

CITY OF HANNIBAL
OFFICIAL COUNCIL PROCEEDINGS

Tuesday, January 15, 2019
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 Van Hoose.

PLEDGE OF ALLEGIANCE

Mayor Hark then requested Council Member Godert to lead the Pledge of Allegiance to the Flag.

APPROVAL OF AGENDA

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

Motion carried.

APPROVAL OF MINUTES
Regularly Scheduled Council Meeting – January 2, 2019
Special Call Meeting – January 8, 2019

A motion was made by Council Member Van Hoose to approve the minutes from the last regularly scheduled Council meeting held January 2, 2019 and the special call meeting held January 8, 2019. The motion was seconded by Council Member Godert.

Motion carried.

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

A motion was made by Council Member Van Hoose each to approve the payroll and claims for the first half of January, 2019. The motion was seconded by Council Member Welch.

Motion carried.

**LINDELL SHUMAKE
Re: Presentation to the City of Hannibal**

Lindell Shumake then addressed Council advising that about six days ago he ended his tenure as our state representative and his last item of business was a Resolution by the Missouri House of Representatives for the City of Hannibal's 200th Anniversary. He then read and presented the Resolution to Mayor Jim Hark. Mayor Hark then thanked Lindell for his service as state representative and all the support he has given to the City of Hannibal during his tenure and is looking forward to working with him in the future.

**JAMES R. HARK – MAYOR
Re: Mayoral Commendations**

The next item of business was mayoral commendations; however, the members of Girl Scout Troop 9004 were not in attendance due to school being cancelled for inclement weather. Mayor Hark will have the Clerk slate this for presentation during the next Council meeting, which will be February 5, 2019.

Re: Approval of Appointment & Reappointment

Mayor Hark's last item of business was the request for approval for appointment/reappointment. He then reminded Council of candidates presented for recommendation of appointment/reappointment to the Police & Firemen Retirement Fund Board of Trustees during the last meeting.

POLICE & FIREMEN RETIREMENT FUND BOARD OF TRUSTEES

- **Pat Benson – reappointment for a term to expire December, 2021**
- **John Dean – appointment for an unexpired term to expire December, 2019**

A motion was made by Council Member Van Hoose to reappoint Pat Benson for a term to expire December, 2021 and to appoint John Dean for an unexpired term to expire December, 2019 to the Police and Firemen Retirement Fund Board of Trustees. Mayor Pro Tem Dobson seconded the motion.

Motion carried.

JEFF LAGARCE – CITY MANAGER

City Manager LaGarce advised he has shared a piece of information about the sidewalk project with the Mayor just prior to the meeting. The Mayor indicated LaGarce could proceed with sharing the good news about the project. LaGarce advised, in November, the Council submitted a sidewalk grant called Transportation Alternative Program (TAP) to complete the Palmyra Road sidewalk from Bay Avenue to Riverview Park. The competitive grant was submitted and the City has been notified that the project was chosen to receive the grant, in the amount of \$298,456. LaGarce stated that Missouri Department of Transportation (MODot) should have the grant contract ready by the next Council meeting. MODot has given LaGarce the approval to select the firm, in which he plans to use the firm that assisted him with the grant application, Cochran.

Mayor Hark advised that essentially what the City had was only a portion of a complete project, which ended at Bay Avenue. As everyone is aware, the corridor stops and a grassy area is then used by runners and walkers, which is not safe. This project completion will provide for a much safer area for students, athletes and the public. This being an unfinished project, it rated the project higher for this particular grant. The Mayor then congratulated LaGarce on being awarded the grant.

Re: City Owned Property, 109 Virginia Street – Amended Lease Agreement

*The Villas of St. Elizabeth, LP
(Resolution No. 2188-19, to follow)*

LaGarce then addressed Council regarding 109 Virginia Street, formerly St. Elizabeth's hospital. LaGarce advised Council had previously approved a lease agreement in December of 2017, providing The Villa's 13 months to make acquisition of the site. The investors were not awarded the tax credits from the state, and they have since met with the awarding committee who indicated they really like the project and the application looked great, but there were not enough tax credits to award all submitted projects and encouraged them to reapply next year. The agreement this evening would extend the timeframe two additional years, allowing The Villa's more time to obtain their funding and the City to conduct the asbestos removal process. LaGarce doesn't want this agreement to expire affecting the project, this amended lease agreement will extend the purchase timeframe only. This is a good project for the community and he doesn't want the investors to lose interest either.

