

**CITY OF HANNIBAL**

**OFFICIAL PUBLIC HEARING**

**Tuesday, September 4, 2018  
6:45 p.m.  
Council Chambers**

**CALL TO ORDER**

At the appointed time, Mayor Hark opened Public Hearing for a rezoning request of property located at 3520 St. Mary's Avenue.

**EDIE PRICE – DPW MANAGEMENT ASSISTANT**

**Re: Rezoning, 3520 St. Mary's Avenue**  
*A-One and Two Family to E-Commercial*  
*(Wesley & Rhonda Knapp)*

**\*\*amended request - C-Local Business \*\***

Eddie Price, DPW Management Assistant addressed Council relating to a rezoning request received from Wesley and Rhonda Knapp for their property located at 3520 St. Mary's Avenue. Their original request was from A-One and Two Family to E-Commercial, however, they have since amended their request to C-Local Business.

**PUBLIC COMMENTS**

The Mayor then asked if anyone in the audience wanted to speak; whether they are for or against the rezoning of the property.

Terry Hull, resident at 3430 St. Mary's Avenue, approached Council and advised he was here tonight in opposition of this rezoning, as it is a residential neighborhood. It does concern him that if the City is to rezone one property, it would open the possibility of rezoning others. Mr. Hull questions the entire thing, feeling it would be spot rezoning and there is no commercial property that borders this property. He doesn't feel spot rezoning should be allowed and feels if it's allowed for one property, there wouldn't be much "ground" to stop another property owner to rezone if anyone should come forward in the future.

Van Surls, resident at 115 Shepherd Place, then addressed Council with two questions: what type of business is it going to be? If Council approves the rezoning, what kind of business is it going to be; a strip club, restaurant or something else? Secondly, how would anyone

access the business since both Pleasant and St. Mary's are heavily trafficked areas? Especially before and after school. He is very concerned about the traffic and what actual business will be put there. He definitely does not want a restaurant put there.

Wesley Knapp, owner of the property, then approached Council advising part of the reason he amended his request to C-local business, was because he also doesn't want strips clubs or liquor stores located here. He explained the reason he even started this process was that two years ago Ketterer's succeeded and got their property rezoned, in which he was against at that time. Since that time, he has come to the realization it is inevitable and sees the whole neighborhood going commercial. In order to preserve the architectural feel, Mr. Knapp wanted to keep their home and open it for a business. As far as traffic, they don't plan to have a drive through; it would be a very small restaurant with little traffic. Mr. Knapp stated they will be a restaurant, but a very small restaurant, compared to LaBinnah's size. He is also concerned about bulldozers and this is their way of trying to prevent that from happening and keeping the integrity of the neighborhood.

Council Member Cogdal then questioned Mr. Knapp's plans about parking and entrances and exits. Mr. Knapp advised after reviewing the standard for parking, they don't have 12 parking spaces like they thought and they would not have that many cars leaving and coming at the same time. She then questioned if the parking lot would be visible to other properties, in which Knapp advised there is a privacy fence along Pleasant Street that blocks the area.

Jason Cunningham, then addressed Council stating he had stated he started a limited liability company with the state; he mentioned the problems with traffic, but he feels that around 4 or 5 o'clock the traffic slows down. He is in favor of anyone that is willing to help further development, especially if it's helping feed their family. He also feels there's nothing wrong with bringing more businesses here and feels the City needs more flourishing things here. He feels this rezoning would help bring in more money/revenue for the City and there is nothing wrong with the town flourishing. He stated he is in favor of the rezoning of the property.

Tamara Mueller, resident of 3434 St. Mary's, stated that traffic is her biggest concern; it takes her 10-12 minutes every morning getting through the stop sign at St. Mary's and Pleasant because of the traffic. There was an unfortunate circumstance with a child that occurred on Shepherd Place and with more traffic that might lead to more accidents. Traffic is a real issue; whether or not they have 10 customers or not, this area will not be an easy pull out. Traffic is her biggest issue along with the safety of the kids.

