

CITY OF HANNIBAL

OFFICIAL PUBLIC PROCEEDINGS

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

CALL TO ORDER

At the appointed time, Mayor Hark opened the Public Hearing. He then asked Edie Price, DPW Management Assistant, to come to the podium to address Council regarding a voluntary annexation request.

**EDIE PRICE, DEPARTMENT OF PUBLIC WORKS
Re: Voluntary Annexation, Rolling Meadows Subdivision
RAR Rentals, LLC
107 Clover Road & 70 Meadows Road
*A-One- and Two-Family Zoning***

Edie Price informed Council that she is here for a voluntary annexation request for 70 Meadows Road and 107 Clover Road, both applicants and property owners are RAR Rentals, also known as Michael and Rich Riesenbeck. Price reported the main reasoning for the voluntary annexations is fire and police protection. The applicants have previously annexed other properties into the City in the Clover Road area.

Price stated, “this annexation went through Planning and Zoning on June 20th, with no objections from anyone present”. “This was also unanimously approved by all board members, and will discuss more during the regular Council meeting, but she wanted to open the public meeting for any discussions,” Price continued.

She informed Council, members from Janes Surveying are here tonight, representing the property owners, who may want to speak.

PUBLIC COMMENTS

The Mayor then questioned if anyone was in attendance that wished to speak in favor or against the voluntary annexation requests. There being none, Council Member Welch indicated he did his due diligence and “checked out” the area and noticed there were several new sewer drains in

the area, he questioned if these properties were “hooked up” to the City’s sewer system. Heath Hall, General Manager from the Board of Public Works, indicated he believes they are on City sewer, however, not City water. Council Member Welch then questioned if the “hook ups” are up to date, in which Hall stated he believes so.

Price, from the audience, indicated that she believes that these properties are like Sherwood Estates, the property is listed as Hannibal but is right outside City limits. Currently there are four streets in the Clover Road area that are not inside City limits.

Mayor Pro Tem Dobson indicated his mother and father lived in the area and those homes will remain on Missouri Rural Electric and Ralls County Water unless they are “bought out” by the City. He informed Council these properties are hooked to the City sewer and pay double rates for sewer at this time, however, that would drop once they are annexed into the City limits.

ADJOURNMENT

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

CITY OF HANNIBAL
OFFICIAL COUNCIL PROCEEDINGS

Tuesday, July 2, 2019
Council Chambers
7:00 p.m.

ROLL CALL

Present: Council Members Bowen, Welch, Veach, Godert, Mayor Pro Tem Dobson, Council Member Cogdal and Mayor Hark – 7

Absent: - 0 -

CALL TO ORDER

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

INVOCATION

The invocation was given by Council Member Cogdal.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

A motion was made by Council Member Veach to approve the agenda, as presented and posted. The motion was seconded by Council Member Godert.

Motion carried.

APPROVAL OF MINUTES
Committee of the Whole Council – June 5, 2019
Regularly Scheduled Council Meeting – June 18, 2019

A motion was made by Council Member Veach to approve the minutes from the Committee of Whole Council held June 5, 2019 and the regularly scheduled Council meeting held June 18, 2019. The motion was seconded by Council Member Godert.

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS
Second Half – June, 2019

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

Motion carried.

JASON KRIGBAUM – HANNIBAL BBQ FESTIVAL
Re: Request, Increase Decibel Level to 125
Hannibal BBQ Concert Series - July 26 – 28, 2019

Jason Krigbaum, representing the Hannibal BBQ Festival, then approached Council. Mayor Hark then advised Council that he would turn this portion of the meeting over to Mayor Pro Tem Dobson as he has a current contract with Mr. Krigbaum and he would be abstaining from the discussion and any vote due to a conflict of interest.

Mayor Pro Tem Dobson asked Mr. Krigbaum to present his request. Krigbaum indicated that his request is for the weekend of July 26 – 28, 2019 and is to increase the decibel level to 125 for the BBQ concert series. This level is in accordance to the City ordinance that the Council can approve an increase to. He doesn't believe the concert levels will be anywhere near that level but wants to request, "just in case" and to make sure there are no issues that weekend.

