

*City of Hannibal*

**OFFICIAL COUNCIL PROCEEDINGS**

**Tuesday April 20, 2021  
Council Chambers  
7:00 p.m.**

**ROLL CALL**

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

**Absent:** - 0 -

**CALL TO ORDER**

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

**INVOCATION**

The invocation was then given by Council Member Cogdal.

**PLEDGE OF ALLEGIANCE**

Mayor Hark then requested Director of Central Services, Andy Dorian to lead the Pledge of Allegiance to the Flag.

**APPROVAL OF AGENDA**

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

Motion carried.

**APPROVAL OF MINUTES**

**Closed Session Minutes – September 1, 2020  
Closed Session Minutes – October 20, 2020  
Regularly Scheduled Council Meeting – April 6, 2021**

A motion was made by Council Member Veach to approve the closed session minutes from September 1, 2020 and October 20, 2020, along with the regularly scheduled Council meeting held April 6, 2021. The motion was seconded by Council Member McCoy.

Motion carried.

**APPROVAL OF PAYROLL AND CLAIMS  
First Half – April 2021**

A motion was made by Council Member Bowen to approve the payroll and claims for the first half of April, 2021. The motion was seconded by Council Member Veach.

Motion carried.

**MICHAEL GAINES – HANNIBAL ARTS COUNCIL  
Re: Request, Street Closures, Use of City Owned Property, Sale & Consumption of  
Alcohol on City Owned Property – 45<sup>th</sup> Annual Folklife Festival  
(October 15<sup>th</sup> – 5:00 p.m. – October 17<sup>th</sup> – 7:00 p.m.)**

Michael Gaines, representing Hannibal Arts Council, approached Council requesting street closures, use of City owned property and the sale and consumption of alcohol on City owned property for the 45<sup>th</sup> annual Folklife Festival which will be held October 15<sup>th</sup> from 5:00 p.m. to October 17<sup>th</sup> at 7:00 p.m. He then requested the following street closures and property use:

1. North Main Street from Broadway, north to North Street
2. Center, Bird and Hill Streets to alleys east and west of Main Street to the alley
3. Main and Bird Street parking lot (for the sale of alcohol by Hannibal Arts Council)
4. “Ole Planters” parking lot (front half, only)

The Arts Council’s Grounds Committee will block off streets at 5:00 p.m., Friday, October 15<sup>th</sup> and they will remain closed until 7:00 p.m., Sunday, October 17<sup>th</sup>. Festival security has also been contracted for Saturday night. The Arts Council will coordinate with all City departments for other festival logistics and infrastructure needs.

A motion was made by Mayor Pro Tem Dobson to approve, pending certificate of insurance, the requested street closures, use of City owned property and sale and consumption of alcohol on City owned property for the 45<sup>th</sup> Annual Folklife Festival to be held October 15<sup>th</sup> at 5:00 p.m. to October 17<sup>th</sup> at 7:00 p.m. The motion was seconded by Council Member Welch.

Motion carried.

**MIKE SKEEN – HANNIBAL EARLY BIRD KIWANIS  
Re: Request, Street Closures – Spring Pork Chop Dinner  
(Friday, May 14<sup>th</sup> – 8:00 a.m. – 6:00 p.m.)**

Mike Skeen and Larry Craig, representing Hannibal Early Bird Kiwanis, approached Council requesting street closures and no parking signs for the upcoming pork chop dinner, fundraiser. The first event is planned for Friday, May 14<sup>th</sup> with the second event to be held Friday, September 10<sup>th</sup> both from 8:00 a.m. to 6:00 p.m. Mr. Skeen advised the certificate of insurance is on file for both events and the health department has approved the May event, however, they are waiting for approval on the second event until closer to the event date. They will have portable fire extinguishers and have secured the reservation of the Y'Mens Pavilion for both events.

Mr. Craig then requested closure of the 100 Block of Hill Street to allow for set up of tables in the middle of the street to create a "drive-thru". The cars would disperse north and south (depending on which line the vehicle is in) and proceed down the alleyway. They will also provide dine in with proper distancing for their event. The funds from the fundraiser help children in the community.

Mayor Pro Tem Dobson questioned if the health department had put any restrictions on the event, due to the COVID pandemic. Mr. Skeen stated they were advised to social distance as much as possible, wear masks and gloves and to have hand sanitizer available for use by workers and patrons.