Ashley Veach, resident of 107 Shepherd Drive; advised she is outside the radius of those that received the notification letters, however, traffic is a concern of hers. Shepherd Drive is a cut through and her daughter was the "unfortunate incident" that Ms. Mueller was speaking about. Ms. Veach counted six (6) cars cut through in 20 minutes to get around the Pleasant/St. Mary's stop sign. Her kids get off the bus and walk up the hill, you can watch constant traffic all the time. There are also kids up the street; not just hers and she feels this rezoning and a business would cause more of a problem.

Terri Woodward, resident of 114 Shepherd Place, stated this is a very passionate subject for her as her granddaughter was hit by a vehicle in front of her house, because of the traffic. The concern isn't the businesses coming to town, it's where it's located. This evening traffic was

backed up on St. Mary's Avenue which was around 6:07 p.m. This is not the right place for a business and she can see into Mr. Knapp's backyard going up Pleasant or St. Mary's therefore the parking area is not hidden. She works from home for Blue Cross, and she sits and watches traffic all day, Shepherd is indeed a cut through, contrary to what Mr. Knapp stated. She requests Council to not let this pass for their neighborhood.

Wesley Knapp then readdressed Council; advising that if traffic were as bad as everyone is saying, he'd never get out of his driveway and he never has a problem. There are only certain times of day the traffic backs up and this is not the typical time of the day for the type of business he is proposing, a small coffee shop and restaurant.

Hallie Yundt Silver, resident of 3431 West Ely Road, then addressed Council, advising she too is out the radius of the notification letter, however, she does drive up Pleasant every day. She stated that every day when she comes home, she uses the highway because she won't use St. Mary's or Pleasant because of the amount of traffic.

## **ADJOURNMENT**

With no other comments from the audience, Mayor Hark closed the public hearing.

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

**Tuesday, September 4, 2018**  
**Council Chambers**  
**7:00 p.m.**

**ROLL CALL**

**Present:** Council Members, Welch, Veach, Godert, Mayor Pro Tem  
Dobson, Council Member Cogdal, Mayor Hark and Council Member Van  
Hoose – 7

**Absent:** - 0 -

**CALL TO ORDER**

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

**INVOCATION**

The invocation was given at this time by Council Member Van Hoose.

**PLEDGE OF ALLEGIANCE**

Mayor Hark then requested the members of the Hannibal Police and Fire Departments that were in attendance to lead the Pledge of Allegiance to the Flag.

**APPROVAL OF AGENDA**

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

Motion carried.

**APPROVAL OF MINUTES**  
**Regularly Scheduled Council Meeting – August 21, 2018**

A motion was made by Council Member Van Hoose to approve the minutes from the last regularly scheduled Council meeting held August 21, 2018. The motion was seconded by Council Member Godert.

Motion carried.

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

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

Motion carried.

**CARRIE DANNER – ACCESS TO HEALING & WELLNESS**  
**Re: Street Closures & Police Presence – Zombie Run**  
*Saturday, September 29, 2018 – 6:00 p.m. – 7:30 p.m.*

Carrie Danner, representing Access to Healing and Wellness, approached Council requesting street closures for the zombie run scheduled for Saturday, September 29<sup>th</sup>, from 6:00 – 7:30 p.m. She is requesting the roads to be blocked for the following route:

- Starting at Hannibal JC's property on South 3<sup>rd</sup> Street
- Turning right South Main Street
- Turning right on Fulton Avenue
- Turning right on Sycamore Street (entering the trail at the end of the Sycamore Street exit)
- Turning right onto Ely Street
- Turning left on Colfax to Delaney Park
- Turning right on Ledford Street to Industrial Drive
- Turning left on 4<sup>th</sup> Street to Lyon Street (finishing at Jaycee building)

A motion was made by Council Member Veach, pending certificate of insurance is on file prior to the event, to approve the request. The motion was seconded by Council Member Welch.

Motion carried.

