

CITY OF HANNIBAL
OFFICIAL COUNCIL PROCEEDINGS

Tuesday, October 15, 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 Godert.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

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

Motion carried.

APPROVAL OF MINUTES

Closed Session Council Meeting – May 21, 2019
Closed Session Council Meeting – July 16, 2019
Closed Session Council Meeting – September 17, 2019
Regularly Scheduled Council Meeting – October 1, 2019

A motion was made by Council Member Godert to approve the minutes from closed session meetings held May 21st, July 16th and September 17th and the regularly scheduled Council meeting held October 1, 2019. The motion was seconded by Council Member Veach.

Motion carried.

**APPROVAL OF PAYROLL AND CLAIMS
First Half – October, 2019**

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

Motion carried.

**RICHARD MAYS – VFW COMMANDER
Re: Handicap Parking Accessibility during Festivals
Re: Request, Additional Handicap Parking Space on South Bird Street**

Richard Mays, Commander of the Hannibal VFW located on Bird Street, then approached Council requesting the City recognize the handicap parking spot located in front of their building when festivals are being held. Currently when a festival is located downtown and the bollards are placed in the roadway, the handicap parking spaces are blocked, as the bollards are located beyond the parking spots, just before the alleyway. The VFW, Commander Mays is requesting the City move the bollards from the current location and place before the handicap parking spot in front of the VFW. These festivals are really hurting their business, according to Mays and being as there is no parking and a lot of the veterans need the handicap parking spot to access the location.

He would also like to request a sign erected that indicates parking for “disabled veterans only”. He feels this may deter some people, from out of town, possibly parking there, which would leave the spot open for a veteran.

Mayor Hark indicated he feels the location of the bollards, could possibly be corrected. The bollards were installed by the City for safety reasons, and they didn’t realize the location would be an issue for the VFW. Mayor Pro Tem Dobson indicated it is not easy to move the bollards and the original intent was to place the bollards at the alleyways to direct traffic away from the festivals, not to block any handicap parking. Mayor Hark indicated Council and any other departments involved would be willing to discuss the idea of moving the bollards so it would not restrict access to the handicap parking. City Attorney Lemon advised that without researching the issue, he is not comfortable giving any opinion, whether in favor or against the issue of erecting a sign stating this parking spot is for disabled veterans only. He stated The American Disability Act (ADA) has a lot of provisions and if Council were to place alternative signage, beyond the handicap parking, it may violate federal law. He requested Council allow him the opportunity to conduct research on this matter, to see if the City would be able to use the alternative language relating to disabled veterans parking specifically before he gives a formal answer. He would like to research and check some case law relating to this matter so that the City would not be penalized by the federal government by placing such signage. Mayor Hark indicated worst case scenario, if nothing can be done with the current parking spot, possibly

another spot could be set aside by the traffic committee for veteran parking. Mayor Pro Tem Dobson asked if an another parking spot could be set aside on the other side of the bollards, in which Mr. Mays advised that there are only two spots available by their building and there is a parking lot located directly beside them.

Mr. Mays indicated if the street was opened (re-locate the bollards to Main Street) this would allow an additional 5-6 parking spots on the road. Mayor Pro Tem Dobson advised the bigger festivals do require the extra street space and by moving the bollards this could cause problems with these events. Council Member Bowen advised the Folklife Festival and the Car Show certainly use the Birds Street area for vendors and extra space. Mr. Mays advised he did not believe there has ever been a booth set up in front of the VFW, in which Council Member Bowen indicated that was not the case for the Loafers car show as the cars are parked up to the alleyway.

A motion was made by Mayor Pro Tem Dobson to table this issue and place back on the agenda for the next Council meeting, allowing City Attorney Lemon to further research and report his findings, providing Council with a legal opinion relating to “Veteran’s only parking”. Mayor Pro Tem Dobson also invited Mr. Mays to be come back to the next Council meeting for more discussion. The motion was seconded by Council Member Veach.

