

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

**Tuesday, August 6, 2019**  
**Council Chambers**  
**7:00 p.m.**

**ROLL CALL**

**Present:** Council Member Godert, Mayor Pro Tem Dobson, Mayor Hark and Council Members Bowen and Welch – 5

**Absent:** Council Members Veach and Cogdal – 2

**CALL TO ORDER**

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

**INVOCATION**

The invocation was given by Council Member Godert.

**PLEDGE OF ALLEGIANCE**

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

A motion was then made by Council Member Bowen to excuse Council Members Veach and Cogdal from tonight's meeting. The motion was seconded by Council Member Welch.

Motion carried.

**APPROVAL OF AGENDA**

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

Motion carried.

**APPROVAL OF MINUTES**  
**Regularly Scheduled Council Meeting – July 16, 2019**

A motion was made by Mayor Pro Tem Dobson to approve the minutes from the July 16, 2019 regularly scheduled Council meeting with one amendment; the motion approving the request from the Hannibal Arts Council for the street closures, use of City owned property and alcohol sales for the 43<sup>rd</sup> Annual Folklife Festival, pending receipt of certificate of insurance, should have reflected the motion being seconded by Council Member Bowen, not Council Member Veach. The motion was seconded by Council Member Bowen to approve the minutes with the amendment.

Motion carried.

**APPROVAL OF PAYROLL AND CLAIMS**  
**Second Half – July, 2019**

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

Motion carried.

**HISTORIC HANNIBAL MARKETING COUNCIL**  
**Re: Request, Street Closures – Living “Dead” Windows**  
*Saturday, October 26, 2019 – 3:00 p.m. – 8:00 p.m.*

Jody Bogue, representing Historic Hannibal Marketing Council (HHMC), approached Council with four requests tonight. Bogue’s first request is for street closures for Living “Dead” Windows to be held Saturday, October 26, 2019 from 3:00 p.m. to 8:00 p.m., which will also coincide with the Hannibal Jaycee’s parade and Humane Society animal parade. He is requesting bollards to be placed on the corners of Hill & North Main, Bird & North Main and Center & North Main Streets, along with the alleyways on Center and Bird Streets. Bogue is also requesting barricades be placed on the south and north ends of Main Street.

Mayor Hark stated one request of the City is that trash receptacles be provided, with all trash being picked up and receptacles being emptied at the close of the event. A motion was made by Council Member Godert to approve Bogue’s request of street closures for Living “Dead” Windows to be held Saturday, October 26, 2019 from 3:00 p.m. to 8:00 p.m, pending certificate of insurance. The motion was seconded by Mayor Pro Tem Dobson.

Motion carried.

**Re: Request, Street Closures – Main Street Trick or Treat**  
*Thursday, October 31, 2019 – 2:00 p.m. – 9:00 p.m.*

Bogue’s next request is also for street closures, this request is for Main Street Trick or Treat to be held Thursday, October 31, 2019 from 2:00 p.m. to 9:00 p.m. He is requesting bollards be placed on the corners of Broadway & North Main, Hill & North Main, Bird & North Main and Center & North Main Streets, and alleyways on Center and Bird Streets. He is also requesting

barricades be placed at the parking lot entrances of The Mark Twain Boyhood Home and The Mark Twain Brewery, and the alleyway between Hill and Bird Streets.

Mayor Hark once again that trash receptacles be provided, with all trash being picked up and receptacles being emptied at the close of the event. A motion was made by Mayor Pro Tem Dobson to approve the street closures for Main Street Trick or Treat to be held Thursday, October 31, 2019 from 2:00 p.m. to 9:00 p.m. The motion was seconded by Council Member Bowen.

Motion carried.

**Re: Request, Street Closures, Use of City Owned Properties and Sale of Alcohol**  
*Octoberfest - September 27 – 29, 2019*

Bogue's next request is for street closures, use of City owned property and the sale and open consumption of alcohol on City owned property for Octoberfest to be held September 27-29, 2019, from 2:00 p.m. on September 27<sup>th</sup> to 6:00 p.m., September 29<sup>th</sup>. He is requesting closures of Main Street from North Street to Broadway and from west alley to east alley on Bird and Center Streets; from Third Street to the alley east of Main Street on Hill Street. He is also requesting closure and use of the City parking lot on the west side of Main Street, between Hill and Bird Streets, which will also require the closure of the west alley between Hill and Bird Streets. Bogue stated there will be live music on the stage, which will be located by The Mark Twain Boyhood Home, vendors along Main Street and other entertainment events. Bogue also stated HHMC will have a "beer trailer" located on the street directly behind the stage, and is asking for approval of the sale of alcohol by the HHMC. He stated HHMC will provide event security along with port-a-potties.

