

CITY OF HANNIBAL
OFFICIAL COUNCIL PROCEEDINGS

Tuesday, May 21, 2019
Council Chambers
7:00 p.m.

ROLL CALL

Present: Mayor Pro Tem Dobson, Mayor Hark, Council Members Bowen, Welch, Veach and Godert – 6

Absent: Council Member Cogdal – 1

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 Godert.

PLEDGE OF ALLEGIANCE

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

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

Motion carried.

APPROVAL OF AGENDA

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

Motion carried.

APPROVAL OF MINUTES
Regularly Scheduled Council Meeting – May 7, 2019

A motion was made by Council Member Welch to approve the minutes from the regularly scheduled Council meeting held May 7, 2019. The motion was seconded by Council Member Veach.

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS
First Half – May, 2019

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

Motion carried.

JAMES ZIMMERMAN – COOLBYKE, LLC
Re: Request, Open Consumption
The Hayburner Pedal Pub

James Zimmerman, representing CoolByke LLC, approached Council regarding a proposal he is referring to as the “Hayburner Pedal Pub”, a nine-person bicycle. His plan is to conduct two tours; one during the day which will be kid friendly/tourist and a couple tours in the evening, which would be similar to a party bus. In the evening, passengers would purchase growlers which would not be allowed off the bicycle. He believes this would be a fun new addition to the downtown area and a great thing to attract visitors. With this, he is requesting open consumption, which would be allowed on the bicycle only.

Mayor Hark advised this would be a violation of the City’s current ordinance, in which City Attorney Lemon concurred adding that it would be a violation of Ordinance 3-1. City Attorney Lemon stated if Council is inclined to approve Zimmerman’s request, he feels they should think about changing the ordinance to allow for this permanent variance. In his opinion, they should not do a variance of the existing ordinance, of something permanent in nature. He feels Council should consider modifying the ordinance, to allow overall open consumption in the defined, downtown area.

Mayor Hark advised, it is his opinion, if Council continues to give exceptions to the rules/ordinances then they should be modified completely. Mayor Pro Tem Dobson indicated the Historic Hannibal Marketing Committee (HHMC), was scheduled to meet tonight, however, it was postponed. It was his plan to speak about Zimmerman’s request. If this were to be permitted, it would allow for open containers downtown and Mayor Pro Tem Dobson doesn’t see how this would be possible unless the City would allow open containers for all businesses. He is also concerned about the liability for the City being as the passengers would be getting on and off the bicycle with open containers, questioning who would monitor/enforce and feels the City doesn’t need to rush into this. Mayor Pro Tem Dobson feels he and the Council needs to thoroughly study this issue before committing to anything. Council Member Veach questioned if the individuals pedaling the bicycle and were under the influence could receive a DWI, in which Mr. Zimmerman indicated there would be a separate, sober driver. City Attorney Lemon

indicated that the biggest concern needs to be amending the ordinance to allow these type of activities under the open container ordinance. The City's ordinance states, if you are even a passenger in a vehicle with an open container, it is against the law. He stated Council could consider whether they want the City's ordinances to mirror the less strict State ordinances in regards to open container, which allows for passengers to have open containers.

Council Member Welch indicated he is more interested in the location of where the tour would be conducted. Mr. Zimmerman indicated he had hoped for Riverview Park, however, after looking into it further, he feels that would not be a possibility. Mr. Zimmerman indicated he has a million dollar liability insurance policy to cover the "Hayburner Pedal Pub" and has a current business license under Coolbyke.

Per City Attorney Lemon, as long as an individual is on private property, open container is allowable, however, it becomes a concern when anyone goes out onto the City streets. If Mr. Zimmerman were to have picnic tables on his property it could be allowable. Also, if a party bus were to be stopped by law enforcement and the passengers were found to have open containers, all passengers could be ticketed. City Attorney stated that any open container in a vehicle is illegal under our current City ordinance.

Mr. Zimmerman is looking for this to be a seasonal business, three days per week, at this time. Mayor Pro Tem Dobson then invited Mr. Zimmerman to attend the HHMC meeting tomorrow evening at the Mark Twain Dinette and speak to them about his idea.

Council Member Welch indicated he feels it's a great idea and sounds like it would be a lot of fun, however, he is worried about the City's liability. City Attorney Lemon advised, from a liability standpoint, he does not feel this would be a problem for the City. He feels that as long as Council doesn't attempt to expand more than what state law allows, the City should be fine. Council Member Welch feels Council should definitely define boundaries and zones if they allow for this. City Attorney Lemon indicated open consumption is also allowed on sidewalks in certain pre-approved areas located on Main Street and Broadway, with appropriate licenses/approvals.