Mayor Pro Tem reminded Council of the current Noise Ordinance reads as follows:

Standard noise levels. For all outdoor venues, productions, performances and events, there shall be limitations on the decibel levels and sound pressure levels allowable. These standards are as follows:

- c. For all outdoor venues, productions, performances and events, for which approval of the event by the city council has been sought and obtained, the decibel levels allowable shall not exceed 125 decibels when measured three meters (9.84 feet) in front of the center of the speakers, nor shall it exceed 115 decibels when measured a distance of 30 meters (98.42 feet) from the source at a location centered between the speakers, without regard to whether the location is within 750 feet of any residential area.*

Mayor Pro Tem Dobson indicated he recalled at a past meeting there were some residents in attendance who expressed concerns about parking and noise, in which he believed those issues

were resolved with the street closure of Collison Street. Mayor Pro Tem Dobson also recalled that Mr. Krigbaum stated the speakers will be set up away from the resident's homes and more towards the highway, in which Mr. Krigbaum concurred.

City Attorney Lemon indicted the order of business that should be taken would be Council's formal approval of the concert within the City limits, which would allow for the increase in decibel level. Mayor Pro Tem Dobson then indicated, he believed Council did approve the concert at the previous meeting, in which Lemon advised they did not. Lemon stated it was not requested to approve the concert nor increase the decibel level during that meeting. At that time the event coordinators did not believe they would need the additional increase in decibels, but now they believe they do, according to Lemon. Lemon doesn't believe the residents are aware of the event asking for the increase in decibel level, or he feels the residents would have been in attendance tonight. He's not saying that it's against Council's privilege to approve the concert, he just believes that by approving the concert and the increase in decibel level, without the residents being made aware, would somewhat reverse what was agreed upon during the last Council meeting.

Mayor Pro Tem Dobson questioned Krigbaum on the purpose of his event. Krigbaum indicated he took this BBQ festival on himself, personally investing a lot into the event. In light of the Bicentennial celebration he believes this event will be very beneficial for the community and surrounding communities. He stated he is requesting the increase in decibel level to protect his event, although he doesn't think they will need it but with all the concerns stated at the previous meeting he thought it would be a good idea. Krigbaum indicated he spoke with Council Member Veach, who indicated last Saturday night during a concert the Jaycee's sponsored, they ran a decibel level check at 10 feet and it was 105 decibels, which was measured for about 30 seconds. Council Member Veach stated the decibel level ran about 101 but did top out at 105 decibels at one time during this tested country music concert.

Mayor Pro Tem Dobson questioned if Krigbaum's concerts would be located 750 feet from a residence. Krigbaum indicated if the hotel is considered a residence then it would be located within that distance. Mayor Pro Tem Dobson stated the ordinance indicates that if the concert is within 750 feet of a residence the maximum decibel level is 90 within three feet of the speaker. Lemon indicated that the biggest issue is going to be if someone complains. If a complaint is received, then the Hannibal Police Department will have to come measure the decibel level.

Chief Davis, from the audience, informed Council that after the last meeting the Hannibal Police Department (HPD) spoke with Krigbaum and they are planning to work with him on testing the levels prior to the event date, to make sure the concert is within the approved level. Chief Davis also informed Council since the last meeting HPD has updated their decibel level testing equipment. Mayor Pro Tem Dobson asked if HPD had to conduct in-house calibrations on this equipment or the equipment arrives already calibrated. Chief Davis indicated the device came with a certificate of proof and is already calibrated. Mayor Pro Tem Dobson questioned if the certificate was good for one year, in which Davis indicated he believes so, and his department also reached out to Lemon's office and they were both satisfied with the equipment. Chief Davis stated the calibration equipment is standardized and is the same equipment that other Police Departments are using. Davis also stated the department will follow the ordinance exactly how it is written, no matter "who it makes happy". He believes this will help to avoid some issues, but not all. Mayor Pro Tem Dobson questioned if this was a time weighted average or a spike that might exceed. Davis indicated they would go by the decibel level of whatever is approved by Council. For instance, if a complaint is received, HPD would go to the concert, make the concert

sound coordinator aware of the complaint and then test the decibel level and see if they are in compliance.

Lemon indicated the ordinance referred to measurement of the “average amplitude” of the decibels and a momentary spike should not be a violation of the ordinance.