Mayor Hark advised that with an event such as this, one person needs to be the point of contact for the Hannibal Police Department (HPD) and Emergency Services, in the event they are needed. Mayor Hark requested Bogue provide the point of contact to the HPD.

A motion was made by Council Member Welch to approve the street closures, use of City owned property and sale and open consumption of alcohol on City owned property for Octoberfest to be held September 27-29, 2019. The motion was seconded by Council Member Bowen.

Motion carried.

**Re: Request, Street Closures – Christmas Living Windows**  
*Saturday, December 14, 2019 – 3:00 p.m. – 8:00 p.m.*

Bogue's last request is street closures for Christmas "Living" Windows to be held Saturday, December 14, 2019 from 3:00 p.m. to 8:00 p.m. He is requesting bollards be placed on Main Street from the Mark Twain Museum annex parking lot to Broadway and the west alleys on Bird and Center Streets.

Mayor Hark stated the request of the City is that trash receptacles be provided, with all trash being picked up and receptacles being emptied at the close of the event. A motion was made by Mayor Pro Tem Dobson to approve the request of street closures for Christmas Living Windows to be held Saturday, December 14, 2019 from 3:00 p.m. to 8:00 p.m. The motion was seconded by Council Member Godert.

Motion carried.

Mayor Hark stated that certificate of insurance is still needed and required to be on file prior to each of Bogue's requested events.

**SUE DOWNING – LOAFERS CAR CLUB**  
**Re: Request, Street Closures – May Car Show**  
*Saturday, May 9, 2020 – 8:00 a.m. – 4:00 p.m.*

Sue Downing, representing Loafers Car Club, approached Council to request street closures and the use of City owned property for their annual car show to be held Saturday, May 9, 2020 from 8:00 a.m. to 4:00 p.m. She is requesting Main Street from Broadway to North Street, including alleyways and side streets, and the parking lot on Main and Bird Street to be closed.

Mayor Hark again requested for all trash to be picked up and receptacles be emptied at the conclusion of the event. Mayor explained special events do place a huge burden on the City's services in the event the area is not cleaned and the trash receptacles aren't emptied at the conclusion of the event. If the events do clean the area it will make for a better, more enjoyable event for everyone involved.

A motion was made by Mayor Pro Tem Dobson to approve the Loafer's Car Club's request for street closures and use of City owned parking lot for Saturday, May 9, 2020 from 8:00 a.m. to 4:00 p.m., pending certificate of insurance. The motion was seconded by Council Member Godert.

**ROLL CALL**

**Yes:** Council Member Godert, Mayor Pro Tem Dobson, Mayor Hark and Council Member Welch - 4

**No:** - 0 -

**Abstain:** Council Member Bowen - 1

**Absent:** Council Member Veach and Cogdal - 2

Motion carried.

Mayor Pro Tem Dobson questioned City Clerk Zerbonia if she is keeping a calendar of special events being organizations are asking more and more ahead of time, to ensure no events overlap each other. City Clerk Zerbonia stated the Clerk's office has always kept a calendar and they try to not accept any special event requests that are beyond one year in advance, per Council's request.

**LISA PECK – CITY MANAGER**  
**Re: Approval of Reappointments**

City Manager Peck reminded Council of the candidates she presented for recommendation of reappointments to the Park Board, during the last meeting.

**PARK BOARD**

- **Quintin Heaton – reappointment for a term to expire July, 2022**
- **Tom Batenhorst – reappointment for a term to expire July, 2022**
- **Beth Knight – reappointment for a term to expire July, 2022**

A motion was made by Council Member Welch to approve the reappointments of Quintin Heaton, Tom Batenhorst and Beth Knight to the Park Board, for terms to expire July, 2022. The motion was seconded by Council Member Bowen.

Motion carried.

**ANDY DORIAN – DIRECTOR, CENTRAL SERVICES**  
**Re: Hot Mix Asphalt Rehabilitation Project, Add'l Engineering Services –**  
**Engineering/Architectural Service Agreement**  
*Poepping, Stone, Bach & Associates - \$10,000*  
*(Resolution No. 2218-19, to follow)*

Andy Dorian, Director of Central Services, approached Council with two items for discussion. His first item is an additional engineering service agreement with Poepping Stone, Bach & Associates (PSBA) in the amount of \$10,000. Dorian stated the Street Department was able to pave more streets than originally planned three years ago with the Street Paving Project. As a result of the additional roads being paved, PSBA had to incur additional paving inspection costs. These services included planning estimates, field inspections and documentation.

Mayor Hark stated Resolution No. 2218-19 is to follow, for approval.