Council Member Godert indicated one of his concerns is the timeframe that the tours would occur. He would like for this not to occur before 5:00 p.m. or not on Sundays, not just for Mr. Zimmerman, but for anyone wanting to do this or have open consumption. He wants to keep things, during this time, family friendly.

City Attorney Lemon asked if it were the Council's pleasure, for him to work with Mr. Zimmerman to bring back proposed ordinances, allowing for this activity. Council Member Godert suggested that he move forward with changing the current ordinance. City Attorney Lemon stated, as suggested by Council, he will work with Mr. Zimmerman to draft some changes to the ordinances and incorporate other thoughts he may have. City Attorney Lemon stated he would put some draft ordinances together by the next Council meeting, relating to Mr. Zimmerman's request.

Mayor Pro Tem Dobson then asked if Chief Davis had any concerns. From the audience, Davis indicated he is not a fan of waiving ordinances and supports the Mayor and City Attorney allowing the ordinance to mirror what the Council has a history of approving. Mayor Pro Tem Dobson indicated the downtown merchants have an excuse every other week to block streets, for

festivals or other events, and asked Mr. Zimmerman how he would “work around” those, in which Zimmerman replied he would just wait, just like with normal traffic.

JANEICE HUDSON – RESIDENT, 1904 COLLISON
Re: 4015 Market Street – Concert Venue Concerns

Janeice Hudson, resident of 1904 Collison, then approached Council, advising she has lived and raised children at her residence for over 16 years. The neighborhood has been a very quiet area. There have been events in past years, where parking has been an issue with people parking in their yards, trash has been left behind for them to pick up; vehicles have caused ruts in their yards and even blocked their drives. What affects her directly isn't the upcoming BBQ festival, it is the concerts taking place for three days. The location of the event is directly behind her house. She has been told the people in charge of this event are proposing an end time for the concerts of 10:30”ish” p.m., however, she has been to a lot of concerts and it takes time to get the area and patrons cleared out. She feels the residents will not be able to come home on Friday night and watch Netflix; they will be forced to listen to concerts Friday, Saturday and Sunday, that they might not want to listen to.

She then displayed a diagram and stated she measured the location of the concert to her home, which is only 372 feet. She restated, she doesn't mind the BBQ festival, she does, however, mind the concert for three days. She believes a live concert that close would cause her windows to rattle and would not allow for the residents to be able to carry on a decent conversation within their homes. They would be prisoners in their homes for the entire weekend. She has spoken with neighbors, one who is a war veteran that has PTSD. She advised Council that she has signatures of those petitioning against the concert to be located in that field. She does know that City ordinances mention festivals must be located in excess of 750 feet of a residential area and it's not much more than 372 feet from that point. Some of the residents are also concerned about excessive noise after 9:00 pm. She would like to think everyone would have the same laws, whether it's commercial or residential zoned. She did state the landowners have kept the lot looking very nice, since they have acquired it. Ms. Hudson stated there are other options or locations in the community for concerts, such as Tanyard Gardens, the Pops Club, the YMen's Pavilion or the Cave. She is proposing Council allow the BBQ festival but relocate the concert. She would also like to have Collison Street and New London Gravel Road closed so patrons attending the festival aren't able to access her or surrounding property. She would like to invite everyone to come stand in her backyard and imagine it being theirs, having to attend a concert they may not want to attend.

Mayor Hark advised there is a noise ordinance (16-184) states:

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:

- a. For all outdoor venues, productions, performances and events located in excess of 750 feet from the nearest residential areas, 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.*

- b. *For all outdoor venues, productions, performances and events located within 750 feet of any residential area, unless approved by city council, the decibel levels allowable shall not exceed 90 decibels when measured three meters (9.84 feet) in front of the speakers, nor shall it exceed 75 decibels when measured a distance of 30 meters (98.42 feet) from the source at a location centered between the speakers.*
- 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 Hark stated that outdoor performances are already allowed and there is no permitting process from Council to have to approve this outdoor venue. If there were to be alcohol sales that would be different, however, no permitting is necessary. Due to the size of the event, he feels it would be wise to close Collison, keeping it open for emergency access only, for those three days. He indicated Ms. Hudson's home is the only house served by that street and he believes the corner house can be accessed by New London Gravel. In the event a medical emergency were to occur, this would still allow access. Closing this area would also prevent Ms. Hudson's parking concerns. He feels it would also be a good idea for the event area to be contained or fenced off, and he believes the event planners intend to do so.

