

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

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

**ROLL CALL**

**Present:** Council Member Godert, Mayor Pro Tem Dobson, Council Member Cogdal,  
Mayor Hark, 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 Corporal Logsdon, from the Hannibal Police Department, to lead the Pledge of Allegiance to the Flag.

**APPROVAL OF AGENDA**

Mayor Hark stated that he had an addition for tonight's agenda, relating to the City's Municipal Court and the personnel vacancies.

A motion was made by Council Member Godert to approve the agenda, with the addition of the Municipal Court personnel vacancy. The motion was seconded by Mayor Pro Tem Dobson.

Motion carried.

**APPROVAL OF MINUTES**  
**Regularly Scheduled Council Meeting – April 16, 2019**  
**Special Called Council Meeting – April 23, 2019**  
**Special Called Council Meeting – May 2, 2019**

A motion was made by Council Member Veach to approve the minutes from the last regularly scheduled Council meeting held April 16, 2019, along with the special call Council meetings held April 23 and May 2, 2019. The motion was seconded by Council Member Godert.

Motion carried.

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

A motion was made by Mayor Pro Tem Dobson to approve the payroll and claims for the second half of April, 2019. The motion was seconded by Council Member Welch.

Motion carried.

**RANDALL CRAWFORD – MISSOURI HEMP IMPROVEMENT COMPANY**  
**Re: Proposed Set Back Requirements - Medical Marijuana Facilities**

Mr. Randall Crawford then approached Council advising he had been present during the April 2<sup>nd</sup> meeting, where he briefly spoke during the public hearing where the medical marijuana zoning was discussed. He stated that his company, Missouri Hemp Improvement Company, is a member of the trade organization with the medical marijuana organization in Missouri. What he would like to share with people/businesses considering opening this type of business, is that there are and will be concerns from citizens, but he and his company look at medical marijuana as medicine, as does the Missouri Constitution. Mr. Crawford referenced the numerous drug stores in the City, citing those businesses have a lot less regulation than what the medical marijuana facilities will have. He assured Council these facilities will be the most monitored and secured business in the City. He explained that anyone entering the facility will be required to have a medical card from a licensed physician. Mr. Crawford explained that every inch of the building will have security cameras with a required six months of recording, including the outside of the building. He believes the zoning the City is proposing, with a 400 feet set back, is a great compromise and will allow for this type of business to excel in Hannibal.

**ANGELICA ZERBONIA, MRCC, CMO – CITY CLERK**  
**Re: Certification of Election, April, 2019**

Mayor Hark asked City Clerk Zerbonia to read the Certification of the April 2, 2019 Municipal Election, at this time. Zerbonia read:

**I, Angelica N. Zerbonia, City Clerk of Hannibal, Missouri, do hereby certify that the attached is a complete and true copy of the Certification of Election, held on April 2, 2019, as certified to me by the Marion and Ralls County Clerks.**

Witness my Hand and the Seal  
Of the City of Hannibal. Done  
This 7<sup>th</sup> day of May, 2019.

**CERTIFICATION OF ELECTION  
Results of the Municipal Election of  
April 2, 2019**

|                             |               |              |              |
|-----------------------------|---------------|--------------|--------------|
| For Mayor, three-year term: | <u>Marion</u> | <u>Ralls</u> | <u>Total</u> |
| <b>James R. Hark</b>        | <b>1,729</b>  | <b>22</b>    | <b>1,751</b> |
| <b>Lou Barta</b>            | <b>481</b>    | <b>14</b>    | <b>495</b>   |
| <b>Write In</b>             | <b>10</b>     | <b>0</b>     | <b>10</b>    |

**Declaring James R. Hark winner of the position of Mayor.**

|                                   |              |
|-----------------------------------|--------------|
| For Council Member – Second Ward: | <u>Total</u> |
| <b>Michael J. Dobson</b>          | <b>357</b>   |
| <b>Write In</b>                   | <b>9</b>     |

**Declaring Michael J. Dobson winner of the Second Ward Council seat.**

|                                   |              |
|-----------------------------------|--------------|
| For Council Member – Fourth Ward: | <u>Total</u> |
| <b>Alan D. Bowen</b>              | <b>125</b>   |
| <b>Bill Hatton</b>                | <b>98</b>    |