A motion was made by Mayor Pro Tem Dobson to approve the street closures and placement of no parking signs the evening prior, for the Early Bird Kiwanis events to be held Friday, May 14<sup>th</sup> and Friday September 10<sup>th</sup>, 2021 from 8:00 a.m. to 6:00 p.m. The motion was seconded by Council Member Veach.

Motion carried.

**Re: Request, Street Closures – Fall Pork Chop Dinner**  
*(Friday, September 10<sup>th</sup> – 8:00 a.m. – 6:00 p.m.)*

This event was approved by Council with one motion including the May 14<sup>th</sup> event (see prior paragraph and motion).

**ALLISON SANDERS –MOBILE BEVERAGE CATERING COMPANY**  
**Re: Request Zoning Waiver/License Restrictions, Promotional Event for Mobile Beverage Catering Company - 229 Broadway**  
*(Saturday, May 29, 2021)*

Allison Sanders then addressed Council regarding permission to display and promote her new business, a mobile beverage catering company at 229 Broadway on Saturday, May 29, 2021. She is requesting to park the trailer, which is a converted horse trailer, on this privately owned lot, and she plans to pass out flyers, water bottles, soda and things of that nature while displaying her trailer.

City Attorney Lemon advised the property located at 229 Broadway is not City owned property, therefore would not require permission from Council to use. He advised, after he had researched, there is no Ordinance that prohibits her from setting up and giving promotional items away. However, as to the mobile beverage trailer/vendor, there will be major problems with that, as it violates several (11 or 12) Ordinances. Ms. Sanders indicated those Ordinances are for

inside Hannibal City limits and she can do a beverage catering company and provide a service if the party host provides the alcohol, she doesn't have to sell it. She has spoken with the State of Missouri liquor commission and will have a licensed brick and mortar establishment, with a permitted catering license to sell on premises, if she needs to.

City Attorney Lemon informed Ms. Sanders if she was present to request permission from Council to "give away" items at 229 Broadway, there is no need for it. If she is requesting changes in the Ordinances to allow open vending of liquor that is a completely different issue and would require "major issues". He informed Ms. Sanders if she believes it is legal to openly sell liquor from a vehicle within the City limits, he disagrees, regardless what the state may tell her, however. Ms. Sanders advised City Attorney Lemon bringing this up is a completely separate issue than what she is requesting. She did advise that Anheuser Busch and Mark Twain Distributing do have trailers that they take to events and sell alcohol openly out of, in which Lemon disagreed. According to Lemon they don't sell the alcohol, they provide to other organizations/businesses who then obtain a temporary picnic license to sell the alcohol. Neither Golden Eagle nor Mark Twain Beverage sells alcohol from a mobile vehicle. She then told Lemon this is another issue for another time. Council Member Welch indicated that she does not need Council permission to give promotional items away at 229 Broadway, in which Lemon concurred.

**APRIL AZOTEA – 323 NORTH MAIN STREET**  
**Re: Animal Ordinance**

April Azotea advised, being as she wasn't allowed to speak at the last Council meeting, she is doing so to amend what was moved forward to vote on in regards to the "animal ordinance". She then asked City Attorney Lemon, if the City does not have to enforce state laws, in regards to animals. Lemon asked for her to clarify, she stated that "she means the City has City Ordinances just as the state has laws, since Hannibal is in the state of Missouri, does the City of Hannibal not have to enforce state laws"? Lemon advised that she is asking a "gotcha" question, and yes the City of Hannibal is a subdivisions of the State of Missouri and if a law is violated, the Police Department has the right to arrest and issue citations. If a state statute is violated, it would be taken up in state court. If an arrest is made pursuant to a City Ordinance, that is taken up in City Court. In regards to "have to" he's not going to get "trapped" into that. If she has a particular statute that she feels the City is not enforcing, she needs to bring that to their attention and he will take it up with Hannibal Police Department. He is not going to answer a generalized "gotcha" question. He asked Ms. Azotea what stature she believes is not being enforced, in which she replied several state laws she knows for a fact are not being enforced. It's not so much that HPD isn't enforcing them, it's that if it's against the law, for example, cruelty or neglect to animals it needs to be enforced. They have been working to make things "clearer" in the new Ordinances, so animal owners can't find "loop holes". She feels having definitions in regards to those, to protect animals in the City, yet there are state laws. She is just confused on why HPD doesn't have to enforce state laws that are already there. Lemon suggested that if she feels a law is not being enforced she should file a complaint with HPD, the State Highway Patrol or the Sheriff's office, who can all open investigations into the matter.