**Re: Traffic Committee Recommendations**

- **Handicap Parking**
  - **1708 Ruby Avenue**
  - **3919 New London Gravel**
  - **511 Hill Street**

Dorian's final item related to recommendations from the Traffic Committee. The Traffic Committee met on Tuesday, July 30, 2019 and approved the following requests:

Handicap parking at:

- 1708 Ruby Avenue
- 3919 New London Gravel
- 511 Hill Street

Dorian stated all three residents supplied the necessary paperwork to meet the requirements.

Mayor Hark questioned if off-street parking is available to the resident requesting handicap parking, would they still be eligible to have the handicap spot on the street. City Clerk Zerbonia advised that just because the spot was approved for handicap parking it does not mean it is only the resident's parking space, it is a public handicap parking space and anyone meeting the handicap criteria with the appropriate placards are able park there.

Dorian stated his department will start inquiring about off street parking when handicap parking applications are submitted. From the audience, Chief Davis requested that a better job be done in monitoring the handicap spots to ensure spots aren't still located at residential homes where the applicant has either moved or passed away. Edie Price, also from the audience, indicated she keeps a listing of all handicap spots and once the dates have expired, if the resident has not reapplied for a handicap space, those signs are removed. However, the Street Department isn't usually made aware if someone moves or passes away, prior to the expiration date.

With no objections from Council, the approvals of the Traffic Committee stand.

**KAREN BURDITT – FINANCE DIRECTOR**  
**Re: Request, Set Public Hearing – 2019 Ad Valorem Tax Rate**  
*Tuesday, August 20, 2019 – 6:45 p.m.*

Karen Burditt, Finance Director, then addressed Council to request a public hearing be set Tuesday, August 20, 2019 at 6:45 p.m. The public hearing is to set the 2019 Ad Valorem Tax Rate for real and personal properties within the City of Hannibal.

A motion was made by Council Member Godert to approve setting the public hearing for Tuesday, August 20, 2019 at 6:45 p.m. for the purpose of setting the 2019 Ad Valorem Tax Rate. The motion was seconded by Mayor Pro Tem Dobson.

Motion carried.

**EDIE PRICE – DPW MANAGEMENT ASSISTANT**  
**Re: Oak Spring Subdivision – Amended Plat**  
*Jim Mulhern and Janes Surveying*  
*(Bill No. 19-019, to follow)*

Edie Price, DPW Management Assistant, approached Council advising that she has an ordinance to approve an amended subdivision plat for Oak Spring Subdivision. In June of 2018, Jim Mulhern and Janes Surveying went before the Planning and Zoning Commission to approve the original Oak Spring Subdivision. In July, 2019 Janes Suveying once again went before the Planning and Zoning Commission requesting an amendment. Price stated when Jim Mulhern went to put in the subdivision road, "he hit rock" when drilling and needs to move the road 14 feet due east to accommodate. The natural curvature of the road will not change, the City's code standards as far as the stormwater plan remain unchanged, however, this will change the Board of Public Works sewer system. This is not a big enough change and the BPW has no concerns. According to Price, the road will stay in the public right of way, and the amendment is the road

itself which meant it had to go back through the Planning and Zoning Commission for approval, which was unanimously approved, and now back to Council.

Mayor Hark stated Bill No. 19-019 is to follow, for a first reading.

Council Member Bowen questioned if the road itself will be the same size, in which Price concurred and stated just the natural curvature of the road had to be moved over 14 feet.

## **RESOLUTION NO. 2218-19**

### **A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING THE MAYOR TO EXECUTE THE FIRST AMENDMENT TO ESCROW TRUST AGREEMENT (EARLY PAYOFF) OF THE ESCROW AGREEMENT WITH PUBLIC WATER SUPPLY DISTRICT NO. 1 (PWSD) OF RALLS COUNTY, MISSOURI AND THE BANK OF NEW YORK TRUST COMPANY, N.A.**

A motion was made by Council Member Welch to have the City Clerk read Resolution No. 2218-19 and call the roll for adoption. The motion was seconded by Council Member Bowen.

#### **ROLL CALL**

**Yes:** Council Member Godert, Mayor Pro Tem Dobson, Mayor Hark and Council Members Bowen and Welch - 5

**No:** - 0 -

**Absent:** Council Member Veach and Cogdal - 2

Motion carried.

Mayor Hark declared Resolution No. 2218-19 duly approved and adopted on this date.

## **BILL NO. 19-017**

### **AN ORDINANCE OF THE CITY OF HANNIBAL REVISING CHAPTER 25, SEWERS AND SEWAGE DISPOSAL**

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

A motion was made by Council Member Godert to have the City Clerk read Bill No. 19-017 and call the roll for adoption. The motion was seconded by Council Member Bowen.

**ROLL CALL**

**Yes:** Council Member Godert, Mayor Pro Tem Dobson, Mayor Hark and Council Members Bowen and Welch - 5

**No:** - 0 -

**Absent:** Council Member Veach and Cogdal - 2

Motion carried.