Mayor Pro Tem Dobson questioned the location of the stage, in which Jason Krigbaum, event coordinator, from the audience, advised it would be positioned towards the highway. Mayor Hark then asked for City Attorney Lemon's legal opinion on any necessary permitting to hold an event, as such. City Attorney Lemon advised this area is zoned industrial and by his understanding, it is permissible for someone to have an event in this location. He does not know if this property has plans to be an ongoing business, if so, there could be some parking issues that may need to be addressed. In regards to the noise ordinance and violations, with the way it is written, there are requirements as for the process of what is to happen. Without Council approval, the noise level is 90 decibels, and he feels it would be pretty tough for the concert to hit this. After conducting research, he found most rock concerts average 100-120 decibels, which is in excess of what the current ordinance allows. The ordinance also provides for a \$2,000 bond and can be collected against on complaints of exceeding the allowable decibels. It's problematic if you automatically assume that a concert is going to a problem. He doesn't feel that you can prejudge this situation. He does know that the Hannibal Police Department (HPD) is taking the event seriously, in fact they are looking at obtaining new digital, decibels meters. He is planning to meet with HPD this week and feels it would not be appropriate to take limiting action on the event just yet. He does believe the promoters of this event, will have to come to Council to raise the decibels or the sound man can go to jail if it exceeds the decibels, which has happened at a previous event, years ago. City Attorney Lemon indicated if it is a problem over the three day event, it would be within the City's Police power to designate it a nuisance and future events would have the potential of being shut down. At this point, Council doesn't know if it will cause any issues and he would suggest, until such time violations happen, there should be no action of Council.

Ms. Hudson then asked what could be done about the times, which are planned to be past 10:00 p.m. City Attorney Lemon indicated in regards to noise, if it is bothering people, then it is considered a problem/nuisance. There are, however, specific ordinances, as he mentioned

before, that relate to decibel levels for outdoor events. For outdoor concert venues, you have to look at that specific ordinance, not ordinances pertaining to loud parties or a stereo being played too loud which are general noise ordinances.

Council Member Welch indicated that from his experience, after concerts, people leave. There generally is not a lot of yelling and screaming until midnight, or people sticking around. Mayor Hark then questioned Council Member Veach about a recent concert held downtown by the Jaycees which ended around 10-10:20 p.m. Council Member Veach advised everyone was out a half an hour to hour after the concert was over. Mayor Pro Tem Dobson asked Council Member Veach, if to his knowledge, were there any noise complaints for this concert, in which he stated there were not.

Ms. Hudson indicated that she does not feel Tanyard Gardens has any homes that are as close to her home as this venue is. Mayor Pro Tem Dobson advised the senior high rise is within that same proximity. He then advised he had googled a typical concert, which states the average is 90-100 decibels and a lawnmower is actually 90 decibels. City Attorney Lemon does not feel anyone can prejudge any concert. He does feel what needs to happen beforehand, is that someone needs to make sure the soundman is aware of the current ordinance and decibel levels, advising they would be enforced. Mayor Pro Tem Dobson indicated it would be proactive to have someone from the HPD to go out there and test it with their meter during sound checks.

Council Member Bowen asked if this property was the only portion zoned industrial, in which City Attorney Lemon informed Council some of the homes are actually zoned industrial. He stated there are some very odd zoning issues and some have been zoned commercial and some industrial. He stated it may be an area that Council may want to take a look at in the future. For example, if a home were to burn down in that area, it could not be rebuilt, due to the fact that residential homes are not allowed in industrial zoned areas.

Ms. Hudson indicated the area residents did sign a petition for “no live concerts” at the location and it has been notarized. She stated the issue is the live concerts, not the BBQ festival. According to City Attorney Lemon, the promoter has not requested raising the decibel level, if that were to happen, the Council should consider the petition and he feels the petition should be accepted tonight to be placed on file.