Council Member Cogdal asked Krigbaum if the increase in decibel level is not approved, would the concerts be able to keep the decibel level within what the ordinance states, and if he could work with the artists to keep it within the range. Krigbaum indicated that they would try their best to comply, he is trying to protect himself, keep everyone happy and be within compliance. Council Member Cogdal questioned Krigbaum on the timeframe of the concerts. He stated the concerts are scheduled to be finished by 10:30 p.m. with everyone out of the area by 11:00 p.m. The concert on Sunday should end by 9:00 p.m.

A motion was made by Council Member Welch to approve the BBQ Festival Concert Series within City limits and to increase the decibel level not to exceed 125 decibels. The motion was seconded by Council Member Veach.

Motion carried.

MARY RADEL & CHRIS WILDRICK – HERBAL REMEDIES
Re: Medical Marijuana Facilities, Ordinance Conflict

Mary Radel, with Herbal Remedies, then approached Council advising that she wanted to inform Council the different way the City’s ordinance for medical marijuana facilities is written versus the way the states is. She believes that when the Council passed the ordinance, the state had not finalized their wording. She wants to make sure whatever wording that was approved within the City’s ordinance would not prohibit her company from obtaining a license in Hannibal, if they were to be approved by the state. Mayor Hark questioned what particular wording she believes is in conflict with the state wording. Ms. Radel stated the City ordinance is written from property line to property line and the state has it written, if you are leasing a building that has multiple units, it is from the closest entrance to the property line and measured by a lawful walking distance.

City Attorney Lemon indicated that he reviewed the statute and regulations and the statute is very clear that the City may impose a more restrictive regulation than the state. He believes it’s not a conflict with state regulations, it’s just the City is imposing a more strict regulation, which is within their right under the statute. The 400 feet distance was discussed by Council before approving the ordinance and there was some additional discussions on 1,000 feet from door to door. Four-hundred feet from property line to property line was the distance Council ended up approving as a compromise. Lemon stated that it can be changed, if Council wishes, the ordinance was approved as a zoning ordinance and would need to go back through the process. Ms. Radel indicated that the statute clearly states that a City cannot be in conflict with what the state says, so the City can’t approve an ordinance that would be in conflict with the state. She then asked if City Attorney Lemon would like to see the state’s amendment, in which Lemon advised he has seen and read it. Lemon questioned what specifically she was referring to that was in conflict, in which she indicated the Missouri Constitutional Amendment. City Attorney Lemon indicated he would have to disagree with her as the amendment states the City may restrict zoning regulations more than what the state can. He thought there was possibly a

regulation he could have missed, however, if referencing the Constitution, he feels the City is within their right, if she would like to provide him a copy of what she is referring to, he will look into it. Upon his review, he will then give Council a formal written reply. Ms. Radel indicated the area is section seven, paragraph eleven. Mayor Pro Tem Dobson requested she read the language aloud to the Council. Ms. Radel provided the following:

- (11) No local government shall prohibit Medical Marijuana Cultivation Facilities, Medical Marijuana Testing Facilities, Medical Marijuana-Infused Products Manufacturing Facilities, or Medical Marijuana Dispensary Facilities, or entities with a transportation certification either expressly or through the enactment of ordinances or regulations that make their operation unduly burdensome in the jurisdiction. However, local governments may enact ordinances or regulations not in conflict with this section, or with regulations enacted pursuant to this section.

Mayor Pro Tem Dobson questioned Lemon if that language was not what she is claiming, in which Lemon indicated it reads the way he was explained it, however, he would provide a formal written opinion.

Mayor Pro Tem then asked Ms. Radel to explain her situation with the property lines and the actual distances between buildings that she feels is in conflict. She explained the property that her company is looking at has acreage of 11.53 acres where the property “goes back” further than the actual building exterior. The Mississippi Valley State School is located within approximately 200 feet of the actual property line. She then distributed to Council copies of a map that identified the property in question with the proximity of the Mississippi Valley State School. Ms. Radel indicated the area they are looking at is near Dollar Tree and Goodwill and if you measure from the property door to the property line of Mississippi Valley State School, it would be beyond the 1,000 feet the state requires, however, the way the City ordinance is written it would be a conflict. Mayor Hark indicated it appears that at least 50 percent of the lot is green space behind the building structures and if you measure the way the ordinance reads, it would be in conflict. Ms. Radel stated the way the state has you measure is the lawful walking distance from the door to the property line, however, there is a water tower located and no one would be lawfully walking through that area.

