

CITY OF HANNIBAL
OFFICIAL COUNCIL PROCEEDINGS

Tuesday, October 2, 2018
Council Chambers
7:00 p.m.

ROLL CALL

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

PLEDGE OF ALLEGIANCE

Mayor Hark then requested Officer Hintz to lead the Pledge of Allegiance to the Flag.

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 – September 18, 2018

A motion was made by Council Member Godert to approve the minutes from the last regularly scheduled Council meeting held September 18, 2018. The motion was seconded by Mayor Pro Tem Dobson.

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS
Second Half – September, 2018

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

Motion carried.

JODY & KIM BOGUE - HHMC
Re: Request, Street Closures – Living “Dead” Windows
Saturday, October 27, 2018 – 5:00 p.m. – 8:00 p.m.

Jody Bogue, representing HHMC, approached Council requesting street closures for a special event, Living “Dead” Windows. This event will be held Saturday, October 27, 2018 from 5:00 – 8:00 p.m. Since this event is concurrent with the Hannibal Jaycees Parade, Bogue is requesting temporary barricades along North Main Street so the parade can continue down Main Street and the barricades can be moved. He is requesting the bollards be placed on the side streets along North Main.

City Clerk Zerbonia stated the certificate of insurance and the hold harmless agreement is on file. A motion was made by Council Member Veach to approve the requested street closures for the Living “Dead” Windows event on Saturday, October 27th. The motion was seconded by Council Member Welch.

Motion carried.

Re: Request, Street Closures – Main Street Trick or Treat
Wednesday, October 31, 2018 – 2:00 p.m. – 9:00 p.m.

Bogue’s next item of business is the second annual Main Street Trick or Treating, which will be held Wednesday, October 31, 2018 from 2:00 – 9:00 p.m. He is requesting closure of North Main with the event actually beginning at 5:00 p.m., the additional time will allow for setup. Bogue is requesting bollards at all locations except Broadway, which is where the Fire Department will be set up, which will also provide an easy way to exit if an emergency should arise.

Mayor Pro Tem Dobson inquired if the bollards on the North Street side could be moved to allow traffic access to the Mark Twain Brewery parking lot. Bogue agreed but requested barricades be placed at the edge of the parking lot to stop traffic from driving into the event.

Bogue is also requesting the use of City owned parking lot between Hill Street and Bird Street, right in front of the Mississippi River Gallery, to be closed, they will have a stage set up with a DJ, if approved.

Mayor Pro Tem Dobson asked if the trolley would be running again this year to transport patrons from the DARE event at the armory and back since it was such a success, Bogue stated it would be. Bogue stated they consider it a “hayride” and the trolley was used as one of the vehicles.

A motion was made by Mayor Pro Tem Dobson to approve the street closures and use of the City owned parking lot for Main Street Trick or Treat to be held October 31st from 2:00 – 9:00 p.m. The motion was seconded by Council Member Veach.

Motion carried.

JACOB GREVING/RICH STILLEY – HANNIBAL HIGH SCHOOL

Re: Request, Street Closures – Homecoming Parade

Wednesday, October 3, 2018 – 5:30 p.m. – 7:00 p.m.

Rich Stilley, representing Hannibal High School, approached Council apologizing for the late submission of some of the events. He is requesting street closures for the annual homecoming parade that will be held Wednesday, October 3, 2018 from 5:30 – 7:00 p.m. Stilley requested Broadway be closed from Grand Avenue to Main Street and all side streets along Broadway.

City Clerk Zerbonia advised all requirements are in place. A motion was then made by Council Member Veach to approve street closures for the annual Homecoming parade. The motion was seconded by Council Member Welch.

Motion carried.

Re: Request, Street Closures/Traffic Control – Pirate Pride Run 5K

Saturday, October 6, 2018 – 8:30 a.m. – 10:30 a.m.

Stilley's next item of business was to request street closures and traffic control for the Pirate Pride 5K Run on Saturday, October 6, 2018 from 8:30 – 10:30 a.m. He is requesting Pulliam Drive to be blocked from traffic while the race is going on, also traffic control on Palmyra Road, allowing the runners to cross safely, along with a barricade on Wyaconda since the participants go down this road and turn around.

A motion was made by Mayor Pro Tem Dobson to approve street closures and traffic control for the Pirate Pride 5K Run to be held October 6th, from 8:30 – 10:30 a.m. The motion was seconded by Council Member Godert.

Motion carried.

LORI MURPHY/CARA VOEPEL – ACCESS TO HEALING & WELLNESS

Re: Request, Street Closures & Open Consumption of Alcohol – Oktoberfest

Saturday, October 13, 2018 – 1:00 p.m. – 8:00 p.m.

