

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

**Tuesday, October 16, 2018**  
**Council Chambers**  
**7:00 p.m.**

**ROLL CALL**

**Present:** Council Member Cogdal, Mayor Hark and Council Members Van Hoose, Welch, Veach and Godert – 6

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

**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 requested the members of the Hannibal Police that were in attendance to lead the Pledge of Allegiance to the Flag.

A motion was then made by Council Member Veach to excuse Mayor Pro Tem Dobson from tonight's meeting. The motion was seconded by Council Member Welch.

Motion carried.

**APPROVAL OF AGENDA**

Mayor Hark requested a motion to amend the agenda and allow the addition of Jennifer Hart to speak on behalf of Drakes Steak & Ale to request a caterer's license to sell alcohol for an event to be held at The Orchard.

A motion was made by Council Member Godert to approve the addition of Jennifer Hart to the Council agenda. The motion was seconded by Council Member Veach.

Motion carried.

A motion was then made by Council Member Veach to approve the agenda as posted and amended with the addition of Jennifer Hart. The motion was seconded by Council Member Godert.

Motion carried.

**APPROVAL OF MINUTES**  
**Regularly Scheduled Council Meeting – October 2, 2018**

A motion was made by Council Member Van Hoose to approve the minutes from the last regularly scheduled Council meeting held October 2, 2018. The motion was seconded by Council Member Welch.

Motion carried.

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

A motion was made by Council Member Van Hoose to approve the payroll and claims for the first half of October, 2018. The motion was seconded by Council Member Godert.

Motion carried.

**FRANCIS FOUBESTER – AMERICAN LEGION RIDERS**  
**Re: Request, Street Closures – Veterans Parade**  
*Saturday, November 10, 2018 – 10:00 a.m. – 11:30 a.m.*

Francis Foubester, representing American Legion Riders, approached Council requesting street closures for the annual Veteran's Day Parade to be held, Saturday, November 10<sup>th</sup>. Foubester is requesting Broadway to be closed from Maple Street to Main Street and North Main Street from Broadway to North Street. This is the same route as in previous years.

City Clerk Zerbonia stated the certificate of insurance and hold harmless agreement is on file.

A motion was made by Council Member Veach to approve the street closures requested by Mr. Foubester for the Veteran's Day Parade to be held Saturday, November 10<sup>th</sup> from 10:00 a.m. – 11:30 a.m. The motion was seconded by Council Member Welch.

Motion carried.

**JOHN LYNG – 625 GRAND AVENUE**  
**Re: Limitations & Enforcement on Signs in A&B Zones**

John Lyng, resident at 625 Grand Avenue, approached Council advising there seems to be a problem and he has a solution or two that he feels Council should look into. He indicated he

is aware everyone sitting before him tonight, as a Council Member, has ran for office; therefore should be aware the section of the Code relating to political signs, Section 26-9, Line 12; specifically:

*Political Signs, provided that said signs are subject to the following regulations:*

*a. Each sign, except for billboards, shall not exceed 32 square feet in nonresidential zoning districts, and 16 square feet in residential zoning districts.*

*b. Each sign must be constructed, erected and displayed on private property.*

*Under no circumstances shall it be permissible to construct, erect or display nonbillboard political signs over an existing street right-of-way.*

Lyng stated that currently there is a candidate, Luke Bryant, who is running for prosecuting attorney, who is not satisfied with this provision and currently has a sign on St. Mary's Avenue that is 8x12 feet. The property owner, Sarah Hastings/Dudley, was notified by the Building Inspector, Joe Burnham, on September 26<sup>th</sup>, in which she and the candidate were asked to remove the sign but failed to comply. The Building Inspector sent a citation for them to appear in court; and has sent a citation each day since. Lyng contacted the Department of Public Works, in which they advised him today that there has been three citations issued. Lyng stated, in his opinion, the problem is that the citations cannot get into municipal court until after the election date.

Lyng explained that he has been in politics since the 1960's and has had candidates contact him all the time, living on Grand Avenue, which is a prime location for political signs. He wants to be able to tell them that the City does not allow the placement of large signs. Lyng indicated in the past the news media would handle the issue, advising that the candidate was not complying with the law, however, apparently those days are just that, in the past.