Council Member Welch questioned if this issue would be the exact reason for variances. Lemon advised this would be something Council could refer to the Board of Adjustment to have them analyze, however, he disagrees and feels our ordinance is indeed lawful under the constitutional amendment. Lemon stated the constitutional amendment allows the City to maintain its own zoning ordinance to be more restrictive. However, a City cannot create such a restriction that they are trying to prevent facilities from locating within the City limits by “playing games” with zoning restrictions, which is not what Hannibal is doing. Lemon stated the City had a different measurement which was started with the former City Manager who indicated that restriction would eliminate all but about 10% of available properties within the City limits of Hannibal. After the results of the analysis, that’s when the 400 feet came from as there are lots and lots of properties/spots that would be available, maybe not this particular property but other properties. Lemon stated it is however, within the Board of Adjustment’s power to recommend to Council the ability to give a variance, if that’s what is wanted. Council Member Welch feels this would be the best bet, for Ms. Radel to go before the Board of Adjustment to request a variance and doesn’t feel the need to change an ordinance to suit a specific issue. Mayor Pro Tem Dobson indicated that Ms. Radel’s company is “under the wire” for submission of their application, which is due in August, in order to obtain a license. Council Member Bowen feels if the City

isn't going to enforce the ordinance of 400 feet and allow variances, there would be no need for the specific distance. Council Member Welch agrees this specific property does have about 500 feet of green space. Ms. Radel asked how long before a variance could be granted, in which Price, from the audience, indicated that the variance request would have to be advertised 15 days prior to the meeting and make sure the Board of Adjustment (BOA) members are available for a special meeting, which would most likely place the meeting the 3rd week of July. Ms. Radel would then have to wait 30 days before the variance it could be fully granted, it would be August 2nd at the soonest even if the Board of Adjustment were to meet tonight, according to Price.

Mayor Pro Tem Dobson then asked that Corey Mehaffy, Economic Development Director, be recognized. Mehaffy advised that Jeff's (the former City Manager) idea was to be less restrictive with the 400 feet than what the state requires of 1,000 feet. He brought to Council's attention that they approved property line to property line and he feels technically the spirit of what Council approved was to be less restrictive, which they are not with the two sites in question. However, the Huck Finn area, which is more than 1,000 feet away would be within the City's ordinance guidelines. Mehaffy agrees with James with the way it was written, however, he just wanted to remind Council the intent was to be less restrictive. Mayor Hark indicated that he too felt that it was to be less restrictive than the state regulations. Mayor questioned the City Attorney on the process to amend the ordinance. Lemon then questioned Joey Burnham, who was in the audience, as it is Lemon's belief that it would have to go to Planning and Zoning, in which Mark Bross, the City Engineer, from the audience, indicated that amending the ordinance would take the same length of time as a variance. Mayor Hark believes there is nothing Council can do tonight, either way, it would have to go back to the Planning and Zoning Commission, in which Lemon agrees. Ms. Radel indicated their goal is to make sure there are no issues complying with the City of Hannibal when they know they are in compliance with state regulations. Mayor Hark indicated he recognizes what she is presenting tonight and the spirit of the City was to not be more restrictive and to allow for those businesses to be located in City limits. The City was trying to be "door openers" not "gate keepers". He agrees with Council Member Welch and believes she should go before the BOA to request they grant a variance. Council may have to review the ordinance at some point in time as Mayor Hark does not feel an entire five acres of property was to be included in the calculation of distances.

JOHN LYNG – 625 GRAND AVENUE

Re: Request, Cancellation of Recycling Fees by the Board of Public Works *(beyond one-year old)*

John Lyng, resident of 625 Grand Avenue, then approached Council, thanking them for allowing him the opportunity to come before them this evening. He began by indicating that he feels Council's time would be greatly economized if those who were bringing issues before Council were given the benefit of consultation from the various City offices where that particular issue lies because a lot of discussion is "can this be done, can that be done", which could be addressed by those particular offices in advance.