Carrie Danner, representing Access to Healing and Wellness, approached Council requesting street closures and open consumption of alcohol for Oktoberfest that will be held Saturday, October 13, 2018 from 1:00 – 8:00 p.m. This event will raise funds for their charity, the event will include a live band, food vendors, a DJ, and alcohol sales provided by Mark Twain Distributing.

Mayor Hark explained this event request is similar to Down by the River events along with the same street closures. Danner is requesting barricades to be placed at:

- Alleyway west of the pavilion (behind Mark Twain Brewery)
- Along Hill Street, from Main Street to the flood wall
- Alleyway from Bird Street to Hill Street

A motion was made by Mayor Pro Tem Dobson, pending certificate of insurance is on file prior to the event, to approve Danner's requests of street closures and open consumption of alcohol for Oktoberfest to be held October 13th, from 1:00 p.m. – 8:00 p.m. The motion was seconded by Council Member Veach.

Motion carried.

DOUG WALKER – JANES SURVEYING

**Re: Request, Acquisition of City Owned Property on behalf of
Johannah (Jodie) Ketchum – Vacant Lot, Birch Street Area
\$1**

Doug Walker with Janes Surveying then addressed Council relating to a client of his, Johannah Ketchum, who owns a garage that they have discovered to be located on City property. He is requesting the City deed her the portion of the property that the garage is located on.

City Manager LaGarce advised that when a request like this is received, the City Code requires all departments be consulted to ascertain whether that property serves a public purpose or is needed for operations by any department. Edie Price, Department of Public Works Assistant spoke from the audience, stating she had spoken with the Parks Director, Andy Dorian, who does not have any issues with this request.

LaGarce stated, for the record, when Jody Bogue was in front of Council in 2017, with a similar request, LaGarce advised him it would be \$500 to purchase that property, the same applied for Larry Godert in October of 2017 and the last piece of property sold was to Lois Snider, in the amount \$500 as well. LaGarce stated Council can sell the property for any amount they prefer, however, staff always indicates to property owners an amount of \$500.

Council Member Van Hoose advised his position on this issue hasn't changed, he can see someone, someday taking advantage of Council selling property cheap, which would set a precedent. He could foresee someone taking advantage of these sort of requests down the road and he does have a hard time deeding it over for \$1. LaGarce questioned when the garage was built, the property owner advised it's been there for at least 10 years, but she is unaware when exactly it was built. Ms., Ketchum advised she is not sure as to why the previous owner, the Williams, chose to build on City property. The house itself, was built in 1901 and she is guessing the garage is 10-15 years. She assumed, when she purchased the property, that small piece of land was a part of the property, she went to the City and discovered it was on City property. It is a long standing issue and she was thinking that if she straightened things out and paid for the surveying, the City would deed it to her.

City Attorney Lemon, advised, from a legal point, the City is barred constitutionally from giving the property to an individual. City Clerk Zerbonia indicated in the past a letter report was done in which the purchaser reimbursed the City for this plus recording fees. Council Member Welch advised Council has set a precedent of selling property for \$500.

A motion was made by Council Member Welch to approve the sale of the property in question for \$500, plus costs and recording fees, etc. The motion was seconded by Council Member Van Hoose.

Motion carried.

JEFF LAGARCE – CITY MANAGER

Re: Approval, Acquisition of Tax Forfeited Real Estate (8 Properties)

*Marion County Trustee - \$1 each
(Resolution No. 2167-18, to follow)*

City Manager LaGarce informed Council that he has three (3) items to present. His first item of business is in regards to properties that were forfeited after the tax auction in August. LaGarce was informed there were five (5) properties in the flood area where the City was doing “mop up” acquisitions in recent years. There are two areas primarily this has happened; one being in the flats on the south side; contrary to popular belief, the City does not own all of those properties. The others are near Arch, Wardlaw and Vermont Streets. The County has offered all five (5) of these properties to the City for \$1 each. The idea is to acquire these little fill-ins and possibly do something positive and productive for the public in the future. There are three (3) additional properties the Director of Parks and Recreations has identified, which adjoin City parks and Dorian feels it would be beneficial to acquire these and extend the parks. LaGarce knows for sure that two (2) properties are not buildable but unsure of the other. There are a total of eight 8 properties for \$1 each.

LaGarce stated Resolution # 2167-18 is to follow for Council’s approval.