She then questioned information that was provided from the first Council meeting where this issue was brought forth, in regards to fines, in which there is a max cap of \$500 for the City, in which Lemon concurred. However, she advised for state laws the first offense for animal neglect and abandonment is a class C misdemeanor, animal abuse, first offense is a class a misdemeanor,

injuring or killing a service dog is a class a misdemeanor, and so on. The list goes on and on with a whole list of fines and imprisonment and she questioned why does the City have a \$500 cap. Lemon advised the City of Hannibal is restricted by state statute of a \$500 cap. When he says “we”, he is referring to the City of Hannibal, what she is citing are state charges, which have to be brought forth in state court. He is not the prosecutor in those cases, she would need to talk to the county prosecutor about those issues. If the county prosecutor is interested in prosecution he is sure HPD would be willing to issue violations on the state statute instead of the City statute. However, he believes they would not be interested in those due to limited man power and time that different courts can allocate resources to. While the circuit court would have the ability to hear cases in the associate’s court, they won’t due to overloading the “system”. Associate courts don’t want to hear cases that are better suited for City courts. The City does have the capability to issue six months in jail, however, the trouble with that is there is no jail space for those violators.

April indicated that she and Lieutenant Grote discussed that the Animal Control Officers (ACO’s) are writing these tickets and they go to individuals homes multiple times, this is an issue of concern of hers, and indicated that Lt. Grote expressed to her that people are not paying their fines. Ms. Azotea suggested a community service program in which Lt. Grote advised that years ago there was. She is requesting to know why it was done away with and why people get by with not paying their fines. Lemon advised that the problem isn’t just animal violations, it’s all offenses. In City court it is referred to as an infraction, and until the world gets past the COVID pandemic and jails start to open back up with more housing, space won’t be made for infractions. Ms. Azotea advised this has been happening prior to COVID and has been for a while. Lemon advised Marion County has been so “active” with offenders at their jail, that Hannibal hasn’t been able to use the facility due to how full they are. However, they were able to use Pike County, but they are no longer accepting anyone, therefore there is no jail space available. Ms. Azotea advised that there has to be some consequences for individuals from their actions, whether it be community service or whatever.

Mayor Hark advised that being in law enforcement himself for many years this situation has occurred forever. There are people that go into jail, get out and go right back in for another offense. April then stated there needs to be way to stop it. Mayor Hark stated it’s not within this Council “power” to break that cycle. She advised that in regards to the animal Ordinance it is. No matter the offense, if someone goes to court and is fined, they choose to not pay their fine, resulting in more fines, and still don’t pay, this is a social economic problem, according to Mayor Hark. April advised that Lt. Grote told her people used to participate in the community service program and the City stopped doing it.

According to Ms. Azotea one of the ACO’s told her that an individual was actually ordered by the judge to never have an animal again. At the state level, if someone has so many offenses, it is up to the court to not allow someone to have an animal. She advised the ACO’s have told her in the past that the biggest problem is educating people. She feels first someone is warned and educated, second fined, third jail time. After so many times people should not be allowed to have animals, ACO’s should not have to go to people’s homes hundreds of times.

She then questioned if a citizen of the City of Hannibal is arrested for an animal abuse/neglect, does Lemon prosecute them, in which Lemon affirmed to about 95% of those cases, as he has been the City prosecutor since 2003. She then questioned Lemon on how many animal tickets he has “picked up” and pursued and not just dropped. Lemon advised that if HPD writes a ticket, it’s taken through court, the only time it wouldn’t be is if there was somehow no way to prove

the abuse/neglect. He cannot think of any specific incident, however, if there is no witness cooperation, which is when someone has complained and then refused to testify, or if an ACO has not actually witnessed the abuse, they cannot testify to it in court. Therefore if a witness refuses to testify, it is hard to “prove beyond a reasonable doubt” of the abuse/neglect. He advised they have prosecuted hundreds of cases for animal abuse/neglect.

Ms. Azotea advised that Judge Cruse is the one that ordered the individual to no longer be allowed to have an animal. Lemon advised that a City judge technically doesn't have the authority to order this, however a state judge would. The City judge may advise the person they needed to get rid of their animals and if they had another case they could count on a minimum \$500 fine and face jail time and if they would get rid of their animals they wouldn't have to worry about it. Ms. Azotea then asked how many tickets/offenses would an individual have to get before that is requested. Lemon advised there is no set number, it is a case by case basis. She indicated she was not talking about that particular case, she is talking about in general. She then asked if someone has three tickets for the same violation, would Lemon request the judge to send those violations to the state. Lemon indicated that the judge has no control over where it should go, whether to the state or not, and neither does he. If someone has been a major problem, HPD has the authority to ask the county prosecutor to take the case. The prosecutor does not have to take the case, and it will be at their discretion. If the courts don't find it severe enough it would come back to City court in which he would prosecute.