Tonight he is here to talk about an issue that he feels would be a slight benefit to the personnel at the Board of Public Works (BPW), relating to the recycling fees. The BPW is charged with collecting \$1.90 on each utility bill to go towards recycling. This as an individual donation to the NEMO Sheltered Workshop, and another entity of which he couldn't recall, in which Council Member Welch advised it was Two Rivers Industries. This money goes into a municipal bank account and it then paid dollar per dollar to Two Rivers Industry. Lyng stated there are a number

of people, not a great amount, which he is one, that decide to not make this donation. He has discussed this with the BPW on the policy for those people who decide not to make this donation. They essentially said “if you don’t bother us, we won’t bother you”. However, that \$1.90 accumulates on the bill and there has been a time of two he’s had a disagreement on what he owes for actual services. Lyng stated that every time that happens, someone from the BPW clerical staff has to go back and manually compare the Board services to what he actually pays. The last time the City had a contract with the Sheltered Workshop (Two River Industries) was in 2009. Lyng’s suggestion was, which he received a reply from the past BPW manager, was the BPW could take that amount from his bill, but only the last year or two. The BPW staff has indicated to Lyng that this should be a decision of the City Council and he feels this would save time of the City/BPW staff, if they allowed that amount to be “taken off”, at least a year or two. This would at least minimize the tidiest task it puts on the BPW staff.

Council Member Welch questioned if this issue was not a vote of the people to make this donation. Lemon advised there were two votes, on two different occasions and by the ordinance it is not a donation, it is a fee that has to be approved by the vote of the people. The ordinance does make reference to shutting off utilities, however, the BPW has a real concern with it, as there is a state law about when they can shut off utilities. Both the Board and he have a problem shutting off utilities for someone not a paying the recycling fee. The result has been what it is, perhaps a more appropriate way to deal with the fee, if it is a concern, to look at changing the ordinance in relation to provisions of enforcement. Lemon would suggest there are probably some alternative ways to enforce the fees, such as through City Court. Lemon agrees it would be problematic to shut off utilities for not paying a recycling fee.

Council Member Welch indicated that this was a vote of the people and should be paid. Lyng indicated that if this is a municipal fee it should go in the City treasury, which has to be budgeted and be paid out by claims and has to be bid out to a contractor and there would be specifications and bidding. Lyng indicated the last contract was good until June 30, 2009, the best he could tell, and there has never been any bidding nor specifications nor any program or reporting. He believes these are some of the problems Council should take into consideration if they indeed want a bonafied recycling program. He believes this was one of the issues where the government said, “we’ll pay along for a while, then you’re on your own”. The City was then confronted by the problem of “what do we do now”? We started solving the recycling problem for \$6,600 a year, but now it’s \$180,000-200,000. Lyng thinks the overall picture should be reviewed before “going at it again”. Council Member Welch indicated he thought he had seen somewhere an automatic renewal was mentioned. Lemon indicated that Lyng is correct with the fee and the requirements for a bidding process, however, he cannot take credit for the bulk of the way the amendment reads, since he didn’t draft the original ordinance. He has, however since drafted an amendment to the original ordinance. Lemon does agree there is a procedure that should/needs to be followed, however, whether or not anyone has taken this out for bid, he could not speak to.

Mayor Pro Tem Dobson questioned Health Hall, on the number of customers that were not paying the recycling fee, in which Hall indicated five or less.

The Mayor requested City Attorney Lemon work with City Manager Peck to provide a legal opinion on the contract and bid requirements which the Mayor requested to be cleaned up before the next election timeframe.

RICH STILLEY – BUSINESS MANAGER, HANNIBAL SCHOOL DISTRICT #60
Re: Permit Fees, Hannibal High School & Hannibal Career & Technical Center
Renovations

A motion was made by Mayor Pro Tem Dobson to table this item until a later date in order for more discussions to take place. The motion was seconded by Council Member Welch.

Motion carried.

JAMES HARK – MAYOR
Re: Oath of Office

- *City Manager – Lisa Peck*

The Mayor then requested Ms. Peck to step from the Council dais to join him on the floor to be administered the Oath of Office. Ms. Peck was administered the Oath of Office and then indicated she is very excited to be joining the Hannibal community and the City's professional staff.

Re: Approval of Appointments

Mayor Hark reminded Council of the candidates he presented for recommendation of appointment/reappointment to the Hannibal Airport and Library Boards, during the last meeting.

HANNIBAL AIRPORT BOARD

- **Corey Mehaffy – appointment for a term to expire September, 2022**

A motion was made by Mayor Pro Tem Dobson to approve the appointment of Corey Mehaffy to the Hannibal Airport Board for a term to expire September, 2022. The motion was seconded by Council Member Veach.

Motion carried.