Council Member Cogdal then questioned why LaGarce was recommending two years versus one. He informed her that it would most likely take a year to remove the asbestos and time for the investors to obtain their funding and tax credits due to MHDC scheduling and grant funding and processes. He decided two years just to be safe so they aren't shuffling paper again in another 12 months. Council Member Cogdal questioned, if need be, would the City still be able to go into the building and do anything necessary. LaGarce confirmed, advising it is still our property, for better or worse.

Re: 2018/19 Fiscal Year, Budget Amendment – No. 2

(Resolution No. 2189-19, to follow)

LaGarce's next order of business is a budget amendment, one portion relating to the Building Inspector's demolition budget. LaGarce stated that about eight days ago the Building Commission met and there are currently 41 properties on the demolition list. The Building Commission decided that with the 41 properties, and only a couple of them being salvageable;

plus asbestos testing required before being demolished. The Building Commission would like to do the asbestos testing upfront. If it's found that the properties are clean of asbestos, they will be able to proceed with demolition. The Building Commission asked if LaGarce would put together a budget amendment as they didn't want to use all the demolition budget for asbestos testing.

LaGarce indicated the City is "ahead of the game" so far in sales tax, but he is not going to adjust the budget with this as sales tax from month to month can be very volatile. The Budget Amendment will, however, raise the general fund by \$8,000, matching what is being increased in the Building Inspector's fund. This is a minor adjustment.

Mayor Hark advised this would help with the Building Commission process by getting time consuming items out of the way.

LaGarce stated Resolution No. 2189-19 is to follow for approval.

Re: Holiday Inn Request For Payment Relating to Damage to Landscape

LaGarce's final order of business relates to a request from Spike Ehrhardt who owns the Holiday Inn Express, located near the Shinn Lane round-a-bout, explaining he only learned of an issue around Christmas. There was apparently a conflict with the construction of the round-a-bout and the landscaping installed by the hotel. The City's contractor had to remove some of the landscaping improvements when they were building the round-a-bout. The landscaping company came back and reinstalled, in which Mr. Ehrhardt received a bill from the company in the amount of \$13,400 and he is asking the City pay half. Mr. Ehrhardt is requesting this because he gave the City a portion of property for \$1 and the round-a-bout was supposed to be open by the time the hotel was and it was not. According to LaGarce it was the City's strategy to have the round-a-bout open before the hotel, but due to bids being over-budget and construction starting later than anticipated, this was not the case. Mr. Ehrhardt feels he operated under many detours, making concessions. Mayor Hark advised if the City were to destroy mailboxes or anything when they are conducting projects, they replace them. LaGarce indicated that some of the items the landscapers installed were not in the right location and that is why the City's contractor had to remove them. LaGarce informed Mr. Ehrhardt, he did not have the authority to approve his request, of paying one-half of the expense to reinstall the landscape, it would need to be a Council decision.

Mayor Hark advised he understands his points and where he is coming from with the City historically taking care of areas they have damaged and that it is the right thing to do. If there was a misunderstanding of the locations, it was compounded with the delay in the round-a-bout being developed and it has shown that Mr. Ehrhardt has been more than accommodating with the construction of the round-a-bout. Plus Mr. Ehrhardt reducing the bill by half shows he is willing to compromise.

A motion was made by Council Member Godert to approve Mr. Ehrhardt's request for the City to pay half (\$6,700) of the bill in question. Mayor Pro Tem Dobson then questioned the value of .15 acres that Mr. Ehrhardt gave to us. LaGarce advised that the area property is worth about \$90,000 per acre with .15 being worth about \$13,000. The motion was seconded by Mayor Pro Tem Dobson.

Motion carried.