Re: Resolution of Support – Transportation Alternatives Programs Grant

*Palmyra Road Sidewalks
(Resolution No. 2168-18, to follow)*

LaGarce stated his next item is in regards to a grant, which about a month ago, almost to the day, Missouri Department of Transportation (MODOT) announced a transportation alternative programs grant, which is transportation other than roads, for example; trails, biking trails and sidewalks. LaGarce explained about five (5) years ago the City received a safe route to schools grant and built sidewalks on Palmyra Road. Unfortunately when the City received bids for the project, they could only afford to construct the sidewalk from the Middle School extending to Pulliam. The City has always had the intent to extend this sidewalk to Riverview Park, and now, with approval, LaGarce would like to do so with this grant funding, if awarded. He can just see Mary Lynne Richards getting hit by a car someday as she is always out there running. The resolution this evening would show the support and commitment to a 20% match from the governing body, in which LaGarce guesses that would be around \$34-35,000. He is not sure of the amount yet, however, the consultant feels it would be around this amount.

Mayor Hark clarified this grant is specifically for these purposes and not to purchase police cars or fire trucks, etc. This will essentially complete a project the City had already started. LaGarce stated that if the City had decided to build a walking trail in Sodalis, it probably wouldn't score really high in the TAP application process as it doesn't connect "people uses" and that's the purpose of this grant. The grant is due November 2nd, and LaGarce is beginning to work on the application now.

Re: 2018 Palmyra Road Sidewalk Transportation Alternatives Program Grant Application, Technical Assistance – Professional Services Proposal

*Cochran Engineering - \$1,275
(Resolution No. 2169-18, to follow)*

LaGarce's next item also deals with the TAP grant application, he explained, the grant is not highly complex but has a lot of technical components. LaGarce explained he can complete roughly half the application, but the other half is technical, requiring engineering calculations, projections, timing phases, and rights-of-way estimates. He would have contacted the City engineer firm for this project, however, Cochran, the proposed engineer, designed the original project in 2014. Cochran already has a completed design, although at the time the Fette Orchard subdivision was not there so some modifications will be needed. He contacted the firm to see if they would be willing to work with the City to help with the application, they agreed for a fee of \$1,275. If the City were to get this grant, a design firm would need to be hired, in which LaGarce contacted MODOT requesting to waive the RFQ process, allowing the City to hire the most qualified firm, Cochran Engineering, as they are familiar with the project, designing previously, in which MODOT concurred.

LaGarce stated Resolution # 2169-18 is to follow for Council's approval.

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

Re: Bid Award Approval, 2017 Dodge Grand Caravan SXT

Poage - Dodge Jeep - \$18,000

Gail Bryant, Director of HCVB, approached Council requesting approval for the bid of a 2017 Dodge Grand Caravan. Bryant stated that mid-summer, their van, which was parked after hours, on North Street; was hit by an uninsured motorist deeming it a total loss.

HCVB send out bid requests to replace the van, on September 18th, the Deputy Clerk opened the bids in presence of Director Bryant. After a test drive and reviewing of the vehicle's carfax, HCVB has selected the 2017 Grand Caravan SXT, from Poage, Dodge, Jeep dealership. The vehicle has 38,449 miles and the price is \$18,000.00. (there is an additional \$111 which is \$99 for document fees plus \$12 Missouri State Inspection). Bryant expressed this vehicle is appropriate to serve the CVB's present needs.

On a side note, Bryant stated this is a second request; bids received and opened on August 20th were all rejected, due to not meeting the minimum specifications

A motion was made by Council Member Veach to award the bid to Poage, Dodge, Jeep in the amount of \$18,000. The motion was seconded by Council Member Welch.

Motion carried.

KAREN BURDITT – FINANCE DIRECTOR
Re: 2018/19 Budget Amendment No. 1 – Revenue & Expenditures
(Resolution No. 2170-18, to follow)

Karen Burditt, Finance director, then addressed Council relating to a budget supplement and amendment, No. 1. This amendment is not inclusive of all the amendments the City will have throughout the year.

Burditt stated that without knowing the end result of the DBP lawsuit, the City was unable to budget for this at the time of the yearly budget. A settlement has been reached and the City has agreed to pay \$265,000, in which an expense line item in Internal Service Department has been added.

The second item is for the van, the Visitor's Center requested earlier. Burditt is asking for approval for a budget amendment which will increase both the revenue (Insurance Reimbursement) and expenditure (Capital Vehicle) by \$10,922. The Budget Appropriation will increase the expenditure (Capital Vehicle) and use funds from the reserve for the balance of \$7,189.

Resolution No. 2170-18 to follow for Council approval.

MIKE BENJAMIN – FIRE CHIEF
Re: Request, Declaration of Surplus Property – 2008 Dodge Durango

Mike Benjamin, Fire Chief, addressed Council requesting declaration of the department's 2008 Dodge Durango as surplus; they would then accept closed bids for the sale of the vehicle. He attached photos in the Council packet to show the body damage, along with quotes to repair the vehicle, however, the costs outweigh the value of the vehicle.