**JEFF LAGARCE – CITY MANAGER**  
**Re: Sale of City Owned Property – 505 Walnut Street**  
*Walnut Grove, LLC – Joe Anderson*  
*(Resolution No. 2161-18, to follow)*

City Manager LaGarce explained property located at 505 Walnut Street has been condemned by the Building Commission. This property was recently deeded to the City at no cost, and was just recorded on August 28<sup>th</sup>. LaGarce explained this property is visible from Highway 79 and is literally falling down and the City has no use. He has since been contacted by resident Joe Anderson, and through his limited liability corporation, would now like to acquire this property from the City for \$1.00. Anderson, who lives a couple houses down, plans to demolish the structure and install a private garden.

Mr. Anderson is also alternatively exploring whether the property can be rehabilitated and made-productive. LaGarce, however, doubts that’s possible, but if so, that would be even more beneficial to the City. Regardless, Mr. Anderson cannot “stomach” the current condition of the property so close to his home, and will either: demolish the structure, creating a garden or rehab the site.

LaGarce stated that neither of these choices involve the City having to spend any money for demolition, plus the problem will be taken care of, placing the property back onto the tax roles.

LaGarce stated Resolution 2161-18 is to follow for approval by Council.

**Re: Confirmation of Appointment, Hannibal Fire Chief**  
*Michael Benjamin*

LaGarce’s next item is the appointment of Mike Benjamin as the City’s new Fire Chief. Mike has served as Deputy Chief since 2009 and prior to that he served as Assistant Chief, Captain, Engineer, and Firefighter. Mike has served the Hannibal Fire Department for a total of twenty-nine (29) years; 18 years as a Fire Officer in the department. In his service and various roles over the years, Mike has had significant impact on the long-term success of the Fire Department, and LaGarce feels will continue to do so.

Mike is extremely knowledgeable, dependable, and customer service-oriented. He is well respected by employees and peers, and will be an excellent leader for the department.

LaGarce would like to appoint Mike Benjamin as Chief of the Hannibal Fire Department and per City Charter, the position is appointed by the City Manager, subject to confirmation by the Mayor and City Council.

A motion was made by Mayor Pro Tem Dobson to approve City Manager’s appointment of Michael Benjamin as the City’s new Fire Chief. The motion was seconded by Council Member Veach.

Motion carried.

City Manager LaGarce also thanked the current Fire Chief, Sean Hampton, who was in the audience, for his dedication and commitment as Fire Chief the past three (3) years. He has done a wonderful job and is retiring on September 6, 2018.

**JAMES R. HARK – MAYOR**

**Re: Oath of Office**

- *Michael Benjamin – Fire Chief*

Mayor Hark then administered the Oath of Office to the newly appointed Fire Chief, Michael Benjamin.

**Re: Approval of Reappointment**

Mayor Hark then reminded Council of a candidate presented as a recommendation of reappointment to the Airport Board during the last meeting, requesting approval this evening.

**AIRPORT BOARD**

- **Greg Baugher – reappointment for a term to expire September, 2021**

Council Member Veach made a motion to reappoint Greg Baugher to the Airport Board for a term to expire September, 2021. Council Member Godert seconded the motion.

Motion carried.

**Re: Recommendation of Appointment**

Mayor Hark then made the following recommendation of appointment:

**HANNIBAL CONVENTION & VISITOR’S BUREAU**

- **Scott Ehrhardt – appointment for an unexpired term to expire September, 2020**

This nominations will be presented for approval at the next regular Council meeting, to be held September 18, 2018.