Ms. Azotea advised that pot belly pigs have been added to the new listing in the Ordinance, however the Northeast Missouri Humane Shelter is unable to take pot belly pigs or any non-domestic animal. A representative from the shelter had advised Lemon, that they were informed by the state that they are not licensed for livestock, which is what a pot belly pig is considered so the shelter could no longer take the pigs. The only choices are to ban pot belly pigs from the City completely or try to promulgate Ordinances that will regulate them in some way. Lemon knows people in the City have pot belly pigs and people consider them as a valid pet, however pigs get different diseases than dogs and cats therefore, if they are going to be inside City limits, they want to make sure they are vaccinated appropriately.

Ms. Azotea then asked who drafted the Ordinance that was brought to Council a couple weeks ago, in which Lemon advised it has been worked on multiple times by many including the ACO's; Lt. Grote, Ethan Matchit from Lemon's office. The Ordinance has been worked on by multiple people addressing many of the issues that have come up within the last seven or eight years. Ms. Azotea advised that she was not made aware that the Ordinance was going to be brought before Council during the last meeting, which she feels is very disrespectful as she put numerous hours into amending it and would like Council to amend what was brought forth, due to several things being left out that she feels are very important and should be included. Adequate care is not even defined in the Ordinance, adequate water is, but not adequate care. Lemon advised that if things are too specific it ties the officer's hands, not allowing them to prosecute because of the extremely specific details, even if it's abuse. The second issue is that the Ordinance has to be something that can actually be policed and enforced and that would be an issue of taking a realistic view and then is it something that is prosecutable for his office and provable within court beyond a reasonable doubt.

Ms. Azotea's indicated her issue is not defining animal cruelty/neglect/abuse, it was listing specific actions as neglect. ACO Ledbetter had mentioned something to her that they were taught, abuse is intentional, and neglect is not. April advised that ACO Ledbetter informed her that sometimes animal owners aren't aware their actions are neglect. She feels it should be

specific to state, the first offense would be to issue a warning while educating them. She feels this should be in the Ordinance and ACO Ledbetter informed her that a lot of times they can tell if neglect/abuse is intentional or not.

Lt. Grote then addressed Council, advising the department has been working on this issue since July, when Ms. Azotea initially brought to Council. Since this time, she has contacted Ms. Azotea about 15 times with suggestions. One of the issues Ms. Azotea wanted in the Ordinance was no animal to be tethered between the hours of 10:00 p.m. and 6:00 a.m., which is not enforceable due to different work schedules. Some of the issues brought forth by Ms. Azotea were very problematic for enforcement, due to lack of manpower and time restraints. Many of the things she brought up were positive and they are included. She advised the CSO's are very busy and in fact are present tonight on their own time, as they requested to be in attendance. The three of them alone, who handle park patrol and property maintenance had 1,553 calls over the last year involving animals, of those calls, 892 citations were issued. 966 animals were seized last year, over 400 were non-domestic animals, with 534 being dogs and cats. This year so far, they have handled 429 calls and issued 407 citations. The ACO's have been successfully doing their job without the new Ordinance being in place. The amended Ordinance will add a little more details. For instance, Ms. Azotea requested all owners have elevated surfaces for the animals, which in her mind would not be a good idea due to this allowing cold air under the surface, however, it's mentioned that all animals require a sanitary solid floor (free of mold, wetness and feces). People don't realize that it's not just the outside that the ACO's are removing animals from, they are removing animals from the inside homes as well and they take their jobs very seriously. Lt. Grote feels this Ordinance is effective, prosecutable, and enforceable. Ms. Azotea then asked Lt. Grote of the calls received, how many were to the same residence, in which Lt. Grote replied, she was not aware of that. Ms. Azotea advised the ACO's have told her that often they "go there all the time" to certain locations. Lt. Grote advised that enforcement is not the issue, they are still enforcing on the multiple visits to the same location.

April is requesting Council amend what was proposed as several things were left out. Mayor Hark asked if those amendments were addressed with Lt. Grote, in which she advised they were not. She is still working on talking with the Shelter and waiting on paperwork from the state. Council Member Cogdal questioned what specifically Ms. Azotea is asking to amend. She advised several things were left out because the ACO's feel it would be hard to enforce, in which Lt. Grote asked for specifically what she was referring to. Ms. Azotea stated animal abuse/cruelty/neglect and adequate care not being defined. Mayor Pro Tem Dobson then questioned if adequate care would have to be defined for each type of animal, in which Ms. Azotea advised it's all the same, having adequate shelter, water and the State laws have it defined very well, under general cruelty. Lt. Grote then questioned how adequate care was listed; April then read the state law.

