:** -0-

**Absent:** Mayor Pro Tem Knickerbocker

Motion carried.

Mayor Hark declared Bill No. 18-006 duly approved and adopted on this date.

**BILL NO. 18-007**

**AN ORDINANCE OF THE CITY OF HANNIBAL AMENDING  
THE ANNUAL BID LIMITS IN ACCORDANCE TO SECTION 9.13  
(b) OF THE CITY OF HANNIBAL CHARTER**

***First Reading***

A motion was made by Council Member Van Hoose to have the City Clerk give Bill No. 18-007 a first reading. The motion was seconded by Council Member Welch.

Motion carried.

**BILL NO. 18-008**

**AN ORDINANCE OF THE CITY OF HANNIBAL REZONING 10  
ACRES OF LAND THAT SITS INSIDE THE CITY LIMITS JUST  
NORTH OF MAYAPPLE LANE**

***First Reading***

A motion was made by Council Member Dobson to have the City Clerk give Bill No. 18-008 a first reading. The motion was seconded by Council Member Welch.

Motion carried.

**BILL NO. 18-009**

**AN ORDINANCE OF THE CITY OF HANNIBAL BOARD OF  
PUBLIC WORKS AUTHORIZING THE MAYOR TO EXECUTE A  
LIGHTING AND MAINTENANCE AGREEMENT WITH  
MISSOURI HIGHWAYS & TRANSPORTATION COMMISSION  
REGARDING INSTALLATION AND MAINTENANCE OF  
STREET LIGHTS AT MARION COUNTY, US 61 BETWEEN  
WEST ELY ROAD AND ROUTE MM**

*First Reading*

A motion was made by Council Member Dobson to have the City Clerk give Bill No. 18-009 a first reading. The motion was seconded by Council Member Van Hoose.

Motion carried.

**ADJOURNMENT**

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

Motion carried.

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**James R. Hark, Mayor**

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