HANNIBAL LIBRARY BOARD

- **Kim Ahrens – reappointment for a term to expire June, 2022**

A motion was made by Council Member Welch to approve the reappointment of Kim Ahrens to the Hannibal Library Board for a term to expire June, 2022. The motion was seconded by Council Member Veach.

Motion carried.

Re: Recommendation of Reappointments

Mayor Hark then made the following recommendations for reappointments to the Board of Adjustment and Hannibal Municipal Assistance Corporation.

BOARD OF ADJUSTMENT

- **John Moore – reappointment for a term to expire May, 2024**

HANNIBAL MUNICIPAL ASSISTANCE CORPORATION

- **Jon Obermann – reappointment for a term to expire June, 2022**

These nominations will be considered for approval at the next regular Council meeting, to be held July 16, 2019.

LYNDELL DAVIS – POLICE CHIEF

Re: Northeast Missouri Humane Society – Contract for Services

(Resolution No. 2216-19, to follow)

Lyndell Davis, Hannibal Police Chief, then addressed Council relating to the Northeast Missouri (NEMO) Humane Society and a request that was brought forth to the Council a few months back. After that time, Davis was given direction by Council to negotiate a new contract with the Humane Society, as a contract had not been negotiated in about 18 years. Davis has worked with the City Attorney and a new contract has been prepared, and was presented to Council.

Chief Davis is requesting approval of the contract with the NEMO Humane Society with Resolution No. 2216-19 to follow.

Mayor Hark then brought up a recent event where the HPD had to seize a large number of cats questioning if those were housed at the Humane Society, in which Davis stated they were, and there were about 31 cats that were actually seized. HPD was called to a scene, where initially they counted 21 cats but appeared to be more and then the Community Service Officers were called out to assist. Davis stated this contract helps in these situations, having the right resources to accommodate the large number of animals seized.

KAREN BURDITT – FINANCE DIRECTOR

Re: Approval, Bid Waiver and Purchase & Vendor Approval - Jet A Fuel and Avgas

- *Arrow Energy*
- *Naegler Oil Company*
- *Titan Aviation*

Karen Burditt, Finance Director, approached Council requesting a bid waiver and approval to purchase Jet A Fuel and Avgas. Burditt explained Barron Aviation/Private Flight Services contract for the fixed base operator at the Hannibal Regional Airport, expired June 30, 2019, and was not renewed. Barron handled the purchase and sale of the fuel with the City receiving 2% of those sales. On June 13th, Burditt received a call that the airport was out of Jet A fuel, in which she had to purchase 3,000 gallons of fuel immediately as Survival Flight was in need of this service. Mayor Hark questioned the date of the call, in which Burditt stated it was June 13th, he then questioned if the City was still under contract with Barron at that time, in which she concurred as it did not expire until June 30th. Mayor Hark then indicated that would mean Barron failed to fulfill their contract.

As the City did not want an interruption in services with Jet A fuel, Burditt contacted the same providers that Barron Aviation used to purchase fuel, Arrow Energy and Naegler Oil Company, which are also the same companies the City used in 2009. She has also contacted Titan Aviation and completed an application for future fuel purchasing. Since that time she had to purchase 5,000 gallons of the Avgas, which was also running low.

Burditt is requesting a bid waiver so fuel can continue to be purchased from these three companies. The purchases will be based on pricing and availability. She is also working on other ways to maximize the City's profit on the sale of aviation fuel.

A motion was made by Council Member Welch to approve the bid waiver and for the City to purchase Jet A Fuel and Avgas from Arrow Energy, Naegler Oil Company and Titan Aviation. The motion was seconded by Council Member Godert.

Motion carried.

Re: Multi Service Aviation Merchant Program – Customer ID Questionnaire & Merchant Application
US Bank
(Resolution No. 2217-19, to follow)

Burditt's then stated that the City's fuel system has a credit card through U.S. Bank. In order to continue to allow purchasing of fuel without any interruptions the Mayor has already signed the Customer Identification Questionnaire and the U.S. Bank Multi Service Aviation Merchant Application in order to expedite the process with the understanding Burditt would come before Council for permission during this Council meeting. She explained this approval process could take as long as three weeks and the funds have been frozen on all fuel purchases through Barron Aviation's account until the City's account is set up. Burditt did not go out for bids for this service at this time but will in the near future.