Mayor Pro Tem Dobson questioned if the CSO's were indeed not enforcing the law in which Lt. Grote advised that they were enforcing it 100%. Ms. Azotea feels the Ordinance should specifically mention what adequate care is, for instance a dog's water bowl should be something that can't be knocked over. Ms. Azotea advised that Lt. Grote did reach out to her the next day after the last Council meeting, in which Mayor Pro Tem Dobson advised that he is sure Lt. Grote would be more than willing to work with her in the future and have further conversations with Council and Council could amend the Ordinance as many times as it takes.

Council Member Bowen then asked if there was anything right now, that should not be in the Ordinance, in which Ms. Azotea advised that they were made aware just today the Shelter cannot

take pot belly pigs and that needs to be addressed. City Attorney Lemon indicated that the state court is so overwhelmed that they won't be willing to take those cases, which means it would fall back on City court to prosecute. The City cannot prosecute state statutes in City court they have to be taken up in state court. Council Member Cogdal advised that there was a rescue shelter in Hannibal, in which Ms. Azotea questioned if the woman was indeed a licensed rescuer for these pigs because the Shelter was not aware of a local rescue for pot belly pigs.

Mayor Hark advised Ms. Azotea that she should continue to work with Lt. Grote on any issues that she believes has been left out of the Ordinance. She then asked if it was against the law to rescue animals that are running the street or highway. Lt. Grote intervened that the question should be handled by Ralls County. Lemon advised that while certainly there could be some good defenses as a "Good Samaritan", however, it would depend on law enforcement and whichever prosecutor and what they think is the actual situation and interpretation of the laws and if a law was broke and if there was a defense to that.

**JAMES R. HARK – MAYOR**  
**Re: Recommendation of Appointment**

Mayor Hark made the following recommendation of appointment to the Employee Benefit Trust Board.

**EMPLOYEE BENEFIT TRUST BOARD**

- **Sue Lewis – reappointment for a term to expire May 2024**

He advised this nomination will be considered for approval at the next regular Council meeting, to be held May 4, 2021.

**LISA PECK – CITY MANAGER**  
**Re: Recommendation of Appointment**

City Manager Peck made the following recommendation of appointment to the Hannibal Parks & Recreation Board.

**HANNIBAL PARKS & RECREATION BOARD**

- **LeeAnn Beard Homburger – appointment for an unexpired term to expire July 2023**

She advised this nomination will be considered for approval at the next regular Council meeting, to be held May 4, 2021.

**ANGEL ZERBONIA – CITY CLERK**  
**Re: August 2021 Special Election**

- *Proposition One – One-Half Percent Sales Tax  
(Bill No. 21-010, to follow)*

City Clerk Zerbonia addressed Council requesting authorization for a special election to be held August 3, 2021. In accordance with the provisions of Section 17.01 Charter of the City of Hannibal, *special elections may be held as called by the Council.*

During the Council meeting on Tuesday, March 16<sup>th</sup> Council voted to approve an election to be held in August for the purpose of allowing the qualified voters of the City of Hannibal to consider the imposition of an additional sales tax of one-half (1/2) percent for the sole purpose of funding City-wide infrastructure and remedial improvements, which will be known as *Proposition One.*

Zerbonia stated Bill No. 21-010 is to follow, for a first reading.

**KAREN BURDITT – DIRECTOR OF FINANCE**

**Re: Payroll Amendment No. 3**

<u>Position</u>	<u>Salary</u>
Municipal Court – Office Assistant II	\$19,502 Annual - \$14.01/hour (1392 hours per year)
<i>(Bill No. 21-011, to follow)</i>	

Karen Burditt, Director of Finance, addressed Council with two items, the first being approval of payroll amendment No. 3. She advised that the Municipal Court is requesting to promote from within the Office Assistant I to an Office Assistant II. With the restructuring of City Hall offices, additional duties will be asked of the part-time Office Assistant I. Recently, City Collector Phyllis Nelson reviewed the present and additional duties of the part-time Office Assistant I and feels it more closely aligns with that of an Office Assistant II. Being the additional duties have already started, Ms. Nelson would like the new pay rate to be retroactive to March 15, 2021.

