

CITY OF HANNIBAL
OFFICIAL PUBLIC HEARING

Tuesday, April 2, 2019
6:45 p.m.
Council Chambers

CALL TO ORDER

At the appointed time, Mayor Hark opened the Public Hearing regarding a code amendment regarding zoning and setback requirements for regulated use of medical marijuana. He then turned the public hearing over to Edie Price, DPW Management Assistant.

EDIE PRICE – DPW MANAGEMENT ASSISTANT
Re: Code Amendment, Zoning & Setback Requirements
For Regulated Use of Medical Marijuana
(Zones C, D, E, E-1 and F)

Edie Price, DPW Management Assistant, began the public hearing by advising that she would like to open the public hearing regarding the City’s zoning ordinance and the change that will affect zones relating to medical marijuana. Price stated, “this will affect zones C, D, E, E-1 and F. She is aware there are several people here to speak this evening and she will now allow them to speak”.

PUBLIC COMMENTS

Mayor Hark then asked anyone not being in favor of the rezoning to come forward and speak their points of opposition. An unidentified individual from the audience asked what the actual code/zoning amendment is. Mayor Hark stated the information has been sent to The Planning and Zoning Commission, but he is not aware of their response yet. According to Mayor Pro Tem Dobson, the commission voted favorable for the zoning amendment and set back requirements.

Price then came back before Council advising, she didn’t want to take too much time away from the public hearing, but in a “nut shell”, the change is to add a medical marijuana dispensary, a medical marijuana cultivation facility, a medical marijuana infused products manufacturing facility and a medical marijuana testing facility to the different zones she listed earlier, in Hannibal. These would not be in residential areas or in the historic district downtown. This would also include a setback of 400 feet for the zones, if approved.

Price stated the issue went before The Planning and Zoning Commission last Thursday, March 28th, with no opposition from any member or anyone in the audience. It will come before the Council for the first reading on April 16th. Mayor Hark asked Price if this was to allow those types of businesses into those zones with a setback of 400 feet, in which Price concurred. Mayor Pro Tem Dobson advised the medical marijuana cultivating facilities and the infused product manufacturing facilities will be limited to F – Industrial zone.

With no one else wishing to speak in opposition, he opened the hearing to anyone wishing to speak in favor of. Mayor Pro Tem Dobson advised that the City is complying with the voters' wishes on a state wide vote referendum. Mayor Hark advised that we, the City, are trying to prepare for this with the introduction into our community for those looking to invest, and wondering what the rules are going to be before they decide to invest. An unidentified male from the audience then asked about the rules for operating multiple businesses of this type together or do they have to be a sole business; are you able to operate in the same building or does it have to be separate from other businesses? Another unidentified male, from the audience, stated his basement is large enough for cultivation and asked if he could also run another business upstairs. Mayor Hark stated those regulations are set by the statutes of the state of Missouri. From the audience, Price advised she does know that if someone had a child with them they would not be able to bring the child into the dispensary facility. Another unidentified female from the audience asked if someone could ask for a compassion provision for low income families, in which Mayor Hark stated that will be up to the business itself.

Randall Crawford, then addressed Council, advising he is not a resident, in fact is from the other side of the state. He then provided details about the state law and proposed regulations, noting that a part of the application process is merit based. Just because someone applies and pays the fee, which is substantial, doesn't mean they will get the license. One of the factors considered in the application process is the ability to provide services to low income individuals.

ADJOURNMENT

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

CITY OF HANNIBAL
OFFICIAL COUNCIL PROCEEDINGS

Tuesday, April 2, 2019
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 Council Member Veach to lead the Pledge of Allegiance to the Flag.

APPROVAL OF AGENDA

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

Motion carried.

APPROVAL OF MINUTES
Regularly Scheduled Council Meeting – March 19, 2019

A motion was made by Council Member Veach to approve the minutes from the regularly scheduled Council meeting held March 19, 2019. The motion was seconded by Council Member Van Hoose.

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS
Second Half – March, 2019

A motion was made by Council Member Welch to approve the payroll and claims for the second half of March, 2019. The motion was seconded by Council Member Veach.

Motion carried.

LINDA STUDER – HISTORIC HANNIBAL MARKETING COUNCIL
Re: *Amended Request, Use of City Owned Property, Alcohol Sale*
& Discharge of Firearms (*blanks*)
Twain on Main
May 24 - 26, 2019

Linda Studer, representing the Historic Hannibal Marketing Council, approached Council with an amended request for Twain on Main. In her original request, she stated they requested the City owned parking lot at Main and Bird Streets. For their amended request, they are requesting to have the beer and wine garden relocated to this location. The original request had the beer and wine garden located where the “Santa House” is, which has limited space. If approved to move locations, this would provide a lot more space.