**GAIL BRYANT – DIRECTOR, HANNIBAL CONVENTION & VISITOR’S BUREAU**

**Re: New Visitor’s Center Office & Affiliate Welcome Center Construction – Standard Form of Agreement**

*Bleigh Construction Company - \$1,475,500  
(Resolution No. 2163-18, to follow)*

Gail Bryant, Director of the Hannibal Convention and Visitor’s Bureau (HCVB) then approached Council relating to construction of the new HCVB office and affiliate welcome center. She started by informing everyone “who they are”, advising the HCVB is a revenue generating department. Their revenue is generated from overnight stays in our local hotels

along with local bed and breakfasts (B&B's), who in turn eat at the City's local restaurants and purchase fuel, all of which contribute to the City's sales tax, fuel tax and the CVB lodging tax. Bryant explained that even though HCVB is a City department; they do not receive any money from the general fund.

Bryant expressed, yes, it is Mark Twain that put Hannibal on the map, but the town has so much more to offer, such as the unsinkable Molly Brown, William Lear, Clifford Edwards, George Poage and Jake Beckley. Hannibal is also known for its historic downtown area that sits on the banks of the Mississippi River, along with all the events and festivals that are held throughout the year. No matter what changes, Hannibal, Missouri will always be known as Mark Twain's boyhood home. Bryant stated that Hannibal has visitors that come from around the world for that very reason and Hannibal is a tourist destination.

With that being said, Bryant stated the HCVB has demonstrated the need for a new visitors bureau and office due to a long list of insufficiencies at their current location, which include only one (1) public restroom, limited parking (no RV/bus, charter or school parking), and vehicular accidents occurring during inclement weather conditions, resulting in damage to the office building on multiple occasions, along with wiring issues, leaking fountains, etc.

In September of 2016, HCVB received approval from Council, to move forward with the new visitor's center. They vetted several spots; the former Murphy Motors building, the previous Chamber office, Mark Twain Dinette, 301 Broadway, NEILS building, Mane Tamers, the lot at Broadway & Hwy 79, Mark Twain Avenue Hardees, the old Depot building, and the City-owned (Parks) property situated next to the Aquatic Center. All findings were presented to the HCV Board and they recommended to proceed with the property adjacent to the City pool. This location will give visibility from the interstate, along with considerably more parking and can also serve as a marker to the entrance to Hannibal's downtown. Bryant explained that the HCVB was also approved to be a Missouri Affiliate Welcome Center; allowing for additional signage on the interstate.

With approval from the City Council, HCVB then sought bids for architectural and engineering services in the spring of 2017. The HCVB project team interviewed and selected a firm from five (5) proposals. Architechnics was then approved by City Council for these services. After completion of Phase 1 & 2, City Council approved sending out a request for bid (RFB) for the construction of a new HCVB facility with four bids received:

<u>Bidding Company Name</u>	<u>Base Bid + Allowances</u>
Trotter Construction	\$2,067,500.00
Martin General Contracting	\$2,017,500.00
Hankins Construction	\$1,690,000.00
Bleigh Construction	\$1,439,500.00

Bleigh Construction was found to be the lowest bidder for the project in the amount of \$1,475,500.00:

Base Bid + Allowances	\$1,439,500.00
<u>Add paddlewheel feature</u>	<u>\$36,000.00</u>
<b>Total</b>	<b>\$1,475,500.00</b>

In regards to financing the project, Bryant advised the HCVB plans to utilize \$350,000.00 from their reserve account as the initial down payment, along with the proceeds from the sale of the current location (505 North Third Street), and then will finance the remaining balance through bonds issued alongside the riverfront project. The HCVB has no plans to increase the City's lodging tax for this project. The HCVB, however, will be accepting donations for naming rights on benches, the paddlewheel feature and the conference room, once the project commences. The HCVB project commencement is planned for November 2018, and completion in late-summer 2019, the Bicentennial year.

Bryant explained there will also be some additional costs, such as expanding and resurfacing the upper lot; creating a drive-way to a lower level lot; however, these projects will all be done in house by other City departments for approximately \$100,000.

There are two minor contracts that Bryant will be bringing, for Council approval, at the next meeting; one for soil boring and the other for material testing which will cost an estimate of \$7,212. The additional soil boring testing is due to HCVB moving the location further West than expected and they want to make sure everything is good to proceed with the construction on the new building.