Mayor Hark questioned if the position of Office Assistant I would be eliminated or will be filled at a later date, in which Burditt advised it will be eliminated.

Mayor Hark stated Bill No. 21-011 is follow, for a first reading.

**Re: Hannibal Sanitary Landfill – Contract of Obligation**

*Missouri Department of Natural Resources – Solid Waste Management Program - \$211,272  
(Resolution No. 2337-21, to follow)*

Burditt's next item is approval for the Mayor to sign the Contract of Obligation for the Landfill. This is required by Missouri Department for Natural Resources (DNR) as an assurance that the City will maintain the Landfill. This contract authorizes the Director of the Department of Revenue and the State Treasurer to withhold the \$211,272 from any funds that the State will disburse to the City if the City fails to properly provide post-closure care to the Landfill. Burditt advised the Landfill closed in 1998 and the City is required to have the contract of obligation for 30 years with an additional five year "buffer". This post-closure obligation amount has decreased from \$305,900 in 2014, to \$211,272 this year.

Mayor Pro Tem Dobson questioned Burditt if after 30 years the contract would cease, she advised the obligation as DNR has it "spelled out" will not have to continue, however care of the Landfill will.

Burditt stated Resolution No. 2337-21 is to follow for approval.

**ANDY DORIAN, DIRECTOR – CENTRAL SERVICES**  
**Re: Palmyra Road Sidewalk Project – Change Order No. 1**  
*RL Persons Construction - <\$10,060.75>*  
*(Resolution No. 2334-21, to follow)*

Andy Dorian, Director of Central Services approached Council requesting approval of change order No. 1 for the Palmyra Road Sidewalk Project as follows:

Additional Costs

1. Curb Adjustment due to some locations having a shallow curb.
- Total = \$32,436

Deduction in Costs

1. Elimination of a concrete driveway.
  2. Elimination of sidewalk going all the way across the front of the Riverview Park entrance.
- Total deduction = \$42,496

Dorian advised the changes will result in a total contract reduction of \$10,060.75.

Original Contract Price = \$359,999

Reduction of \$10,060.75

New Contract Price = \$349,938.25

Mayor Pro Tem Dobson questioned Dorian on the elimination of a sidewalk going all the way across the entrance of Riverview Park. Dorian advised that in order for the sidewalk to be placed a utility pole would have to be moved, which would of significantly increased the cost to the project.

Dorian stated Resolution No. 2334-21 is to follow, for approval.

**EDIE GRAUPMAN – DPW MANAGEMENT ASSISTANT**

**Re: Traffic Committee Recommendations**

- *Extension, School Crossing Zone – St. John’s Lutheran School*

Eddie Graupman, DPW Management Assistant, approached Council with the first item being recommendations from the Traffic Committee. She advised St. John’s Lutheran School has contacted the City requesting to extend the school crossing zone from Eugene Field School down to Market/Lyon and Grand Avenue intersections. Graupman stated the Traffic Committee unanimously approved this extension.

**Re: Acceptance of Donated Property, 200 Willow Street – Settlement Agreement & Release & General Warranty Deed**

*Christopher Davis & Hailey Davis*

*(Resolution No. 2335-21, to follow)*

The next item is approval to accept donated property located at 200 Willow Street, which is currently on the Building Commission List, pending demolition. The property is owned by Christopher Lee and Hailey Marie Davis, who are incarcerated and will not be present to maintain the home for several years. Graupman advised the owners have signed all the proper paperwork and if approved the Street Department will be demolishing this home soon.

Graupman stated Resolution No. 2335-21 is to follow, for approval.

**Re: Sale of City Owned Property, 1925 Market Street – Agreement for Transfer of Real Estate & Special Warranty Deed**

*Brad Walden - \$500, plus costs  
(Resolution No. 2336-21, to follow)*

Graupman’s last item is the sale of City owned property located at 1925 Market Street to Brad Walden. Mr. Walden has purchased the adjacent business at 1921 Market Street and would like to use the City owned lot for parking. He plans to repave the lot as it has buckled in several areas and landscape the area around the lot to continue beautifying this stretch of Market Street that he has been cleaning up for the past few years. If approved it will be sold for \$500, plus costs.

Graupman stated Resolution No. 2336-21 is to follow, for approval.

**RESOLUTION NO. 2334-21**

**A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING  
THE MAYOR TO EXECUTE CHANGE ORDER NO. 1 BETWEEN  
THE CITY AND RL PERSONS CONTRUCTION INC., FOR A  
DEDUCTION OF \$10,060.75 RELATIVE TO THE PALMYRA ROAD  
SIDEWALK PROJECT**

A motion was made by Mayor Pro Tem Dobson to have the City Clerk read Resolution No. 2334-21 and call the roll for adoption. The motion was seconded by Council Member Veach.