Lyng requested Council consider amending section 26-9, line 12 in the Code, making a violation of that particular Ordinance a court priority. Whereas, if an official of the City gave a citation, it would go to the top of the docket for the next session at Hannibal Municipal Court. Lyng's second suggestion, was to make the candidate or his committee and/or property owner financially responsible for the violation of the City Ordinance and also grant the power to the policing authority to remove a non-compliant sign until the citation has been settled. According to Lyng, the regulation of policies and all signs, which the Supreme Court advised you cannot ban, however, the City can regulate the size. He feels the City should either enforce the Code or remove the provision. If Council considers the issue with the nonconforming sign to be fine and people can have signs of any size; then so be it, but if the City is going to have an Ordinance pertaining to the size of political signs, then it should be enforced.

Mayor Hark thanked Mr. Lyng for his input.

**JAMES R. HARK – MAYOR**

**Re: City Clerk Election**

*(four-year term to expire December 31, 2022)*

Mayor Hark stated that the City Clerk is elected, by Council for a term of four years. Council was provided a memo from City Clerk Zerbonia outlining the process, citing the provisions from the Charter; section 8.01, along with her request for consideration of nomination of another four (4) year term. Zerbonia's current term expires in December and this is the fourth term she will be considered for.

A motion was made by Council Member Veach to re-elect City Clerk Zerbonia for a four year term to expire December 31, 2022. The motion was seconded by Council Member Welch.

Motion carried.

**Re: Recommendation of Reappointment**

Mayor Hark made the following recommendation:

**HANNIBAL TREE BOARD**

- **Kirsty Trevathan – reappointment for a term to expire September, 2021**

This nomination will be considered for approval at the next regular Council meeting, to be held November 6, 2018.

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

**Re: Caterer's License – Alcohol sales – The Orchard**

*Saturday, November 3, 2018 – 1:00 p.m. – 12:00 a.m.*

Jennifer Hart, representing of Drakes Steak & Ale, addressed Council requesting a caterer's license for the sale of alcohol for a wedding reception to be held Saturday, November 3<sup>rd</sup> from 1:00 p.m. to 12:00 a.m. The reasoning for her request to Council is due to the location, The Orchard, not being zoned for the sale of alcohol. Mayor Hark asked if this was to serve alcohol by the drink to guests, in which Ms. Hart concurred. Mayor Hark explained that when The Orchard was zoned, the owners chose not to request zoning for alcohol sales, therefore any event with alcohol sales, the approval of the caterer's license must come from City Council.

A motion was made by Council Member Veach to approve the caterer's license for Drakes Steak & Ale to serve alcohol at The Orchard, Saturday, November 3<sup>rd</sup>, from 1:00 p.m. to 12:00 a.m. The motion was seconded by Council Member Van Hoose.

Motion carried.

**JEFF LAGARCE – CITY MANAGER**  
**Re: Series 2018 Leasehold Revenue Bonds - Authorization of Issuance**  
*Hannibal Municipal Assistance Corporation*  
*(Bill No. 18-022, to follow)*

Jeff LaGarce, City Manager, advised he has slated for discussion and a first reading of Bill No. 18-022. This bill pertains to the leasehold revenue bonds and if approved, the final reading will be during the November 6, 2018 meeting. LaGarce explained these bonds are not exceed amounts: the bonds cannot exceed \$7.1 million and not exceed the term of 23 years. In reality, the underwriting bids are in and the amount looks to be \$6.5 million and for a 20 year term. The bonds have a dual purpose; to pay for the Riverfront project and the new HCVB building. LaGarce stated that our Financial Advisor, Joy Howard, is present and available to answer any questions. The finalized dollar amount and terms will be in the final ordinance, which is typical practice since the project is still in the beginning phase.

LaGarce stated that Bill No. 18-022, is to follow for a first reading.

LaGarce stated that the bonds are scheduled to sell on November 14<sup>th</sup> and it is very important the bonds are sold before Thanksgiving to avoid market troubles.