**Declaring Alan D. Bowen winner of the Fourth Ward Council seat.**

**Proposition S**

Shall the City of Hannibal, Missouri, implement and maintain a separate fee schedule for the purpose of funding a utility tasked with acquiring, constructing, maintaining, and improving the City’s stormwater conveyance system?

|                    | Yes          | No           |
|--------------------|--------------|--------------|
| Marion County      | 1,104        | 1,103        |
| Ralls County       | <u>12</u>    | <u>25</u>    |
| <b>TOTAL VOTES</b> | <b>1,116</b> | <b>1,128</b> |

**Showing a total vote of 2,244 for Proposition S for the City of Hannibal: 1,116-YES and 1,128-NO votes; declaring Proposition S having failed by a loss of 12 votes.**

**BILL NO. 19-006**

**AN ORDINANCE OF THE CITY OF HANNIBAL AMENDING  
CHAPTER 12, SECTION 12-23 OF THE ORDINANCES OF  
REVOKING THE EXISTING SECTION AND ENACTING A NEW  
SECTION 12-23 IN ITS PLACE**

*Second & Final Reading*

A motion was made by Council Member Van Hoose to have the City Clerk read Bill No. 19-006 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, Council Members Van Hoose, Welch and Veach - 7

**No:** - 0 -

**Absent:** - 0 -

Motion carried.

Mayor Hark declared Bill No. 19-006 duly approved and adopted on this date.

**BILL NO. 19-007**

**AN ORDINANCE OF THE CITY OF HANNIBAL, AMENDING  
CHAPTER 32 OF THE HANNIBAL MUNICIPAL CODE RELATIVE  
TO PASSAGE OF STATEWIDE AMENDMENT 2 AND  
INCORPORATING VARIOUS MEDICAL MARIJUANA FACILITY  
USES INTO APPROPRIATE ZONING DISTRICTS OF THE CITY**

*Second & Final Reading*

A motion was made by Council Member Veach to have the City Clerk read Bill No. 19-007 and call the roll for adoption. The motion was seconded by Mayor Pro Tem Dobson. Mayor Pro Tem Dobson asked for clarification on the setback in which City Attorney James Lemon stated it is 400 feet from property line to property line.

**ROLL CALL**

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

**No:** - 0 -

**Absent:** - 0 -

Motion carried.

Mayor Hark declared Bill No. 19-007 duly approved and adopted on this date.

Mayor Hark then requested Council Member Van Hoose to come to the floor where he presented him with a plaque, thanking him for his years of service as 4<sup>th</sup> Ward Council Member, serving the citizens of Hannibal. Mayor Hark expressed his and Council’s appreciation of his dedication, commitment and contributions to the City of Hannibal and wished him well in his future endeavors.

Council Member Van Hoose then addressed the Mayor, Council and audience, thanking them for allowing him to serve the citizens of Hannibal, explaining the importance of community service.

**HONORABLE DONALD BASTIAN – MUNICIPAL JUDGE**

**Re: Oath of Office**

- *Mayor – James R. Hark*
- *2<sup>nd</sup> Ward Council Member – Michael J. Dobson*
- *4<sup>th</sup> Ward Council Member – Alan D. Bowen*

Honorable Judge Don Bastian administered the Oath of Office to newly elected Municipal Officials; James R. Hark, Mayor, Michael J. Dobson, 2<sup>nd</sup> Ward Council Member and Alan D. Bowen, 4<sup>th</sup> Ward Council Member. All three were elected for a three-year term to expire April, 2022

**ADJOURNMENT**

*Sine-Die*

A motion was made by Mayor Pro Tem Dobson to adjourn the meeting, sine-die. The motion was seconded by Council Member Welch.

Motion carried.



**ROLL CALL**

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

**Absent:** - 0 -

**CALL TO ORDER**

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

**JAMES R. HARK - MAYOR**  
**Re: Election, Mayor Pro Tempore**  
*Sec. 3.10. - Mayor pro tempore.*

Mayor Hark stated that Council Member Dobson was elected Mayor Pro Tempore last year. With his Council seat up for re-election, if Dobson wasn't re-elected, a new Mayor Pro Tempore would need to be elected. With Council Member Dobson being re-elected and no other nominations, it was declared that Council Member Dobson would remain Mayor Pro Tempore.