Mayor Pro Tem Dobson asked for clarification on what exactly this card's purpose is, in which Burditt stated it is for pilot's to purchase fuel and the recipient bank is US Bank. This could change in the future since F & M bank has an aviation card available, but at this time she needed to transition as quickly as possible. It was then clarified it's a card acceptance system which will include a Point of Sale (POS) machine as well.

Burditt stated Resolution No. 2217-19 is to follow, for approval.

EDIE PRICE – DPW MANAGEMENT ASSISTANT
Re: Voluntary Annexation – Meadows Subdivision
107 Clover Road & 70 Meadows Road - A-One & Two Family Zoning
RAR Rentals, LLC
(Bill Nos. 19-015 & 19-016, to follow)

Eddie Price, DPW Management Assistant, then approached Council advising this is follow up from the annexation public hearing that was held earlier tonight. The two properties are located at 107 Clover Road and 70 Meadows Road, which are owned by Mike and Rich Riesenbeck. Price advised this application process did go through Planning and Zoning on June 20th and all public notices and letters were sent to all property owners within 180 feet of the properties. This

paperwork was also sent to Mark Bross at Klingner & Associates, who had no objections, as well as to all City department heads, with no objections. However, the Police and Fire Chief's both advised they would like to see the entire block annexed as all four sides of the neighborhood are already in the City limits. Mayor Hark indicated he agrees and "spot annexation" is difficult for first responders. Mayor Pro Tem Dobson questioned who would make the public notice to 911 services once these properties were annexed, in which City Clerk Zerbonia stated she does.

RESOLUTION NO. 2216-19

A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING THE MAYOR TO EXECUTE A FIVE-YEAR CONTRACT FOR SERVICES AGREEMENT WITH THE NORTHEAST MISSOURI HUMANE SOCIETY, A NOT-FOR-PROFIT CORPORATION FOR ANIMAL SHELTERING AND EVIDENCE CREMATORY SERVICES FOR THE HANNIBAL POLICE DEPARTMENT IN THE AMOUNT OF \$100,000 PER YEAR WITH SUBSEQUENT INCREASES AS DEFINED IN THE ATTACHED CONTRACT

A motion was made by Mayor Pro Tem Dobson to have the City Clerk read Resolution No. 2216-19 and call the roll for adoption. The motion was seconded by Council Member Veach.

ROLL CALL

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

No: - 0 -

Absent: - 0 -

Motion carried.

Mayor Hark declared Resolution No. 2216-19 duly approved and adopted on this date.

RESOLUTION NO. 2217-19

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CUSTOMER IDENTIFICATION QUESTIONNAIRE AND U.S. BANK MULTI SERVICE AVIATION MERCHANT APPLICATION FOR THE PURPOSE TO ACCEPT PAYMENT FOR FUEL AND SERVICES AT THE HANNIBAL REGIONAL AIRPORT

A motion was made by Council Member Welch to have the City Clerk read Resolution No. 2217-19 and call the roll for adoption. The motion was seconded by Council Member Bowen.

ROLL CALL

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

No: - 0 -

Absent: - 0 -

Motion carried.

Mayor Hark declared Resolution No. 2217-19 duly approved and adopted on this date.

BILL NO. 19-010

AN ORDINANCE REVISING CHAPTER 31 OF THE ORDINANCES OF THE CITY OF HANNIBAL, BY ADDING A NEW ARTICLE III “OTHER VEHICLES FOR HIRE”

Second & Final Reading

A motion was made by Council Member Veach to have the City Clerk read Bill No. 19-010 and call the roll for adoption. The motion was seconded by Council Member Bowen.

ROLL CALL

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

No: - 0 -

Absent: - 0 -

Motion carried.

Mayor Hark declared Bill No. 19-010 duly approved and adopted on this date.

BILL NO. 19-011

**AN ORDINANCE AMENDING CHAPTER 3 ALCOHOLIC
BEVERAGES, SECTION 3-1. CONSUMPTION IN PUBLIC AS
CONTAINED IN THE REVISED ORDINANCES
OF THE CITY OF HANNIBAL, MISSOURI**

Second & Final Reading

A motion was made by Mayor Pro Tem Dobson to have the City Clerk read Bill No. 19-011 and call the roll for adoption. The motion was seconded by Council Member Veach.

ROLL CALL

Yes: Council Members Welch, Veach, Mayor Pro Tem Dobson and Mayor Hark - 4

No: Council Members Bowen, Godert and Cogdal - 3

Absent: - 0 -

Motion carried.