**Re: Proposal, Broadway Angled Parking**

On LaGarce's second order of business, he discussed the issue of angled parking on Broadway. This study, which is about three months in the making; in which Council Member Godert made a request, on July 17<sup>th</sup>, to explore the option of angled parking on Broadway. The City Council remanded this issue to the Traffic Committee. The Traffic Committee, upon their study, recommended the City not move towards angled parking. LaGarce stated this study was one of most in-depth studies he has gone through. The results contain 14 pages, but could probably have been longer. The biggest issue is that in order for Broadway to be angled, it would have to be reduced to two lanes; the other smaller issue is the blind spots it would create for driver's backing out of parking spots. The Traffic Committee, while conducting an actual parking experiment, could not find a scenario in which a vehicle would not have to enter into the roadway line of traffic to exit a parking space. LaGarce stated that angled parking would increase the number of parking spaces, however, not as many as originally thought. LaGarce explained the final decision is up to the Council; however, the Traffic Committee has voted and they are not in favor of angled parking.

Mayor Hark asked if all Council Members had an opportunity to review the study results, in which they concurred.

With no discussion or action taken by City Council, the recommendation of the Traffic Committee stands – no angled parking on Broadway.

## ANGELICA ZERBONIA – CITY CLERK

### Re: Approval, Destruction of Documents

#### *Exhibit A3*

Angelica Zerbonia, City Clerk, stated the Missouri Secretary of State oversees document retention in Missouri's political subdivisions. According to the Missouri Records Retention Manual published by that office, certain records need only be retained for limited periods of time, at which point they can be destroyed.

Zerbonia stated the Clerk's Office has identified documents eligible for destruction, in accordance with the Missouri Secretary of State, Records Retention Schedule.

As required; the minutes of the meeting authorizing the destruction, will serve as the permanent record, in accordance with the practice outlined by the Secretary of State's office.

Zerbonia explained, if approved, staff will oversee the shredding and disposition of the records as required.

She then requested destruction of the following:

#### **Documents to be Destroyed (Exhibit A3)**

#### **Date Ranges**

Budget Preparation Records - City Clerk Budget Prep Files	Fiscal Years 2013/14 & 2014/15
Permits & Licenses - Inactive Contractor and Closed Business License Applications and Documents	2010 - 5/2016
Employment Recruitment & Selection Records - Not Hired Employment Applications, resumes; applicant lists; Interview Questions and Scoring Notes; Background Investigations	2008-2014
Time & Attendance Records Leave Requests	2009-2011 2012
Public Information Requests and Documentation	2007-2014
Public Notice Records - Affidavits of Publication	2006-2014
Bonds, Public Officials and Employees	1995-2008
Vehicle Operation Records - Mileage Logs	2009-2015
State Liquor License Letters (not-for-profit organizations & closed businesses)	July & August, 2007
Hannibal Area Council on Aging (Nutrition Center) Meal Reports	96/97, 98/99, 03/04, 04/05, 05/06
Clerk's Office Vestibule Redesign Quotes	April, 2008
County Surtax Reports	1994-2000

A motion was made by Council Member Van Hoose to approve the destruction of documents brought forth by City Clerk Zerbonia. The motion was seconded by Council Member Veach.

Motion carried.

**Re: 2019 Municipal Election – April 2, 2019**

- *Mayor*
- *Council Member Second (2<sup>nd</sup>) Ward*
- *Council Member Fourth (4<sup>th</sup>) Ward*  
*(Bill No. 18-021, to follow)*

Clerk Zerbonia's second item of business is relating to the 2019 Municipal Election. In accordance with the provisions of Section 17.01 Charter of the City of Hannibal, a general municipal election may be held for the purpose of electing the mayor, council members and other elective offices of the City.

Zerbonia is requesting Council give a first reading to a Bill authorizing a Municipal Election to be held, Tuesday, April 2, 2019. The 2019 City of Hannibal election schedule provides for the election of a Mayor and Council Members for the Second and Fourth Wards. Zerbonia stated these positions are currently held by Mayor James Hark, and Council Members Michael Dobson and Jim Van Hoose, respectively.

She stated, if approved, candidate filing for the above mentioned positions will commence Tuesday, December 11, 2018 at 8:00 a.m., concluding January 15, 2019 at 5:00 p.m.

She stated that she will be bringing an additional Ordinance, in December, for Council to consider a Board of Public Works Proposition, to be submitted to voters for consideration. She is working with Heath Hall, General Manager for Board of Public Works, to finalize proposed ballot language.

Zerbonia stated Bill No. 18-021 is to follow for a first reading.