Mayor Hark then asked Mr. Krigbaum if he would like to speak in relation to the issue. Jason Krigbaum stated on his behalf, that when it came to planning this event, which he began last August, they did take into account Ms. Hudson’s home and other surrounding properties. After some research, most of the properties are commercial, attached to industrial. He stated his understanding of the ordinance of 750 feet, is for residential zoned areas, not just a residential home in an industrial zoned area. He stated the promoters/organizers he is working with are aware of the decibel level requirements. Most concerts run between 80-100 decibels, as previously mentioned and he doesn’t feel they need to ask for special permission from Council, however, in light of complaints, they may do so. As far as trash, this will be a clean, family-oriented event and Krigbaum believes it will be good for Hannibal. He doesn’t want to trash anyone’s property and has not done that in the past with any events he has held. Mayor Hark reiterated that Ms. Hudson complimented him on the property upkeep. Mr. Krigbaum confirmed that the event will be 100% fenced, with security inside the area. He is not doing something halfway to avoid any issues and is not trying to offend people that his property is next to. It’s supposed to be a good, fun event. As far as the time frame, they accounted for that and are planning to have everyone out by 11:00 p.m. and on the third day by 10:00 p.m.

Council Member Welch indicated he knows Krigbaum professional and that he doesn't do anything half-way and he hopes everything goes perfect. He personally has fielded calls from residents over the last two weeks about this and they are legitimate, and he feels the event is necessary and will be done well.

Mayor Hark then questioned Mr. Krigbaum if closing Collison would benefit him as well as the Hudson's, in which he concurred. A motion was made by Mayor Pro Tem Dobson to close Collison Street and the backside of New London Gravel Road with the exception of the local residents being able to access their personal property. The motion was seconded by Council Member Godert.

Motion carried.

SUE DOWNING – SHOW CHAIRMAN, LOAFERS CAR CLUB
Re: Report, 24th Annual Car Show

Sue Downing, representing the Loafers Car Club, then addressed Council relating to the car show that was held downtown last weekend. She advised there were 170 cars present and it was a cold and rainy day, so the numbers were down a bit from previous years. Ms. Downing thanked the Council, Police Department, as well as the Street Department, for placing the bollards, which she advised are a very nice safety feature. She just wanted to thank everyone for all the support this year and prior years as well.

Mayor Hark thanked Ms. Downing for coming before Council, noting it's very seldom that people/organizations come back to show appreciation to Council and the City departments for their hard work.

Mayor Pro Tem Dobson stated the downtown merchants really appreciate events, like the car show, located downtown as it brings additional revenue and visitors to the area.

MICHAEL RIESENBECK – GOLDEN EAGLE
GAIL BRYANT – DIRECTOR, HCVB
Re: Request, Street Closures – Bicentennial Parade
Saturday, June 22, 2019 – 9:00 a.m. – 12:00 p.m.

Michael Riesenbeck, representing Golden Eagle and the Bicentennial Committee, approached Council requesting street closures for the Bicentennial Parade, which will be held Saturday June 22nd, from 9:00 a.m. to 12:00 p.m. This parade will feature the legendary Clydesdale horses and will include additional entries. For example, the Clydesdale's plan to be present at the Hoots Game on Thursday, June 20th with the parade, Saturday, June 22nd, if approved. The parade route will start east on Broadway at Save-a-Lot, turning left on North Main Street and then right on North Street. In the event the flood gate is still in, they will be turning right on Lyon Street and going towards the Jaycee lot.

He is requesting:

- "No Parking" signs on Broadway and North Main beginning at midnight on June 22nd
- HPD escorts, one to lead the parade and one at the end
- Street closures:

1. East on Broadway from Save-a-Lot parking lot
2. North Main Street
3. North Street and cones placed to reserve spots for three semi-trucks

Gail Bryant, Director of HCVB, advised the route may change, the horses may turn left on Third Street coming down North Street, left on Main Street. She has spoken with MODot, who has approved the route change, and she is waiting for approval by the main drivers of the Clydesdale's. The new route would provide a better shot/picture of the Clydesdales in the parade. It would have the Tom and Huck Statue, along with the new lighthouse in the background. Bryant is also requesting South Grand Avenue to be closed, up to Broadway (Save-a-lot parking lot). Chief Davis, from the audience, stated he was not aware of that request and asked for permission to amend the number of officers requested to be present, in which Mayor Hark agreed.

A motion was made by Mayor Pro Tem Dobson to approve the street closures and parade route, contingent upon coordination with Chief Davis and Gail Bryant with the addition of South Grand Avenue, for the Bicentennial Parade to be held Saturday June 22, 2019 from 9:00 a.m. to 12:00 p.m. The motion was seconded by Council Member Bowen.

Motion carried.