Council Member Welch questioned if it could be a parking spot specific to just veterans, not a handicap parking spot, in which City Attorney Lemon indicated he will be checking into that issue as well. Mayor Pro Tem Dobson then asked if the City could add “veterans parking” to the current sign but keep the curb painted blue, in which Lemon indicated that he is unsure and will need to check case law. He will provide his opinion at the next meeting. He reviewed the ADA parking restrictions for a different reason and he has a feeling you are not allowed to designate specifically to a group of people.

Motion carried.

CHRISTOPHER KEMPKE – SHRINERS INTERNATIONAL

Re: Request, Approval of Street Solicitations

*Shriner’s Paper Drive Fundraiser – Intersection of Stardust Drive & Munger Lane
Saturday, November 2, 2019 – 7:00 a.m. – 12:00 p.m.*

Chris Kempke, then approached Council as a member of the Northeast Missouri Shrine Club, located here in Hannibal, which is an arm of the Moolah Shrine Musk in St. Louis, Missouri. Their organization helps to support Shiners Hospitals, which is a no cost hospital for people who are born with all kinds of bone ailments. Just like other healthcare, this hospital and its procedures are very costly, with Shriners having an annual budget over \$600 million.

He is requesting to hold a “paper drive” on November 2nd, at the corner of Stardust Drive and Munger Lane from 7:00 a.m. to 12:00 p.m. If approved, they will hold buckets, noting their affiliation and would accept donations while wearing highly reflective vests. They will also hand out literature about the Shiners Hospital to anyone that chooses to donate. They have been very successful with this in other areas. They already have insurance made out to the City of Hannibal which would be provided upon Council’s approval.

City Attorney Lemon advised that there is an ordinance that prohibits this type of activity, however, Council does have the authority to waive the ordinance. Lemon feels the primary concern would be the safety issues, which he presumes is the enacting of the original ordinance.

Sec. 17-468. – Street solicitations.

No person shall operate a toll road on any street or public alley within the city. The term "toll road" means, as used in this section, the use of persons, vehicles, or any other devices which serve the purpose of blocking the free flow of traffic, used for the purpose of selling items, requesting donation, making collections, etc., for any purpose, including fundraising.

Mayor Pro Tem Dobson questioned the days of the Jerry Lewis telethon, when the Fire Department stood on the street collecting money in a boot. Mark Kempker, representing the Hannibal Fire Department, from the audience, advised they currently fundraise in County Market's parking lot for the Muscular Dystrophy Association (MDA), which provides for a safer area versus the street.

Council Member Godert questioned if it would be more appropriate to allow them down Stardust Drive but not at the highway, in which Mr. Kempke clarified his organization would not collect donations at a stop light, only at the four way stop located at Stardust Dive and Munger Lane. Mr. Kempke stated they are flexible on the location, however, he is just trying to obtain Council's approval, allowing for the "paper drive" in the roadway. Council Member Cogdal advised that currently the speed limit is 25mph on the roadways in question and she is not only concerned with safety but with traffic backing-up at the four way stop.

Police Chief Lyndell Davis, from the audience, indicated he has several points of concern. One being complaints from the public, he can almost guarantee people will complain as they don't like to be solicited in their vehicles. He also indicated if Council accepts this one request, they need to be aware they will have others they need to accept or reject. Chief Davis feels the current ordinance is in place for a reason, the Fire Department (who raises funds for MDA) recognized the safety concern on their own and that is why they moved themselves to the populous area of the shopping center. Mark Kempker advised they indeed did move due to safety issues. Chief Davis continued by advising that the current ordinances are Council's ordinances and there is a reason why they would have adopted it in the first place.

Mr. Kempke stated his organization does not "engage" with drivers that do not engage with them first. Mayor Pro Tem Dobson recommended that he contact County Market as he too feels it would be a lot safer for the organization.