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

**Re: Bid Award Approval, 2019 Hannibal Visitors Guide – Design & Layout**

*Next 2 Nothing Designs - \$4,600*

Gail Bryant, HCVB Director, requested Council approval for the 2019 Hannibal Visitor's Guide, design and layout. Bryant explained a legal notice was placed in the Hannibal Courier Post on September 20, 2018, and a RFP was sent to the vendors requesting the bids for the layout & design. Bids were opened on October 1, 2018, by the City Clerk with the lowest bid being Next 2 Nothing Designs, in the amount of \$4,600.00.

A motion was made Council Member Veach to accept the bid from Next to Nothing Designs in the amount of \$4,600. The motion was seconded by Council Member Welch.

Motion carried.

**Re: Bid Award Approval, 2019 Hannibal Visitors Guide – Printing**

*Poole Communications - \$28,878*

Bryant's next item of business deals with the printing of the visitor's guide. She explained a legal notice was placed in the Hannibal Courier Post on September 20, 2018, and a RFP was sent to the vendors requesting the information for printing. These bids were also opened on October 1, 2018, by the City Clerk with the lowest and only bid from Poole Communications in the amount of \$28,878.00.

A motion was made by Council Member Veach to accept the bid from Poole Communications in the amount of \$28,878. The motion was seconded by Council Member Welch.

Motion carried.

**KAREN BURDITT – FINANCE DIRECTOR**

**Re: Series 2018 Leasehold Revenue Bonds – Underwriting Proposal**

*(Resolution No. 2171-18, to follow)*

Karen Burditt, Finance Director, approached Council advising she had been working with Financial Advisor, Joy Howard, to solicit proposals for underwriting services relative to the leasehold revenue bonds for the Riverfront Renovation and Visitors Center.

Burditt stated that underwriters are responsible for the purchase and sale of securities, in which bond underwriters purchase securities from the seller (City), and sell them into the public market.

She explained underwriting bids could not be sought until the City's bond/credit rating was officially issued, which was in mid-September. As such, the deadline for underwriting bids was set for Friday, October 12<sup>th</sup>, but unfortunately the resolution deadline for submission to Council was October 11<sup>th</sup>. Burditt explained this was not unusual since the City is working with a tight schedule. She explained that prior to this evening's meeting, she had given each of the Council Members a copy of the proposals that had been received. Burditt stated that Joy Howard, who is in attendance tonight to answer any questions and she has reviewed the proposals, and recommends Stifel, Nicolaus & Company as the most-favorable underwriter for the City.

Burditt stated that Resolution No. 2171-18, authorizing Stifel, Nicholas & Company as the City's underwriter, is to follow for Council approval.

**MIKE BENJAMIN – FIRE CHIEF**

**Re: Request, Declaration and Sale of Surplus Property – Decommissioned Compressor**

*GovDeals.com*

Mike Benjamin, Fire Chief, approached Council requesting approval to declare the Fire Department's old breathing compressor as surplus so they can attempt to sell it, in hopes to offset the cost of purchasing the new compressor. Chief Benjamin explained, if approved, the department would accept closed bids for purchase. He stated HFD has been working



with Mike McHargue, Department of Public Works Superintendent, who has graciously allowed them to store the compressor at the Street Department. McHargue had mentioned he had used a website, Govdeals.com to sell surplus equipment in the past and feels it would be a great opportunity to try to sell the used compressor as well.

Chief Benjamin explained this is the breathing air compressor that had to be replaced in last year's fiscal budget due to oil leaking, which was deemed unsafe for the firefighters.

A motion was made by Council Member Godert to declare the HFD's old breathing air compressor as surplus in order for them to sale/list on govdeals.com. The motion was seconded by Council Member Welch.

Motion carried.

Burditt asked the Mayor if she could make a correction to her previous statement in regards to the leasehold revenue bonds, she stated Financial Advisor Joy Howard corrected that these are only proposed rates, the actual rates may change.

Joy Howard explained that these rates fluctuate until the date a contract is signed, which then locks in the rate.

#### **EDIE PRICE – DPW MANAGEMENT ASSISTANT**

##### **Re: Traffic Committee Recommendations**

- **Handicap Parking  
- 523 Union Street**

Edie Price, Department of Public Works Assistant, approached Council with two recommendations from the traffic committee. The first being handicap parking located at 523 Union Street, which was made by Richard Morrison, who is permanently disabled. Price stated she verified with the Collector's office that Mr. Morrison is current on his taxes. He is requesting a handicap parking space as his home has no driveway or alley and is located directly across from AD Stowell School, which limits street parking. This would allow handicapped parking in front of his home.