**ROLL CALL**

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

**No:** - 0 –

**Absent:** - 0 -

Motion carried.

Mayor Hark declared Resolution No. 2334-21 duly approved and adopted on this date.

**RESOLUTION NO. 2335-21**

**A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING  
THE MAYOR TO ACCEPT AND EXECUTE A GENERAL  
WARRANTY DEED AND SETTLEMENT AGREEMENT AND  
RELEASE FOR DONATED PROPERTY TO THE CITY FROM  
CHRISTOPHER LEE DAVIS AND HAILEY MARIE DAVIS, KNOWN  
AS 200 WILLOW STREET, HANNIBAL MISSOURI**

A motion was made by Council Member Veach to have the City Clerk read Resolution No. 2335-21 and call the roll for adoption. The motion was seconded by Council Member Bowen.

**ROLL CALL**

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

**No:** - 0 -

**Absent:** - 0 -

Motion carried.

Mayor Hark declared Resolution No. 2335-21 duly approved and adopted on this date.

**RESOLUTION NO. 2336-21**

**A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING  
THE MAYOR TO EXECUTE A SPECIAL WARRANTY DEED AND  
AGREEMENT FOR TRANSFER OF REAL ESTATE FOR THE SALE  
OF CITY OWNED PROPERTY, KNOWN AS 1925 MARKET  
STREET TO BRAD WALDEN IN THE AMOUNT OF \$500, PLUS  
COSTS**

A motion was made by Mayor Pro Tem Dobson to have the City Clerk read Resolution No. 2336-21 and call the roll for adoption. The motion was seconded by Council Member McCoy.

**ROLL CALL**

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

**No:** - 0 -

**Absent:** - 0 -

Motion carried.

Mayor Hark declared Resolution No. 2336-21 duly approved and adopted on this date.

## **RESOLUTION NO. 2337-21**

### **A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT OF OBLIGATION BETWEEN THE CITY AND THE MISSOURI DEPARTMENT OF NATURAL RESOURCES FOR THE REQUIREMENTS OF THE POST-CLOSURE OF A SOLID WASTE DISPOSAL AREA IN THE AMOUNT OF \$211,272**

A motion was made by Council Member Bowen to have the City Clerk read Resolution No. 2337-21 and call the roll for adoption. The motion was seconded by Council Member Veach.

#### **ROLL CALL**

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

**No:** - 0 -

**Absent:** - 0 -

Motion carried.

Mayor Hark declared Resolution No. 2337-21 duly approved and adopted on this date.

## **BILL NO. 21-006**

### **AN ORDINANCE OF THE CITY OF HANNIBAL AUTHORIZING THE MAYOR TO EXECUTE A GOVERNOR'S TRANSPORTATION COST SHARE AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION IN THE AMOUNT OF \$835,000 RELATIVE TO, LAKESIDE DRIVE EXTENSION PROJECT**

*Second & Final Reading*

A motion was made by Council Member McCoy to have the City Clerk read Bill No. 21-006 and call the roll for adoption. The motion was seconded by Mayor Pro Tem Dobson.

**ROLL CALL**

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

**No:** - 0 -

**Absent:** - 0 -

Motion carried.

Mayor Hark declared Bill No. 21-006 duly approved and adopted on this date.

**BILL NO. 21-007**

**AN ORDINANCE OF THE CITY OF HANNIBAL VACATING A PORTION OF AN UNDEVELOPED STREET LYING IN PART OF SHEPHERD PLACE EXTENDED, CITY OF HANNIBAL, MARION COUNTY, MISSOURI**

***Second & Final Reading***

A motion was made by Mayor Pro Tem Dobson to have the City Clerk read Bill No. 21-007 and call the roll for adoption. The motion was seconded by Council Member Bowen.

**ROLL CALL**

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

**No:** - 0 -

**Absent:** - 0 -

Motion carried.

Mayor Hark declared Bill No. 21-007 duly approved and adopted on this date.

**BILL NO. 21-008**

**AN ORDINANCE AMENDING CHAPTER 4, ANIMALS OF THE  
ORDINANCES OF THE CITY OF HANNIBAL, AMENDING,  
CERTAIN SECTIONS, INCLUDING NEW SECTIONS AND  
AMENDING CERTAIN DEFINITIONS**

*Second & Final Reading*

A motion was made by Mayor Pro Tem Dobson to have the City Clerk read Bill No. 21-008 and call the roll for adoption. The motion was seconded by Council Member Bowen.