JAMES R. HARK – MAYOR
Re: Approval of Appointments

Mayor Hark reminded Council of candidates presented for recommendation of appointment/reappointment to the Employee Benefit Trust Board and Historic Development Commission during the last meeting.

EMPLOYEE BENEFIT TRUST BOARD

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

A motion was made by Council Member Welch to reappoint Beverly Stewart and appoint Sheila Dennehy to the Employee Benefit Trust Board for terms to expire May, 2022. The motion was seconded by Council Member Veach.

Motion carried.

HISTORIC DISTRICT DEVELOPMENT COMMISSION

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

A motion was made by Council Member Veach to appoint Casey Welch to the Historic District Development Commission for a term to expire May, 2024. The motion was seconded by Council Member Godert.

ROLL CALL

Yes: Mayor Pro Tem Dobson, Mayor Hark, Council Members Bowen, Veach and Godert – 5

No: - 0 –

Absent: Council Member Cogdal – 1

Abstain: Council Member Welch - 1

Motion carried.

Re: Recommendation of Reappointments

Mayor Hark then made the following recommendations for reappointments to the Hannibal Library Board:

HANNIBAL LIBRARY BOARD

- **Tom Prater – reappointment for a term to expire May, 2022**
- **Lauren Youse – reappointment for a term to expire May, 2022**

These nominations will be considered for approval at the next regular Council meeting, to be held June 4, 2019.

Re: Formation, Roadway Improvement Commission

Mayor Hark then requested to develop a new commission entitled the Roadway Improvement Commission. If approved, the commission would meet quarterly or as needed and will be comprised of three members of the Council, the Director of Central Services and the Finance Director. This commission will be responsible to review, plan, implement and recommend streets and alleyways in the community to be addressed and repaired for upcoming fiscal years and/or construction seasons. He is requesting for Council to allow for this commission, under premise, that the City Attorney would prepare an ordinance creating this commission which will need to be voted on and passed by Council. The ordinance will contain the proper language, duties and meeting times of this commission.

A motion was made by Mayor Pro Tem Dobson directing the City Attorney to create an ordinance with the proper language, duties and meeting times for the new Roadway Improvement Commission. The motion was seconded by Council Member Godert.

Motion carried.

ANGELICA ZERBONIA, MRCC, CMO – CITY CLERK

Re: Approval, Destruction of Documents

Exhibit A6

City Clerk Zerbonia-Chaplin stated the Missouri Secretary of State oversees document retention in Missouri’s political subdivisions. According to the Missouri Records Retention Manual published by that office, certain records need only be retained for limited periods of time, at which point they can be destroyed.

The Clerk’s/Collector’s Office has identified documents eligible for destruction, in accordance with the Missouri Secretary of State, Records Retention Schedule. The list of documents requested to be destroyed as *exhibit A6* are as follows:

Documents to be Destroyed (Exhibit A6)	Date Ranges
Receipt cards	January 2012 - June 2016
Credit Card Receipts	Years 2008, 2015, 2016 and 2017
Government census Reports	September 2013 - March 2014
Daily window balancing reports	Fiscal years 2014-2015, 2015-2016 and 2016-2017
Bank Statements, balance sheets	Fiscal years 2013-2014, 2014-2015, 2015-2016 and 2016-2017
Monthly window reports and journal entries	Fiscal years 2012-2013, 2013-2014, 2014-2015 and 2015-2016
Resume's and job applications for vacant and non-vacant City positions	2015

She explained, as required; the minutes of the meeting authorizing the destruction, along with *Exhibit A6*, will serve as the permanent record, in accordance with the practice outlined by the Secretary of State’s office. Following Council approval, staff will oversee the shredding and disposition of the records.

A motion was made by Council Member Welch to approve the destruction of items listed in exhibit A6. The motion was seconded by Mayor Pro Tem Dobson.

Motion carried.

Re: Payroll Amendment, No. 3 – Director of Central Services

(Bill No. 19-008, to follow)

City Clerk Zerbonia-Chaplin’s next item is a payroll amendment for the Director of Central Services. During the last Council meeting, May 7, 2019, Council approved the restructuring and position modifications of the Parks & Recreation Director’s job description. Zerbonia-Chaplin explained that a payroll amendment is required for the newly created position, Director of Central Services, due to Dorian’s increase in pay.