The City Clerk then read Bill No. 19-011.

ROLL CALL

Yes: Council Members Welch, Veach, Mayor Pro Tem Dobson and Mayor Hark - 4

No: Council Members Bowen, Godert and Cogdal - 3

Absent: - 0 -

Motion carried.

Mayor Hark declared Bill No. 19-011 duly approved and adopted on this date.

BILL NO. 19-012

**AN ORDINANCE REVISING THE ORIGINAL TRANSPORTATION
ALTERNATIVE FUNDS AGREEMENT BETWEEN THE CITY OF
HANNIBAL AND THE MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION AND SUBSEQUENTLY
ENTERING INTO THE FIRST SUPPLEMENTAL AGREEMENT
FOR THE CONSTRUCTION OF SIDEWALKS ON THE NORTH
SIDE OF PALMYRA ROAD**

Second & Final Reading

A motion was made by Council Member Veach to have the City Clerk read Bill No. 19-012 and call the roll for adoption. The motion was seconded by Council Member Bowen.

ROLL CALL

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

No: - 0 -

Absent: - 0 -

Motion carried.

Mayor Hark declared Bill No. 19-012 duly approved and adopted on this date.

BILL NO. 19-013

**AN ORDINANCE APPROVING THE FISCAL YEAR 2019-2020
BUDGET AND APPROPRIATING TO THE VARIOUS
DEPARTMENTS, BOARDS, COMMISSIONS AND AGENCIES OF
THE CITY GOVERNMENT OF THE CITY OF HANNIBAL,
MISSOURI FOR THE FISCAL YEAR ENDING JUNE 30, 2020**

Second & Final Reading

A motion was made by Council Member Welch to have the City Clerk read Bill No. 19-013 and call the roll for adoption. The motion was seconded by Council Member Bowen.

ROLL CALL

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

No: - 0 -

Absent: - 0 -

Motion carried.

Mayor Hark declared Bill No. 19-013 duly approved and adopted on this date.

BILL NO. 19-014

**AN ORDINANCE TO PAY OFFICERS AND EMPLOYEES OF THE
CITY OF HANNIBAL, MISSOURI FOR THE FISCAL YEAR
2019/2020**

Second & Final Reading

A motion was made by Council Member Veach to have the City Clerk read Bill No. 19-014 and call the roll for adoption. The motion was seconded by Mayor Pro Tem Dobson.

ROLL CALL

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

No: - 0 -

Absent: - 0 -

Motion carried.

Mayor Hark declared Bill No. 19-014 duly approved and adopted on this date.

BILL NO. 19-015

**AN ORDINANCE OF THE CITY OF HANNIBAL APPROVING
ANNEXATION OF PROPERTY LOCATED IN THE ROLLING
MEADOWS SUBDIVISION, ALSO KNOWN AS 107 CLOVER ROAD,
INTO THE CITY LIMITS OF HANNIBAL,
MARION COUNTY, MISSOURI**

First Reading

A motion was made by Council Member Veach to give Bill No 19-015 a first reading. The motion was seconded by Council Member Bowen.

Motion carried.

BILL NO. 19-016

**AN ORDINANCE OF THE CITY OF HANNIBAL APPROVING
ANNEXATION OF PROPERTY LOCATED IN THE ROLLING
MEADOWS SUBDIVISION, ALSO KNOWN AS 70 MEADOWS
ROAD INTO THE CITY LIMITS OF HANNIBAL, MARION
COUNTY, MISSOURI**

First Reading

A motion was made by Council Member Welch to give Bill No 19-016 a first reading. The motion was seconded by Council Member Bowen.

Motion carried.

CLOSED SESSION

In Accordance with RSMo. 610.021 (1)

- *Potential Litigation*

Mayor Hark then entertained a motion to enter into closed session in accordance with RSMo. 610-021, sub-paragraph (1), potential litigation, admitting himself, City Council Members, City Attorney James Lemon, City Manager Lisa Peck, City Clerk Angel Zerbonia-Chaplin, Director of Central Services Andy Dorian and Finance Director Karen Burditt. A motion was made by Council Member Veach to enter into closed session. The motion was seconded by Council Member Bowen.

ROLL CALL

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

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.

James R. Hark – Mayor

Angelica N. Zerbonia, MRCC, CMO - City Clerk