She is also clarifying the request regarding the “grassy area” on the river side of Hill Street between the pillars and the alley. She is requesting this area be closed to traffic as well. They are planning on have a petting zoo with pony rides and this area would give them space for this activity.

Council Member Cogdal questioned Studer about the request of closing streets at 4:00 p.m. on Friday. She stated the last couple of events held downtown that Council approved, there were issues with Hannibal National Bank customers not being able to access the banks drive-thru. Council Member Cogdal requested to delay the closing until after business hours. Studer stated that she is aware of those problems and she would like to amend that part of her request as well. She would still like to have the bollards set up at 4:00 p.m. with the exception of the bollards located at North and Main Streets along with Broadway and Main Street. She would like for those bollards to be placed at 10:00 a.m. on Saturday, May 25th. This will also allow for late vendors to get through to set up.

Mayor Hark reminded Studer that she will need to contact the Police Department regarding the time the “blank shots” will be fired so they are aware, in the event they receive calls notifying of gun shots.

A motion was made by Mayor Pro Tem Dobson to approve the amended requests for Twain on Main, allowing alcohol sales on City owned property – parking lot on Main and Bird Streets, closure of the grassy area on the River side of Hill Street and the discharge (blanks) of firearms. The motion was seconded by Council Member Welch.

Motion carried.

DOUG COLBERT – HOMESTEADING LIFE CONFERENCE

Re: Request, Street Closures

Homesteading Conference

August 4 – 5, 2019 – 8:00 a.m. – 6:00 p.m.

Doug Colbert, representing the Homesteading Life Conference, approached Council requesting street closures for an event to be held August 4 – 5, 2019 from 8:00 a.m. to 6:00 p.m. He is requesting South Main Street to be blocked at the intersections of Church and Lyon Street. This would still allow for Lyon Street to remain open. He's requesting to "box in" the Star Theater and to use the City owned grassy area located adjacent to the Star Theater, just like in the previous year.

A motion was made by Council Member Godert to approve the closure of South Main at Church and Lyon Streets and the use of the grassy area adjacent to the Star Theater. The motion was seconded by Council Member Van Hoose.

Motion carried.

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

Re: Bicentennial Request, Street Closures

Chris Janson Concert

Saturday, May 11, 2019 – 8:00 a.m. – 12:00 a.m.

Gail Bryant, HCVB Director, approached Council requesting street closures for the Chris Janson Concert being held Saturday, May 11th, from 8:00 a.m. to 12:00 a.m. She is requesting Third Street under both sides of the viaduct and Lyon Street from Fourth to South Main Streets be closed.

A motion was made by Council Member Veach to approve the street closures for the Chris Jansen Concert to be held Saturday, May 11th, from 8:00 a.m. to 12:00 a.m. The motion was seconded by Council Member Welch.

Motion carried.

Re: Our Story, Let's Celebrate, 200 Years in the Making Marketing Grant – Marketing Matching Grant Application & Subsequent Documents

Missouri Division of Tourism Cooperative Marketing

(Resolution No. 2201-19, to follow)

Bryant's next item of business is a grant application for the Missouri Division of Tourism's Promote Missouri Fund Program. The grant application will be submitted for the fiscal year 2020 by April 4th. In the Promote Missouri Fund Program, the HCVB is allowed to request up to \$70,000.00. If awarded, the funds will assist with advertising in several travel markets. Bryant is requesting approval for the application, for the matching grant up to the amount of \$70,000, and any subsequent grant award documents.

Mayor Hark stated Resolution No. 2201-19 is to follow for approval.