She stated the former Parks & Recreation Director, Andy Dorian, was promoted to this position as approved by Council in late March. Therefore, Mr. Dorian’s pay will be increased from **\$67,611, Grade 22, Step 13** to reflect accordingly:

<u>Department</u>	<u>Position</u>	<u>New Grade</u>	<u>Step</u>	<u>Salary</u>
<i>Parks & Streets</i>	<i>Director of Central Services</i>	<i>23</i>	<i>18</i>	<i>\$77,664</i>

City Clerk Zerbonia-Chaplin stated Bill No. 19-008 is to follow for a first reading.

KAREN BURDITT – FINANCE DIRECTOR

Re: Approval, 2019/2020 Fiscal Year Budget Schedule

- *CWC Meeting, Budget Workshop – Wednesday, June 5th – 5:30 p.m.*
- *Public Hearing – Tuesday, June 18th – 6:45 p.m.*
- *Appropriations & Payroll Ordinances, First Reading – Tuesday, June 18th*
- *Appropriations & Payroll Ordinances, Approval – Tuesday, July 2nd*

Karen Burditt, Finance Director, approached Council to propose the following budget schedule for approval of the 2019/2020 budget:

- Wednesday, June 5 – Budget workshop at 5:30 p.m. – typically 60-90 minutes
- Tuesday, June 18 – Public hearing at 6:45; approval of first reading of payroll and appropriation ordinances
- Tuesday, July 2nd – final reading and approval of 2020 budget

A motion was made by Council Member Veach to approve the budget schedule for the fiscal year 2019/2020 as presented tonight, and setting the Public Hearing Tuesday, June 18th at 6:45 p.m. The motion was seconded by Mayor Pro Tem Dobson.

Motion carried.

PHYLLIS NELSON – CITY COLLECTOR

Re: Approval, 2018/2019 Fiscal Year Budget Adjustments

Phyllis Nelson, City Collector, approached Council requesting authority to complete budget adjustments for the fiscal year 2018/2019. She may move money between budget lines, possible between departments but never move money from one fund to another. She doesn't move money, she just moves line items. Nelson explained this is something she must do at the close of every fiscal year and any adjustments have to be approved by Council.

A motion was made by Mayor Pro Tem Dobson to approve City Collector Nelson to complete the necessary budget adjustments for the fiscal year 2018/2019. The motion was seconded by Council Member Veach.

Motion carried.

HEATH HALL – BPW GENERAL MANAGER

Re: Approval, City/Board of Public Works Stormwater Systems Maintenance Responsibilities

Heath Hall, Board of Public Works (BPW) General Manager, then addressed Council regarding the maintenance and responsibility of stormwater. He stated that both the BPW and City has been receiving calls of complaints, many of which are on private property and people have not been given consistent answers. This policy addresses all aspects, indicating the City nor BPW is responsible for water of the state, items outside the City right-of-way, or City easements. The

Department of Public Works (DPW) would take care of above ground work on the easements and right-of-ways and the BPW would take care of the below ground work. The BPW Board approved this policy last evening at their regularly scheduled board meeting. He believes that everyone's suggestions have been incorporated. This policy is being brought before Council as it affects both entities, the City and the BPW.

A motion was made by Council Member Veach to approve the City/Board of Public Works Stormwater system maintenance policy as presented. The motion was seconded by Council Member Bowen.

Motion carried.

BILL NO. 19-008

AN ORDINANCE AMENDING THE FISCAL YEAR 2018/2019 PAYROLL ORDINANCE RELATIVE TO THE RECLASSIFICATION AND PROMOTION OF THE FORMER DIRECTOR OF PARKS & RECREATION TO DIRECTOR OF CENTRAL SERVICES (NO. 3) *First Reading*

A motion was made by Council Member Welch to give Bill No 19-008 a first reading. The motion was seconded by Council Member Veach.

Motion carried.

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-Chaplin, Director of Central Services Andy Dorian, Finance Director Karen Burditt and Northeast Missouri Economic Development Director Corey Mehaffy . A motion was made by Mayor Pro Tem Dobson to enter into closed session. The motion was seconded by Council Member Godert.

ROLL CALL

Yes: Mayor Pro Tem Dobson, Mayor Hark, Council Members Bowen, Welch, Veach and Godert – 6

No: - 0 -

Absent: Council Member Cogdal - 1

Motion carried.

OPEN SESSION

A motion was made by Council Member Welch to return to open session. The motion was seconded by Mayor Pro Tem Dobson.

Motion carried.

ADJOURNMENT

A motion was then made by Council Member Welch to adjourn the meeting. The motion was seconded by Mayor Pro Tem Dobson.

Motion carried.

James R. Hark, Mayor

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