**Re: Municipal Court Vacancies**

Mayor Hark's next item of business is in regards to the Municipal Court personnel vacancies. He stated, as of today, both Court Clerks have resigned their positions, effective May 15<sup>th</sup> and May 24<sup>th</sup>. He also stated that due to a recent Supreme Court ruling, the court will see an increase in the amount of work, especially the court docket. Being as the City Manager position is vacant, Mayor Hark wanted to bring this issue before Council to obtain approval to fill both vacancies, along with approving overtime, if needed, to help until both positions are filled.

A motion was made by Mayor Pro Tem Dobson to approve filling both court clerk vacancies along with approving overtime, if needed, until the positions are filled. The motion was seconded by Council Member Veach.

Motion carried.

**Re: Approval, Council Appointment**  
➤ **Northeast Missouri Economic Development Council**  
*(effective July 1, 2019)*

A motion was made by Council Member Cogdal to appoint Council Member Veach to the Northeast Missouri Economic Development Council, effective July 1, 2019. The motion was seconded by Council Member Godert.

Motion carried.

**Re: Recommendation of Appointments**

Mayor Hark then made the following recommendations for reappointment/appointment:

## EMPLOYEE BENEFIT TRUST BOARD

- **Beverly Stewart – reappointment for a term to expire May, 2022**
- **Sheila Dennehy – appointment for a term to expire May, 2022**

## HISTORIC DISTRICT DEVELOPMENT COMMISSION

- **Casey Welch – appointment for a term to expire May, 2024**

These nominations will be considered for approval at the next regular Council meeting, to be held May 21, 2019.

## **ANGELICA ZERBONIA, MRCC, CMO – CITY CLERK**

### **Re: Approval, Job Description Modifications**

- *Director of Central Services*
- *Assistant Director of Central Services – Parks Division*
- *Assistant Director of Central Services – Street Division*
- *Parks & Recreation Secretary/Fiscal Assistant*

City Clerk Zerbonia explained that due to changes in operations and necessary restructuring in the Parks and Recreation, Street and the Finance Departments, there was a need to redistribute duties and responsibilities requiring updates to four job descriptions. The positions are currently known as Parks and Recreation Director, Parks and Recreation Assistant Director, Parks and Recreation Secretary and Department of Public Works Superintendent.

Zerbonia stated the Parks & Recreation Director will be reclassified as the Director of Central Services, which will completely modify the position and will include the overall day to day operations and management of both Parks & Recreation and Street departments. This will also include Landfill and Airport operations and management. The grade for this position will increase from a Grade 22 to a Grade 23, resulting in a promotion for Andy Dorian, who has been assuming these duties since late March, as approved by Council. Zerbonia explained being this will result in an increase in pay, if approved by Council, a payroll amendment will be necessary, which she will bring forth at the May 21<sup>st</sup> Council meeting. This position will be funded 70% through Parks & Recreation and 30% through General Fund.

For the next position, Zerbonia stated with the need for assistance in both the Finance and Collector's Office, as well as Parks & Recreation, their Secretary position will be classified as Parks & Recreation Secretary/Fiscal Assistant. The position modification will allow part-time support to the Finance Director, fill-in for the Collector's office while continuing duties as the Parks Secretary. Due to the permanent increase in duties, this position will increase from a Grade 6, to a Grade 8, effective July 1<sup>st</sup>. Since the promotion will take place July 1<sup>st</sup>, which will be in the new fiscal year, a budget amendment will not be necessary. Current Secretary Jessica Rosenkranz will be promoted to this position.

The Parks & Recreation Assistant Director position title will be changed to Assistant Director of Central Services – Parks Division. Zerbonia stated there are no modifications of duties or Grade changes, only position title.