HEATH HALL – BOARD OF PUBLIC WORKS GENERAL MANAGER

Re: Bond Sale Authorization – Waterworks Revenue Bonds, Series 2019

(Resolution No. 2200-19, to follow)

Heath Hall, BPW General Manager, then approached Council advising he had three items for discussion, two of which relate to the same item, financing the chloramine alternative project. The first items include a Resolution and Bill to finance the \$10 million in municipal tax exempt, qualified revenue bonds. He then introduced their financial expert Joy Howard and stated at the next Council meeting he will be asking for approval of the sale of the bonds. According to Ms. Howard the Resolution sets the sale of the bonds. In the past, the City has issued leasehold revenue bonds and Bond Council has determined, based on the City Charter, with revenue bonds, the City is required to do competitive bidding. Ms. Howard has sought out proposals, from there an underwriter is selected and then she works with them. This process is a bit different than what the Council has done in the past. At 10:00 a.m. on April 16th, the bids come in, the City and the BPW will both act on the bids that evening. The notice of sale is an attachment to the Resolution and this bid process is similar to that of other commodities the City would bid. It's a sealed bid process, where the underwriters must give the purchase price and interest rates on the bonds. The combination of those two things are referred to as the true interest cost. The bonds get awarded on the basis of the lowest true interest cost. There are no negotiations of any kind. Whichever firm submits the lowest true interest cost, gets awarded the bond, unless for some reason, the bids are not favorable and the BPW/City can reject. This would be unlikely but a possibility, according to Ms. Howard.

Mayor Pro Tem Dobson asked if long term interest rates had ticked down, in which Howard concurred and feels that will most likely be more favorable to the project.

Re: Waterworks Revenue Bonds, Series 2019

(Bill No. 19-005, to follow)

Joy Howard then advised a first reading of the Bond Ordinance is slated for tonight. This Ordinance is not unlike what the City has done with other Bond Ordinances, except it's done in conjunction with the outstanding revolving fund loan which was done in conjunction with the 2015 series. The state purchased the bonds and they set forth the terms of the bonds. The new ordinance has terms that mesh with the 2015 series.

Re: Update, Chloramine Replacement Project

On Hall's final order of business, he provided Council an update on the chloramine replacement project. He stated currently, just north of the water plant, there is a "job" trailer on site where the contractor is ordering supplies and getting everything together. The deep excavation just north of the plant has not yet began, Hall was hoping that tonight he would be able to state they had, but unfortunately, they are still waiting on an OSHA excavating permit. There are a lot of good drawings of the building, however, no drawings for what's under the building, creating some "unknowns". A temporary tank, which has been placed into use this week, will continued to be used during the construction process. The third round of pilot testing continues, and with the river level being up it has caused dirtier water which is good for testing purposes.

Council Member Cogdal questioned why the project was only nine weeks in, in which Hall advised they were at nine weeks when he wrote the update, now they are ten weeks in. River City aerial drone photos have been posted on the BPW Facebook page and they will continue to

do so during the entire construction process about once a month for those wishing to follow along in the process.

Mayor Pro Tem Dobson indicated there are a couple people doing drone shots on the river and light house and he wanted to know if this would cause a problem if they were in the park doing the same for the replacement project, in which Hall stated it would not.

RESOLUTION NO. 2200-19

A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING THE OFFERING FOR SALE OF WATERWORKS REVENUE BONDS, SERIES 2019

A motion was made by Council Member Veach to have the City Clerk read Resolution No. 2200-19 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 -
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No: - 0 -

Absent: - 0 -

Motion carried.

Mayor Hark declared Resolution No. 2200-19 duly approved and adopted on this date.

RESOLUTION NO. 2201-19

A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING THE GRANT APPLICATION PROCESS AND SUBSEQUENT ACCEPTANCE DOCUMENTS FOR THE MISSOURI DIVISION OF TOURISM COOPERATIVE MARKETING FISCAL YEAR 2020 MARKETING MATCHING GRANT, PROMOTE MISSOURI PROGRAM, FOR AN AWARD UP TO \$70,000

A motion was made by Council Member Veach to have the City Clerk read Resolution No. 2201-19 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 Resolution No. 2201-19 duly approved and adopted on this date.

BILL NO. 19-005

**AN ORDINANCE AUTHORIZING THE
ISSUANCE OF WATERWORKS REVENUE
BONDS, SERIES 2019, OF THE CITY OF
HANNIBAL, MISSOURI; PRESCRIBING THE
FORM AND DETAILS OF THE BONDS AND
THE COVENANTS AND AGREEMENTS TO
PROVIDE FOR THE PAYMENT AND
SECURITY THEREOF; AND AUTHORIZING
CERTAIN ACTIONS AND DOCUMENTS AND
PRESCRIBING OTHER MATTERS RELATING
THERE TO**

First Reading

A motion was made by Mayor Pro Tem Dobson to give Bill No 19-005 a first reading. 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 Godert.

Motion carried.

James R. Hark, Mayor

Angelica N. Zerbonia, MRCC - City Clerk