**ROLL CALL**

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

**No:** - 0 -

**Absent:** - 0 -

Motion carried.

Mayor Hark declared Bill No. 21-008 duly approved and adopted on this date.

**BILL NO. 21-009**

**AN ORDINANCE OF THE CITY OF HANNIBAL AMENDING THE  
FISCAL YEAR 2020/2021 PAYROLL ORDINANCE NO. 2,  
RELATIVE TO AN INCREASED NEED FOR STAFFING AT THE  
HANNIBAL CONVENTION AND VISITORS BUREAU TO SUPPORT  
THE DEMAND IN VISITATION, INQUIRIES AND MEETING  
PLANNING, CREATING A FULL-TIME SALES MANAGER  
POSITION AND PART-TIME VISITOR CENTER ASSOCIATE  
POSITION**

*Second & Final Reading*

A motion was made by Council Member Veach to have the City Clerk read Bill No. 21-009 and call the roll for adoption. The motion was seconded by Council Member Bowen.

**ROLL CALL**

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

**No:** - 0 -

**Absent:** - 0 -

Motion carried.

Mayor Hark declared Bill No. 21-009 duly approved and adopted on this date.

**BILL NO. 21-010**

**AN ORDINANCE OF THE CITY OF HANNIBAL PROVIDING FOR SUBMISSION OF A PROPOSAL (*PROPOSITION ONE*) TO ALLOW THE CITY OF HANNIBAL TO IMPOSE AN ADDITIONAL, LIMITED CITY SALES TAX OF ONE HALF (1/2) PERCENT FOR THE SOLE PURPOSE OF FUNDING CITY-WIDE INFRASTRUCTURE AND REMEDIAL IMPROVEMENTS TO THE QUALIFIED VOTERS OF THE CITY FOR THEIR APPROVAL AT THE ELECTION TO BE HELD ON TUESDAY, AUGUST 3, 2021, AND IF ADOPTED THIS NEW TAX SHALL CONTINUE UNTIL REPEALED BY THE VOTERS OF HANNIBAL BY A CERTIFIED ELECTION**

***First Reading***

A motion was made by Council Member Bowen to give Bill No. 21-010 a first reading. The motion was seconded by Council Member Veach.

Council Member Welch, indicated while he does not want to instruct anyone on how to vote, he does want to remind everyone that this does affect sales tax. If passed this will bring in more money for the City, however, as a direct result Hannibal's tax rate will be higher than any of the surrounding communities. This can also affect certain jobs, for instance when he bids a job, he has to use the tax rate in Hannibal, whereas someone else on a location with a lower sales tax rate can bid lower. He wants everyone to know what they are voting for and how it effects other businesses.

Motion carried.

**BILL NO. 21-011**

**AN ORDINANCE OF THE CITY OF HANNIBAL AMENDING THE  
FISCAL YEAR 2020/2021 PAYROLL ORDINANCE NO. 3,  
RELATIVE TO ELIMINATING THE OFFICE ASSISTANT I  
POSITION AND REPLACING WITH AN OFFICE ASSISTANT II  
POSITION IN THE MUNICIPAL COURT DEPARTMENT**

*First Reading*

A motion was made by Mayor Pro Tem Dobson to give Bill No. 21-011 a first reading. The motion was seconded by Council Member McCoy.

Motion carried.

**CLOSED SESSION**

*In Accordance with RSMo. 610.021 (1) (2) (12)*

Mayor Hark then entertained a motion to enter closed session in accordance with RSMo. 610-021, sub-paragraphs (1), (2) and (12), admitting himself, City Council Members, City Attorney James Lemon, City Clerk Angel Zerbonia, Director of Central Services Andy Dorian, Fire Chief Mike Benjamin and Deputy Fire Chief Ryan Neisen. A motion was made by Mayor Pro Tem Dobson to enter closed session. The motion was seconded by Council Member Bowen.

**ROLL CALL**

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

**No:** - 0 -

**Absent:** - 0 -

Motion carried.

**OPEN SESSION**

A motion was made by Council Member Bowen to return to open session. The motion was seconded by Council Member Welch.

**ROLL CALL**

**Yes:** Mayor Hark, Council Members Bowen, Welch, Veach, McCoy and Cogdal - 6

**No:** Mayor Pro Tem Dobson - 1

**Absent:** - 0 -

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**