**Re: New Visitor's Center Office & Affiliate Welcome Center Construction  
Administrative Services – Standard Form of Agreement**

*Architechnics - \$24,500  
(Resolution No. 2164-18, to follow)*

In addition to the bid award for construction of the HCVB Office/Affiliate Welcome Center, HCVB is also asking for City Council's approval of a separate agreement with Architechnics for construction administration services, up to and not to exceed \$24,500.00 to help with the project.

There are two (2) resolutions to follow, one being for the bid award approval and construction contract with Bleigh Construction and one for the agreement with Architechnics, to follow.

**EDIE PRICE – DPW MANAGEMENT ASSISTANT**

**Re: Rezoning, 3520 St. Mary's Avenue**  
*A-One and Two Family to C-Local Business  
Wesley & Rhonda Knapp  
(Bill No. 18-020, to follow)*

Eddie Price, DPW Management Assistant, again approached Council on the rezoning asking "what could she tell Council that they already didn't know about the rezoning". She advised that Wesley and Rhonda Knapp requested rezoning of the property located at 3520 St. Mary's Avenue, which Price explained is the big 2-story house located on the corner. The owners originally requested to rezone the property from A-One and Two Family to E-Commercial. Due to commercial zoning being such a broad zone, the owners have now

requested the property to be rezoned as C-Local Business, to narrow what kind of businesses can be located there, along with the idea that a church is located across the street. Price stated that all property located across the street (by the old Clark gas station) is already zoned as highway business and all other property located around this property is zoned as A-One and Two family. Price advised the owner's plans are to open a small coffee shop/restaurant used for early morning, late afternoon or evening hours. On August 16<sup>th</sup> the Planning and Zoning Commission met, with two (2) voting for and two (2) voting against the rezoning, the commission decided to recommend this issue be brought before Council to decide if the rezoning should occur.

Bill No. 18-020 to follow for a first reading.

## **BILL NO. 18-017**

### **AN ORDINANCE OF THE CITY OF HANNIBAL FIXING AND ADOPTING THE RATE OF TAXATION FOR THE YEAR OF 2018 AND LEVYING TAXES THEREFORE**

#### *Second and Final Reading*

A motion was made by Council Member Veach, to have the City Clerk read Bill No. 18-017 and call the roll for adoption. The motion was seconded by Council Member Van Hoose.

#### **ROLL CALL**

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

**No:** - 0 -

**Absent:** - 0 -

Motion carried.

Mayor Hark declared Bill No. 18-017 duly approved and adopted on this date.

**BILL NO. 18-018**

**AN ORDINANCE AMENDING THE FISCAL YEAR 2018/2019  
PAYROLL ORDINANCE RELATIVE TO THE  
RECLASSIFICATION OF THREE PARKS MAINTENANCE  
WORKERS TO THREE LEAD PARKS MAINTENANCE  
WORKERS (NO. 2)**

*Second and Final Reading*

A motion was made by Council Member Welch, to have the City Clerk read Bill No. 18-018 and call the roll for adoption. The motion was seconded by Mayor Pro Tem Dobson.

**ROLL CALL**

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

**No:** - 0 -

**Absent:** - 0 -

Motion carried.

Mayor Hark declared Bill No. 18-018 duly approved and adopted on this date.

**BLL NO. 18-019**

**AN ORDINANCE VACATING A PORTION OF AN ALLEY  
LYING IN ALL OF LOT TWELVE IN BLOCK TWO OF  
SINGLETON'S ADDITION TO THE TOWN OF OAKWOOD, AN  
ADDITION TO THE CITY OF HANNIBAL, MARION COUNTY,  
MISSOURI**

*Second and Final Reading*

A motion was made by Council Member Veach, to have the City Clerk read Bill No. 18-019 and call the roll for adoption. The motion was seconded by Council Member Godert.

**ROLL CALL**

**Yes:** Council Members Welch, Veach, Godert, Mayor Pro Tem Dobson,  
Council Member Cogdal and Mayor Hark - 6

**No:** Council Member Van Hoose - 1

**Absent:** - 0 -

Motion carried.