The last job description change is the DPW Superintendent position. This position has been eliminated, due to the Director of Central Services assuming the majority of those duties. With the elimination of this position, it was returned to Street Department Supervisor and the Grade changed from Grade 19 to Grade 18. With the restructuring, the former Street Supervisor position will be retitled to Assistant Director of Central Services – Street Division, with no other duty modifications made beyond title. However, the Supervisor position was increased from a Grade 14 to Grade 18. Overall, this resulted in a decrease in grade level/salary for the current DPW Superintendent, Mike McHargue, so no payroll amendment will be necessary.

Zerbonia stated that under “normal” circumstances, position description amendments require authorization of two levels of approval. However, due to the absence of the City Manager position, Mayor and City Council will be the ultimate authority.

A motion was made by Council Member Veach to approve the modified job descriptions of the Director of Central Services, Assistant Directors of Central Services (Parks & Recreation and Street Divisions), and Secretary of Parks & Recreation/Fiscal Assistant. The motion was seconded by Council Member Welch.

Motion carried.

**Re: Approval, Destruction of Documents**  
*Exhibit A5*

City Clerk Zerbonia stated that since December, the City Clerk and Building Inspector have been working with the Secretary of State’s local archivist, David Sneed, to identify documents, stored in the basement which have met their retention schedule under RSMo. 109.230(4). The itemized list of documents, recommended for disposal, noted as *Exhibit A5*.

| <b>RECORD SERIES TITLE</b>   | <b>INCLUSIVE DATES</b> | <b>CUBIC FEET</b> |
|--|------------------------|-------------------|
| Accounts Receivable  | 1972-2012              | 0.3               |
| Building Applications & Permits<br>(Excavation, SW Bell Telephone, etc.) | 1964-1999              | 0.25              |
| Building Code Inspection and Enforcement                                 | 1975-2005              | 0.65              |
| Complaints (Roads)<br>(See Hwy Engineer Retention Schedule)              | 1991-1992              | 0.25              |
| Correspondence – General   | 1978-1985              | 1.2               |
| Correspondence – Transitory  | 1979-2001              | 0.07              |
| Landfill Fee Records   | 1979-1981              | 0.5               |
| Monthly Reports of Building Permits Issued File                          | 1965-2005              | 0.34              |
| Motor Fuel Usage Reports File  | 1981-1993              | 0.05              |
| News Releases – Routine  | 1975-1980              | 0.7               |
| Personnel – Employment Recruitment and<br>Selection Records              | 1979-2001              | 0.14              |
| Personnel – Job Descriptions   | 2008-2008              | 0.3               |
| Personnel – Time and Attendance Records                                  | 1978-1993              | 0.07              |
| Purchasing Records (Purchase Orders)                                     | 1991-2003              | 0.9               |
| Street Design Improvement Files  | 1975-1979              | 1                 |
| Telecommunications Log<br>(Phone Message Books)                          | 1979-1983              | 0.05              |
| Traffic Signals Intersection File<br>(Traffic Studies)                   | 1974-1986              | 1.25              |



City Clerk Zerbonia explained that the minutes of the Council meeting authorizing the destruction, along with *Exhibit A5*, will serve as the permanent record in accordance with the practice outlined by the Secretary of State's office. If approved, the Clerk's office will oversee shredding and disposition of the records.

A motion was made by Mayor Pro Tem Dobson to approve the destruction of items listed in exhibit A5. The motion was seconded by Council Member Veach.  
Motion carried.

**ANDY DORIAN – DIRECTOR OF CENTRAL SERVICES**  
**Re: Bid Award Approval, 2019 City Wide Cleanup**  
*Republic Services - \$44,550 \*\*minimum*

Andy Dorian, Director of Central Services, approached Council explaining the City opened bids on Thursday, May 2<sup>nd</sup>, for this year's City Wide Clean-Up. The department received one bid from Republic Services, as follows:

- Minimum of \$44,550 (135 Tons @ \$330.00 per ton)
- \$330.00 per ton over the minimum 135 tons
- \$805.00 per haul and \$160.00 per ton for disposal of passenger, agricultural and tractor trailer tires
- \$150.00 per container for household appliances

Dorian stated the City Wide Clean-Up will be held on South Main Street, if approved, on Saturday, October 12, 2019 from 7:00 a.m. – 4:00 p.m.