A motion was made by Mayor Pro Tem Dobson to declare the 2008 Dodge Durango as surplus property, allowing for the sale, utilizing the sealed bid process. The motion was seconded by Council Member Godert.

Motion carried.

Re: Request, Vehicle Purchase – 2015 Ford Explorer
HPD - \$12,000

Chief Benjamin then requested approval to purchase a 2015 Ford Explorer from the Hannibal Police Department. This purchase was not budgeted and slated in next year's Capital Improvement Plan, however with this opportunity from HPD, the HFD wanted to take advantage of the cost savings and need of replacing this vehicle.

LaGarce advised that this is a unique opportunity since we have one department, HPD, getting rid of the vehicle while HFD needs one.

Benjamin indicated he feels if the department tightens up their spending this year, they should be able to pay for this out of their own budget, not requesting additional funding.

A motion was made by Mayor Pro Tem Dobson authorizing the Hannibal Fire Department to purchase the 2015 Ford Explorer from the Hannibal Police Department in the amount of \$12,000. The motion was seconded by Council Member Godert.

Council Member Cogdal did mention that the City had accounted for \$21,000, in the Capital Improvement Plan, for the purchase of a vehicle for HFD, this will actually save about \$9,000 for the City (tax payers).

Motion carried.

RESOLUTION NO. 2167-18

A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING THE PURCHASE OF EIGHT (8) TAX-FORFEIT PROPERTIES AND THE MAYOR'S EXECUTION OF REQUIRED DOCUMENTS, FROM THE MARION COUNTY TRUSTEE FOR A SUM OF ONE DOLLAR (\$1) EACH

A motion was made by Council Member Veach, to have the City Clerk read Resolution No. 2167-18 and call the roll for adoption. The motion was seconded by Council Member Godert.

ROLL CALL

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

No: - 0 -

Absent: - 0 -

Motion carried.

Mayor Hark declared Resolution No. 2167-18 duly approved and adopted on this date.

RESOLUTION NO. 2168-18

A RESOLUTION SUPPORTING THE CITY OF HANNIBAL'S 2018 TRANSPORTATION ALTERNATIVES PROGRAM GRANT TO INSTALL THE PALMYRA ROAD SIDEWALK, AND PROVIDING ASSURANCE OF THE CITY'S ABILITY AND INTENT TO MAKE THE REQUISITE 20% MATCH TOWARD THIS GRANT

A motion was made by Welch, to have the City Clerk read Resolution No. 2168-18 and call the roll for adoption. The motion was seconded by Mayor Pro Tem Dobson.

ROLL CALL

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

No: - 0 -

Absent: - 0 -

Motion carried.

Mayor Hark declared Resolution No. 2168-18 duly approved and adopted on this date.

RESOLUTION NO. 2169-18

A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING THE MAYOR TO EXECUTE A SERVICE AGREEMENT WITH COCHRAN ENGINEERING IN THE AMOUNT OF \$1,275 FOR TECHNICAL ENGINEERING ASSISTANCE NECESSARY TO PREPARE A TRANSPORTATION ALTERNATIVES PROGRAM (TAP) GRANT APPLICATION TO MODOT FOR EXTENSION OF THE PALMYRA ROAD SIDEWALK TO RIVERVIEW PARK

A motion was made by Council Member Van Hoose, to have the City Clerk read Resolution No. 2169-18 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 Member Cogdal, Mayor Hark, and Council Members Van Hoose, Welch and Veach - 7

No: - 0 -

Absent: - 0 -

Motion carried.

Mayor Hark declared Resolution No. 2169-18 duly approved and adopted on this date.

RESOLUTION NO. 2170-18

A RESOLUTION OF THE CITY OF HANNIBAL, AMENDING THE FY-2018/2019 (NO. 1) BUDGET BY AUTHORIZING A SUPPLEMENTAL APPROPRIATIONS FOR THE DBP WATER SUIT SETTLEMENT, AND BUDGET AMENDMENT AND APPROPRIATION FOR INSURANCE REIMBURSEMENT AND HCVB VAN PURCHASE

A motion was made by Council Member Veach, to have the City Clerk read Resolution No. 2170-18 and call the roll for adoption. The motion was seconded by Council Member Godert.

ROLL CALL

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

No: - 0 -

Absent: - 0 -

Motion carried.

Mayor Hark declared Resolution No. 2170-18 duly approved and adopted on this date.

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 and City Clerk Angel Zerbonia. A motion was made by Council Member Veach to enter into closed session. The motion was seconded by Council Member Godert.

ROLL CALL

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

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.

James R. Hark, Mayor

Angelica N. Zerbonia, MRCC - City Clerk