Mark Kempker, from the audience, advised that he also sits on the board of the Salvation Army and County Market allows them to set up in the parking lot area for solicitation as well. Mr. Kempke informed Council they had set up in the Shell Gas Station parking lot in New London and discontinued that due to safety concerns in the parking lot. That particular parking lot was so dangerous because of the multiple entrances. Council Member Cogdal stated County Market's parking lot is a more contained entrance then the Shell Gas Station in New London and feels it would be safer as well. Mayor Pro Tem Dobson advised he would like to see the Shrine Club succeed, it does benefit a very good organization, however, there are many safety concerns. Mr. Kempke advised they have other benefits in the area, for instance, Palmyra and will look at Lewistown to fill in the date that was slated for Hannibal, due to a small window of time for

coordination. As for this year they would most likely not hold a drive within the City of Hannibal.

Council Cogdal recommend he meet with Mark Kempker to obtained details on how they handle the drives in the local parking lots. Mayor Hark advised he is reluctant to give any variations on any ordinance because it could get into a situation where Council is questioned why it was allowed for one organization and not another. Mr. Kempke indicated his organization would be in Hannibal next year, soliciting donations, hopefully.

JAMES R. HARK – MAYOR
Re: Approval of Reappointment

Mayor Hark reminded Council of the candidate that Mayor Pro Tem Dobson, on his behalf, presented as a recommendation of re-appointment to the Hannibal Airport Commission during the last meeting, Dick Rupp.

HANNIBAL AIRPORT COMMISSION

➤ **Dick Rupp – Reappointment for a term to expire September, 2022**

A motion was made by Council Member Veach to approve the re-appointment of Dick Rupp to the Hannibal Airport Commission, for a term to expire September, 2022. The motion was seconded by Council Member Welch.

Motion carried.

ANGELICA ZERBONIA – CITY CLERK

Re: April, 2020 Municipal Election

(Bill No. 19-022, to follow)

- Council Member 5th Ward
- Council Member 6th Ward
- Proposition “R”

City Clerk Angelica Zerbonia stated she is bringing forth Bill No. 19-022 for a first reading, which authorizes a Municipal Election to be held, Tuesday, April 7, 2020 for the purpose of electing Council members for the fifth and sixth wards and Proposition “R”. The Council positions are currently held by Council Members Colin Welch and Jeff Veach, respectively.

Proposition “R” if approved, will allow the electors to decide whether to continue funding the City’s Recycling Program by approving a recycling fee of \$1.90 (One dollar and ninety cents) per month, to be charged on each utility bill issued by the City of Hannibal, Board of Public Works for services provided within the City limits of Hannibal. Missouri with said recycling services to be provided by a third party contractor, with preference granted to contractors providing meaningful, productive employment for people with disabilities. If adopted, this fee shall continue for a three year period to expire April 30, 2023. If the voters approve Proposition “R”, bids for recycling will then need to be let prior to implementation.

Zerbonia advised that candidate filing for the Council seats will commence Tuesday, December 17, 2019 at 8:00 a.m., concluding January 21, 2020 at 5:00 p.m.

ANDY DORIAN – DIRECTOR, CENTRAL SERVICES

Re: Airport Mechanic – Commercial Lease

Lear Field Aviation, LLC

\$1/year

(Resolution No. 2234-19, to follow)

Andy Dorian, Director of Central Services, then addressed Council relating to negotiations with Michael Geisendorfer who is an airplane mechanic, currently out of Quincy. Michael has over 30 years' experience as an aviation mechanic and is looking to start his own business in Hannibal, to be known as Lear Field Aviation, LLC. He would be leasing the City owned maintenance hangar at the airport. If approved, the lease would be for three years in the amount of \$1 per year, followed by an option for an additional three year lease, if both parties agree. Lear Field Aviation would be responsible for all utilities they use in the Hangar. Dorian stated having a mechanic onsite at the airport is very beneficial, it will help with the growth of the airport. Mr. Geisendorfer would perform annual inspections, general aviation mechanics and sell aviation products such as oil and tires.