- **No Parking this Side of Street  
- 600 & 700 Blocks – Hazel Street**

Price's next item pertains to the 600 and 700 blocks of Hazel Street. She stated that a request has been made for "No Parking this side of Street" signs to be posted on the east side of the street. Price explained, per traffic committee, these two blocks of the street are extremely narrow, and if two vehicles park across from one another it's impossible for vehicle travel between them. The Traffic Committee approved the "No Parking this side of Street" signs to be placed on the east side as this side has an alleyway located behind homes, which should not affect parking. Price also stated the 800 block of Hazel Street already has "No Parking this side of Street" signs posted on the east side.

**RESOLUTION NO. 2171-18  
(as amended)**

**A RESOLUTION OF THE CITY OF  
HANNIBAL, MISSOURI, ACCEPTING A  
PROPOSAL FOR UNDERWRITING;  
SELECTING AN UNDERWRITER IN  
CONNECTION WITH THE PROPOSED  
ISSUANCE BY THE HANNIBAL  
MUNICIPAL ASSISTANCE  
CORPORATION, ON BEHALF OF THE  
CITY, OF LEASEHOLD REVENUE BONDS,  
SERIES 2018 (CITY OF HANNIBAL,  
MISSOURI, LESSEE); AND  
ACKNOWLEDGING CERTAIN MATTERS  
PURSUANT TO MSRB RULES**

A motion was made by Council Member Veach, to have the City Clerk read Resolution No. 2171-18 (as amended) and call the roll for adoption. The motion was seconded by Council Member Godert.

**ROLL CALL**

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

**No:** - 0 -

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

Motion carried.

Mayor Hark declared Resolution No. 2171-18 (as amended) duly approved and adopted on this date.

**BILL NO. 18-021**

**AN ORDINANCE OF THE CITY OF HANNIBAL PROVIDING  
FOR A MUNICIPAL ELECTION TO BE HELD, TUESDAY,  
APRIL 2, 2019 FOR THE PURPOSE OF ELECTING A MAYOR &  
COUNCIL MEMBERS OF THE  
SECOND AND FOURTH WARDS**

## *First Reading*

A Motion was made by Council Member Van Hoose to give Bill No 18-021 a first reading. The motion was seconded by Council Member Veach.

Motion carried.

## **BILL NO. 18-022**

**AN ORDINANCE AUTHORIZING THE  
ISSUANCE OF LEASEHOLD REVENUE  
BONDS, SERIES 2018 (CITY OF HANNIBAL,  
MISSOURI, LESSEE), BY THE HANNIBAL  
MUNICIPAL ASSISTANCE CORPORATION,  
FOR A NEW VISITORS CENTER AND  
IMPROVEMENTS TO PARKS AND  
RECREATIONAL FACILITIES;  
AUTHORIZING AND APPROVING  
CERTAIN DOCUMENTS IN CONNECTION  
WITH THE ISSUANCE OF THE BONDS;  
AND AUTHORIZING CERTAIN OTHER  
ACTIONS IN CONNECTION WITH THE  
ISSUANCE OF THE BONDS**

## *First Reading*

A Motion was made by Council Member Van Hoose to give Bill No 18-022 a first reading. The motion was seconded by Council Member Welch.

Motion carried.

### **CLOSED SESSION**

#### ***In Accordance with RSMo. 610.021 (1) & (2)***

- *Potential Legal Action*
- *Real Estate Negotiations*

At this time, Mayor Hark entertained a motion to go into closed session in accordance with RSMo. 610-021, sub-paragraph (1), potential legal action and (2), real estate negotiations, admitting himself, City Manager Jeff LaGarce, City Council Members, City Attorney James Lemon, City Clerk Angelica Zerbonia, City Finance Director Karen Burditt and Department of Public Works Superintendent Mike McHargue. A motion was made by Council Member Veach to enter into closed session. The motion was seconded by Council Member Welch.

## **ROLL CALL**

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

**No:** - 0 -

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

Motion carried.

## **OPEN SESSION**

A motion was made by Council Member Welch to return to open session. The motion was seconded by Mayor Hark.

Motion carried.

## **ADJOURNMENT**

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

Motion carried.

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**James R. Hark, Mayor**

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