Mayor Hark declared Bill No. 19-017 duly approved and adopted on this date.

**BILL NO. 19-018**  
*(as amended)*

**AN ORDINANCE REVISING CHAPTER 17 OF THE REVISED  
ORDINANCES OF THE CITY OF HANNIBAL, BY AMENDING  
CERTAIN DUTIES ASSIGNED TO THE TRAFFIC COMMITTEE  
AND CREATING AND ASSIGNING SUCH DUTIES AS  
DETERMINED TO BE APPROPRIATE TO THE ROADWAY  
COMMISSION**

*Second and Final Reading*

A motion was made by Mayor Pro Tem Dobson to have the City Clerk read Bill No. 19-018 (as amended) and call the roll for adoption. The motion was seconded by Council Member Welch.

**ROLL CALL**

**Yes:** Council Member Godert, Mayor Pro Tem Dobson, Mayor Hark and Council Members Bowen and Welch - 5

**No:** - 0 -

**Absent:** Council Member Veach and Cogdal - 2

Motion carried.

Mayor Hark declared Bill No. 19-018, as amended, duly approved and adopted on this date.

**BILL NO. 19-019**

**AN ORDINANCE OF THE CITY OF HANNIBAL APPROVING AND ACCEPTING THE AMENDED FINAL PLAT OF OAK SPRING SUBDIVISION, A SUBDIVISION LYING IN THE PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 57 NORTH, RANGE 5 WEST OF THE FIFTH PRINCIPAL MERIDIAN, MARION COUNTY, MISSOURI**

*First Reading*

A motion was made by Council Member Welch to give Bill No 19-019 a first reading. The motion was seconded by Council Member Bowen.

Motion carried.

Andy Dorian, Director of Central Services, from the audience then brought to Council's attention that the incorrect verbiage of Resolution No. 2218-19 was read and approved. It should have been a resolution to approve an engineering/architectural service agreement between Poepping, Stone, Bach & Associates and the City of Hannibal for \$10,000.

A motion was made by Mayor Pro Tem Dobson to set aside the original vote and roll call for Resolution No. 2218-19 that was adopted and approved earlier in the meeting. The motion was seconded by Council Member Bowen.

Motion carried.

A motion was made by Council Member Welch to have the City Clerk read the correct Resolution No. 2218-19 and call the roll for adoption. The motion was seconded by Mayor Pro Tem Dobson.

**RESOLUTION NO. 2218-19**

**A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING THE MAYOR TO EXECUTE AN ENGINEERING/ARCHITECTURAL SERVICE AGREEMENT BETWEEN THE CITY OF HANNIBAL AND POEPPING, STONE, BACH & ASSOCIATES, INC FOR ADDITIONAL SERVICES RELATING TO THE HMA REHABILITATION PROJECT IN THE AMOUNT OF \$10,000**

## **ROLL CALL**

**Yes:** Council Member Godert, Mayor Pro Tem Dobson, Mayor Hark and Council Members Bowen and Welch - 5

**No:** - 0 -

**Absent:** Council Member Veach and Cogdal - 2

Motion carried.

Mayor Hark declared Resolution No. 2218-19 duly approved and adopted on this date.

Mayor Hark then questioned City Attorney Drew Ward, if being as the agenda was posted with the incorrect verbiage for Resolution No. 2218-19, should this Resolution be tabled until the next meeting. City Attorney Ward stated since the agenda was posted and approved with the wrong Resolution title, it would indeed be in violation of the sunshine law and recommended Council to table the Resolution until the next Council meeting so the correct Resolution can be presented on the agenda.

A motion was made by Council Member Godert to set aside both readings of Resolution No. 2218-19 and present the correct Resolution No. 2218-19, during the August 20, 2019 meeting. The motion was seconded by Mayor Pro Tem Dobson.

Motion carried.

## **CLOSED SESSION**

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

- *Leasing, Purchase or Sale of Real Estate*

Mayor Hark then entertained a motion to enter into closed session in accordance with RSMo. 610-021, sub-paragraph (2), leasing, purchase or sale of real estate, admitting himself, City Council Members, City Attorney Drew Ward, City Manager Lisa Peck, City Clerk Angel Zerbonia, Tourism Director Gail Bryant, Director of Central Services Andy Dorian and Finance Director Karen Burditt. A motion was made by Mayor Pro Tem Dobson to enter into closed session. The motion was seconded by Council Member Bowen.

## **ROLL CALL**

**Yes:** Council Member Godert, Mayor Pro Tem Dobson, Mayor Hark and Council Members Bowen and Welch - 5

**No:** - 0 -

**Absent:** Council Member Veach and Cogdal - 2

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 Welch.

Motion carried.

## **ADJOURNMENT**

A motion was then made by Mayor Pro Tem 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, CMO - City Clerk**