Mayor Hark then asked that Dorian to provide an update on the Veterans Memorial to be located on Cardiff Hill. Dorian advised the initial bricks, around 130, will be placed into the ground soon. These bricks are engraved with the names of veterans. Currently the department is half way to its goal, which is around \$30,000, for the required \$60,000. Mayor Hark asked if people can make donations towards the memorial without purchasing a brick, in which Dorian concurred. Dorian also stated that anyone can donate, but if an individual or a business or corporation wants to donate \$500 or more there is a separate donor plaque; or you can donate \$50 or \$100, they will take any amount of donations towards the project. There is no deadline on the bricks and they will continue to expand upon the area, which could eventually span all the way down the hill to 3rd Street. Dorian stated that just within the last month the department has had 30 people purchasing bricks making donations.

Dorian stated Resolution No. 2234-19 is to follow for approval, for the Airport Mechanic Commercial lease.

MIKE BENJAMIN – FIRE CHIEF

Re: NARCAN (Naloxone) Sustainment Grant – Memorandum of Understanding

Missouri Department of Health & Senior Services

(Resolution No. 2235-19, to follow)

Mike Benjamin, Fire Chief, then requested Council to authorize the Mayor to enter into a memorandum of understanding with the Missouri Department of Health & Senior Services for the narcane program, which is part of the department's first responder program. The agreement provides for the Fire Department to purchase the first 10 doses and then the Missouri Department of Health and Senior Services would sustain the departments supply. The only responsibility on the City would be reporting and training, which is already done, they will also now be required to report to the state. By entering into the memorandum this will provide grant funding to assist with the opioid crisis. Currently the department "guesses", for budgeting purposes, simply

because they don't know how much will be used. This grant will assist with the funding, allowing the department to keep supply without impacting the budget.

Mayor Hark stated Resolution No. 2235-19 is to follow, for approval.

GAIL BRYANT – DIRECTOR, HCVB
Re: Bid Award Approval, 2020 Visitor Guide Layout & Design
Next To Nothing Designs - \$5,000

Gail Bryant, Director of the Hannibal Convention & Visitor's Bureau (HCVB), approached Council requesting three items to be approved. The first item is bid approval for the 2020 official Hannibal Visitor Guide design and layout. She stated a legal notice was placed in the Hannibal Courier Post on September 12, 2019, and the request for proposals (RFP) were sent to the vendors. The bids were opened on September 30, 2019, by City Clerk Zerbonia, with two bids being received. One bid, being from a company located in Wichita, Kansas. This company "crossed out" copywriting in the RFP, which is a huge part of the layout of the guide. This bid was in the amount of \$3,600.00, plus additional author alterations at a rate \$35.00/hour. The second bid was in the amount of \$4,500; proofing and copywriting for \$300; and photography/stock art for \$200, if applicable. After further review, the HCVB Board agrees the lowest bid does not meet the requirements stated in the RFP for the project and recommends accepting the second bid from Next to Nothing Designs.

A motion was made by Council Member Welch to accept and award the bid to Next to Nothing Designs for the 2020 Visitor Guide design and layout in the amount of \$5,000. The motion was seconded by Council Member Bowen.

Motion carried.

Re: Bid Award Approval, 2020 Visitor Guide Printing
EP Graphics - \$23,745

Her next request is for bid approval for the printing of the 2020 Official Hannibal Visitor Guide. A legal notice was also placed in the Hannibal Courier Post on September 12, 2019, and the RFP's were sent to vendors requesting bids for printing. One bid was received from EP Graphics which was opened on September 30, 2019, by City Clerk Zerbonia. The bid amount was \$22,220.00, plus estimated freight charges of \$1,525.00 (total of \$23,745), plus \$20.00 per page for any author alterations. Bryant recommends the bid be awarded to EP Graphics, in the amount of \$23,745.00, but not to exceed \$25,000.00 (being as the freight charges are an estimation) for the printing of the 2020 Hannibal Visitor Guide.