Dorian also explained in order for the City to reserve the October 12<sup>th</sup> date, he is asking the Council to approve the bid before the final approval of the 2019-2020 budget. Therefore, the DPW and Finance Department recommend the City Council also approve putting a \$60,000 placeholder in the upcoming 2019-2020 budget for the Clean-Up.

A motion was made by Council Member Veach to award the City Wide Clean-up bid, scheduled for October 12, 2019, to Republic Services, and to approve inserting a \$60,000 placeholder in the upcoming 2019-2020 budget. The motion was seconded by Council Member Cogdal.

Motion carried.

**Re: Riverfront Temporary Lease & Temporary Boat Ramp – Lease Agreements**  
*Canton Marine Towing*  
*(Resolution Nos. 2207-19 and 2208-19, to follow)*

Dorian's next item of business is with Canton Marine Towing and relates to leasing a piece of property on the riverfront. The property will be a temporary boat ramp for the 2019 boating season. Since the future boat ramp is currently under construction as part of the riverfront renovation project, it cannot be used during this year's boating season. Dorian explained Canton Marine Towing has a parcel of land adjacent to the Scipio Marina that has been used to pull barges in and out of the water for repairs. There is a natural ramp in place that boaters can use for a boat launch. As part of this project, Parks & Recreation has ordered a 12'x50' concrete product

called flexamat that is used for temporary boat ramps. They will then do some site grading work and will haul in some rock for parking areas.

Once the new boat ramp is open at the renovated riverfront, Parks & Recreation will pull up the flexamat and re-utilize it as part of an erosion control project along the Bear Creek Trail. Dorian stated, if approved, this lease would run through December 31, 2019 and would cost the City \$1.00. Construction on the temporary boat ramp would begin immediately unless high river levels prevent access to the property.

Dorian then stated on a separate lease agreement the City would allow Canton Marine Towing to park their tug boats on the riverfront through December 31, 2019 for a charge of \$1.00. Canton Marine Towing is well aware of the ongoing construction taking place on the riverfront and will adjust their boat access locations based on the construction progress.

Dorian stated Resolutions No. 2207-19 and 2208-19 are to follow, for approval.

## **RESOLUTION NO. 2207-19**

### **A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A 1-YEAR LEASE AGREEMENT WITH CANTON MARINE TOWING FOR USE OF A DOCKING SITE LOCATED ON THE HANNIBAL RIVERFRONT**

A motion was made by Council Member Veach to have the City Clerk read Resolution No. 2207-19 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, Council Members Bowen, Welch and Veach - 7

**No:** - 0 -

**Absent:** - 0 -

Motion carried.

Mayor Hark declared Resolution No. 2207-19 duly approved and adopted on this date.

## RESOLUTION NO. 2208-19

### A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A 1-YEAR LEASE AGREEMENT WITH CANTON MARINE TOWING FOR A LOCATION FOR A TEMPORARY BOAT RAMP

A motion was made by Council Member Godert to have the City Clerk read Resolution No. 2208-19 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, Council Members Bowen, Welch and Veach - 7

**No:** - 0 -

**Absent:** - 0 -

Motion carried.

Mayor Hark declared Resolution No. 2208-19 duly approved and adopted on this date.

#### CLOSED SESSION

*In Accordance with RSMo. 610.021 (1) & (12)*

- *Potential Litigation*
- *Contract Negotiations*

Mayor Hark then entertained a motion to enter into closed session in accordance with RSMo. 610.021, sub-paragraph (1), potential litigation and sub paragraph (12), contract negotiations, admitting himself, City Council Members, City Attorney James Lemon, City Clerk Angel Zerbonia, Police Chief Lyndell Davis and HCVB Director Gail Bryant. A motion was made by Council Member Veach to enter into closed session. The motion was seconded by Mayor Pro Tem Dobson.

#### ROLL CALL

**Yes:** Council Member Godert, Mayor Pro Tem Dobson, Council Member Cogdal, Mayor Hark, Council Members Bowen, 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 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 Bowen.

Motion carried.

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**James R. Hark, Mayor**

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**Angelica N. Zerbonia, MRCC, CMO - City Clerk**