HEATH HALL – BOARD OF PUBLIC WORKS GENERAL MANAGER

Re: Stormwater Utility User Fee – *Proposition S*

Heath Hall, General Manager of the Board of Public Works, then addressed the Council relating to storm water Proposition “S”, Bill No. 19-001, which is the storm water user fee ordinance. He informed Council some of his information is a repeat from the last time, however he felt it was important to address.

This is not a new problem. The City and BPW have been dealing with storm water infrastructure issues for several years and for the past decade or so they have become unaffordable with the current method of funding.

Collecting utility fees specifically for storm water is the most accurate and legally defensible way to collect revenue to fund storm water related expenditures. The initial estimated costs per month for residential property owners would be approximately \$1.39/500 square feet of impervious surface.

If the ballot issues passes, the BPW would initially focus on a back log of infrastructure repairs, assessing the condition of the system plus MS4 permit requirements. If the ballot issue does not pass, the BPW would primarily focus on MS4 permit requirements. These permit requirements are regulated by EPA and Missouri Department of Natural Resources and are water quality related, there is no emphasis on infrastructure. The BPW would only address infrastructure failures that warrant immediate action. From the average citizen’s point of view, nothing would change.

Hall stated that since the last Council meeting, BPW has updated the storm water section on their website. One key area is “frequently asked questions” which BPW has received or anticipate receiving. If they receive additional questions they will be added to the list.

If Bill No. 19-001 is approved, the issue will be on the ballot in April for the voters to consider. The BPW has storm water educational presentations scheduled for February and March. The focus will not be on Proposition S, however, he is sure that it will come up. BPW has tentatively scheduled two public education meetings in the Council Chambers to discuss the storm water and to answer any questions the public may have. The community meetings are scheduled for March 7th and March 28th at 6:30 pm.

LaGarce advised the MS4 permitting is a red tape issue and the “MS4 people” don’t care, if during a rain storm, there is four inches of water in your house as long as the water is clean. If this doesn’t pass, all the BPW will be able to do is take care of their state paperwork, many problems would not be able to be taken care of. Hall advised the one by the former St. Elizabeth hospital and others would have to stay as is, if not passed by the voters.

RESOLUTION NO. 2188-19

A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING THE MAYOR TO EXECUTE AN AMENDED LEASE AGREEMENT FOR 109 VIRGINIA WITH THE VILLAS OF ST. ELIZABETH, LP BY AMENDING THE ASSIGNMENT OF GRANT AND LAND OPTION AGREEMENT TO JANUARY 30, 2021

A motion was made by Council Member Veach to have the City Clerk read Resolution No. 2188-19 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. 2188-19 duly approved and adopted on this date.

RESOLUTION NO. 2189-19

A RESOLUTION OF THE CITY OF HANNIBAL AMENDING THE FISCAL YEAR 2019 BUDGET (NO. 2) RELATIVE TO SALES TAX RECEIPTS AND THE DEMOLITION EXPENDITURE ACCOUNT IN THE BUILDING INSPECTOR'S DEPARTMENT

A motion was made by Council Member Godert to have the City Clerk read Resolution No. 2189-19 and call the roll for adoption. The motion was seconded by Council Member Van Hoose.

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. 2189-19 duly approved and adopted on this date.

BILL NO. 19-001

**AN ORDINANCE OF THE CITY OF HANNIBAL
CALLING A MUNICIPAL ELECTION TO BE
HELD TUESDAY, APRIL 2, 2019 TO ALLOW
HANNIBAL VOTERS TO CONSIDER THE
IMPLEMENTATION OF A FEE SCHEDULE FOR
THE PURPOSE OF FUNDING A UTILITY TO
ACQUIRE, CONSTRUCT, MAINTAIN AND
IMPROVE THE CITY'S STORMWATER
CONVEYANCE SYSTEM, *Proposition S***

Second and Final Reading

A motion was made by Mayor Pro Tem Dobson, to have the City Clerk read Bill No. 19-001 and call the roll for adoption. The motion was seconded by Council Member Veach.

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 Bill No. 19-001 duly approved and adopted on this date.

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