A motion was made by Mayor Pro Tem Dobson to accept and award the bid to EP Graphics for the printing of the 2020 visitor guides for an amount not to exceed \$25,000. The motion was seconded by Council Member Bowen.

Motion carried.

Re: Bid Award Approval - HCVB Welcome Center Office Furniture

Golden Ruler - \$25,466.88

Bryant's last item is for bid approval for the purchase of office furniture for the new HCVB office/Welcome Center. Once again a legal notice was placed in the Hannibal Courier Post on September 13, 2019, and an RFP was sent to vendors requesting bids. Bids were opened September 30, 2019 by City Clerk Zerbonia. The first bid, from Golden Ruler was in the amount of \$25,466.88, with the second bid coming with three options in the amounts of; \$24,621.26, which does not meet the minimum requirements; \$38,415.67 (which is of comparable quality to the bid of \$25,466.88 from Golden Ruler); and \$38,371.83.

A motion was made by Council Member Welch to accept and award the bid to Golden Ruler for new office furniture for the HCVB Welcome Center not to exceed the amount of \$25,466.88. The motion was seconded by Council Member Veach

Motion carried.

RESOLUTION NO. 2234-19

**A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING
THE MAYOR TO EXECUTE A THREE YEAR COMMERCIAL
LEASE BETWEEN THE CITY AND LEAR FIELD AVIATION, LLC
FOR THE USE OF THE MECHANIC'S HANGAR (HANGAR A) AT
THE HANNIBAL REGIONAL AIRPORT IN THE
AMOUNT OF \$1 PER YEAR**

A motion was made by Council Member Veach to have the City Clerk read Resolution No. 2234-19 and call the roll for adoption. The motion was seconded by Council Member Godert.

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. 2234-19 duly approved and adopted on this date.

RESOLUTION NO. 2235-19

A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE HANNIBAL FIRE DEPARTMENT AND THE MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES FOR A GRANT TO ASSIST WITH THE SUSTAINMENT OF NALOXONE, A DRUG FOR APPARENT OPIATE-RELATED OVERDOSES

A motion was made by Mayor Pro Tem Dobson to have the City Clerk read Resolution No. 2235-19 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. 2235-19 duly approved and adopted on this date.

BILL NO. 19-022

AN ORDINANCE OF THE CITY OF HANNIBAL PROVIDING FOR A MUNICIPAL ELECTION TO BE HELD, TUESDAY, APRIL 7, 2020 FOR THE PURPOSE OF ALLOWING ELECTORS TO DETERMINE THE CONTINUATION OF FUNDING THE CITY'S RECYCLING PROGRAM, *PROPOSITION R* AND ELECTING COUNCIL MEMBERS OF THE FIFTH AND SIXTH WARDS

First Reading

A motion was made by Council Member Bowen to give Bill No 19-022 a first reading. The motion was seconded by Council Member Veach.

Motion carried.

CLOSED SESSION
In Accordance with RSMo. 610.021 (2)
• *Real Estate Contract Negotiations*

Mayor Hark then entertained a motion to enter into closed session in accordance with RSMo. 610-021, sub-paragraph (2), admitting himself, City Council Members, City Attorney James Lemon, City Manager Lisa Peck, City Clerk Angel Zerbonia, Director of Central Services Andy Dorian, Director of Tourism Gail Bryant and Don Kennedy and Associate Charlie Robertson. A motion was made by Mayor Pro Tem Dobson to enter into closed session. The motion was seconded by Council Member Bowen.

ROLL CALL

Yes: Council 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 Welch.

Motion carried.

ADJOURNMENT

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

Motion carried.

James R. Hark, Mayor

Angelica N. Zerbonia, MRCC, CMO - City Clerk