Mayor Hark declared Bill No. 18-019 duly approved and adopted on this date.

**BILL NO. 18-020**

**AN ORDINANCE REZONING PROPERTY LOCATED AT 3520  
ST. MARY'S AVENUE IN MARION COUNTY, MISSOURI FROM  
A-ONE & TWO-FAMILY ZONING TO C-LOCAL BUSINESS  
ZONING AND AMENDING THE CITY'S ZONING MAP  
ACCORDINGLY**

***First Reading***

A motion was made by Council Member Veach to *not* have City Clerk give Bill No. 18-020 a first reading. The motion was seconded by Council Member Godert.

Motion carried.

**RESOLUTION NO. 2161-18**

**A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING  
THE MAYOR TO ACCEPT AND EXECUTE A SPECIAL  
WARRANTY DEED CONVEYING 505 WALNUT STREET TO  
WALNUT GROVE, LLC FOR A SUM OF ONE DOLLAR (\$1.00)  
PLUS NECESSARY RECORDING FEES**

A motion was made by Mayor Pro Tem Dobson, to have the City Clerk read Resolution No. 2161-18 and call the roll for adoption. The motion was seconded by Council Member Godert.

**ROLL CALL**

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

**No:** - 0 -

**Absent:** - 0 -

Motion carried.

Mayor Hark declared Resolution No. 2161-18 duly approved and adopted on this date.

**RESOLUTION NO. 2163-18**

**A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING THE ACCEPTANCE AND EXECUTION OF A STANDARD FORM OF AGREEMENT WITH BLEIGH CONSTRUCTION FOR THE CONSTRUCTION OF THE HANNIBAL CONVENTION & VISITOR'S BUREAU OFFICE/WELCOME CENTER IN THE AMOUNT OF \$1,475,500**

A motion was made by Council Member Welch, to have the City Clerk read Resolution No. 2163-18 and call the roll for adoption. The motion was seconded by Council Member Godert.

**ROLL CALL**

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

**No:** - 0 -

**Abstain:** Council Member Veach - 1

**Absent:** - 0 -

Motion carried.

Mayor Hark declared Resolution No. 2163-18 duly approved and adopted on this date.

## RESOLUTION NO. 2164-18

### A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING THE MAYOR TO ENTER INTO A STANDARD FORM OF AGREEMENT WITH ARCHITECHNICS FOR CONSTRUCTION ADMINISTRATION SERVICES OF THE HCVB OFFICE/AFFILIATE MISSOURI WELCOME CENTER CONSTRUCTION PROJECT IN AN AMOUNT UP TO \$24,500

A motion was made by Council Member Veach, to have the City Clerk read Resolution No. 2164-18 and call the roll for adoption. The motion was seconded by Council Member Godert.

#### ROLL CALL

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

**No:** - 0 -

**Absent:** - 0 -

Motion carried.

Mayor Hark declared Resolution No. 2164-18 duly approved and adopted on this date.

#### CLOSED SESSION

*In Accordance with RSMo. 610.021 (2)*

○ *Real Estate Negotiations*

At this time, Mayor Hark entertained a motion to go into closed session in accordance with RSMo 610-021, sub-paragraph (2), real estate negotiations, admitting himself, City Manager Jeff LaGarce, City Council Members, City Attorney James Lemon, City Clerk Angelica Zerbonia and Director of Parks and Recreations, Andy Dorian. A motion was made by Council Member Godert to enter into closed session. The motion was seconded by Mayor Pro Tem Dobson.

**ROLL CALL**

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

**No:** - 0 -

**Absent:** - 0 -

Motion carried.

**OPEN SESSION**

A motion was made by Mayor Pro Tem Dobson to return to open session. The motion was seconded by Council Member Veach.

Motion carried.

**ADJOURNMENT**

A motion was then made by Mayor Pro Tem 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**