

City of Hannibal

OFFICIAL COUNCIL PROCEEDINGS

**Tuesday May 18, 2021
Council Chambers
7:00 p.m.**

ROLL CALL

Present: Council Members Welch, Veach, McCoy, Mayor Pro Tem Dobson, Council Member Franke, Mayor Hark and Council Member Bowen - 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 Mayor Hark.

PLEDGE OF ALLEGIANCE

Mayor Hark then requested Council Member Bowen to lead the Pledge of Allegiance to the Flag.

APPROVAL OF AGENDA

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

Motion carried.

APPROVAL OF MINUTES

**Closed Session Minutes – March 16, 2021
Regularly Scheduled Council Meeting – May 4, 2021**

A motion was made by Council Member Bowen to approve the closed session minutes from March 16, 2021, along with the regularly scheduled Council meeting held May 4, 2021. The motion was seconded by Council Member Veach.

Motion carried.

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

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

Motion carried.

STACY COLBERT – HOMESTEADING LIFE CONFERENCE

Re: Request, Street Closures – Homesteading Conference

Sunday, August 1st, 6:00 a.m. – Monday, August 2nd, 7:00 p.m.

Stacy Colbert, representing Homesteading Life Conference, approached Council requesting street closures for the annual Homesteading Conference to be held Sunday, August 1st at 6:00 a.m. until Monday, August 2nd, at 7:00 p.m. Ms. Colbert advised this event is their 4th annual event, which teaches homesteading skills such as beekeeping, making bread and gardening, all things she believes are a lost art, a lot of people have forgotten these skills. She is requesting South Main Street to be closed, with barricades, from Church Street to Lyon Street.

A motion was made by Mayor Pro Tem Dobson, pending certificate of insurance, to approve the requested street closures for the Homesteading Conference which will be held Sunday, August 1st at 6:00 a.m. until Monday, August 2nd, at 7:00 p.m. The motion was seconded by Council Member Bowen.

Motion carried.

JARED CAMPBELL, CO-OWNER – HAUL A WAY COMPANY

Re: Customer Data Base Proposal

Jared Campbell, co-owner of Haul A Way Company, approached Council to discuss his proposal regarding the trash hauler customer data base system. He is not here to “reinvent the wheel”, he feels Council understands what is needed and the importance of it, which is weekly trash pickup for all citizens.

To achieve the goal of everyone having a trash hauler, there have been three proposals made by the City; one being one hauler for the whole City, the second being dividing the town into “districts” with each hauler operating in that “district”, the third being what is currently in place with the haulers being required to present a list of customers to the City so the City is able to determine who has service and who doesn't. He prefers option three, unfortunately that has not worked out well, since the same problem persists. His proposal would be to build on option number three, trying to make it easier and more successful for everyone to use this option by the creation of a customer data base.

He then reviewed the reasoning he felt the current situation system is not working. From his perspective, a lot of the haulers are small business owners and they wear a lot of hats, however, do not ask them to be the “IT guy”. He believes he may have a solution for this. He also feels

another reasoning for non-compliance with the haulers, is the history between the City and the haulers, as there is some tension there. It was so long ago that the haulers and the City were in the same room and the haulers believed their livelihoods were going to be over due to an executive order by Council. Some of the haulers are hesitant to trust the City. Campbell advised, the more conversations he has with the people in the room, the more he realizes that it not the City's intent and for that he is grateful.

From the Code Enforcement perspective, he feels it would be very overwhelming to receive that much data from the haulers, in such different formats, all at once. His solution to that problem would be to build a software program that could calculate the data without the Code Enforcement Officer having to dig through tons of data. The program would compute the data and give the officer precise results in a fraction of the time, since they have other duties to fulfill. The trash haulers, who maybe don't know how to export the data required by the City, would now use the program he is presenting. Jeff Hammontree, who is present in the audience, is the software developer who has agreed to build a software program. The program would be a cloud based platform where the haulers would have to login. Mr. Hammontree would walk the haulers through the process, like a liaison, and work with the haulers on how to upload and use the software. The program could then provide a list to the Code Enforcement Officer of those in the City who do not have a trash hauler. This will make it easier for the haulers and Code Enforcement Officer to obtain information from the provided listings. Mr. Campbell advised that Haul-a-way has agreed to fund the software and the development of it.

Mayor Pro Tem Dobson then advised that right now the City is not able to obtain a full listing of clients from some of the trash haulers and questioned how Mr. Campbell plans to obtain those if the City can't. Mr. Campbell advised he has spoken to three of the haulers and they are all on board with the new proposal and he is even willing to contact the haulers, if the City gives him a listing, those who haven't submitted their listings. Mayor Pro Tem Dobson stated that can be arranged to give the listing to him and this proposal is what the City tried to do years ago. Mayor Pro Tem Dobson likes the idea of this proposal, as long as all the haulers are willing to participate, especially since the software will do most of the work the City would have had to do.

Mayor Hark then complimented Mr. Campbell on taking this on and coming forward, as he is the first hauler that has come forward with a solution and a funding mechanism for the solution, and not just complaining. He is wise beyond his years and he appreciates him doing so. Mayor Hark has reviewed the proposal as presented a couple weeks ago, he feels that this is something that could be explored and assigned to a committee. When the idea came forward, as he is a Mayor that firmly believes that anything that affects the masses or has a fiscal impact of the masses should go to the vote of the people. If the City were going centralized trash service, which Mayor Hark believes that was never the intention, he feels it should go to the vote of the people as it would have an impact on the citizens along with a fiscal attachment. Mayor Hark stated that his perception on the proposal, although he doesn't speak for all Council Members.

City Attorney Lemon advised that the City is legally able to do this and this will potentially address the concerns the City has and it would avoid the need to enter into formal contracts, as previously discussed. This would most likely not require much in amending our existing Ordinances, as people are already required to have trash services. The biggest problem is enforcement and trying to figure out who does or doesn't have trash services. With the current staffing of the City, it is almost impossible for them to sort through the data in an effective fashion.

Council Member McCoy advised that at the end of the day the goal is for everyone to have trash service to help keep the community clean, and for Jared the goal being to have a job and to his constituents, it's the choice of who picks up their trash. However, Council Member McCoy believes the burden shouldn't be on Mr. Campbell to fund the mechanism/solution, it should be on the City. He feels in the past there was some effort to attach this fee to the Board of Public Works bills, so that residents that had a service through them, would have to pay for trash service. Council Member McCoy's thought process and to his point, when someone signs up for utility service, they are given a list of trash haulers, they will then chose one, with the BPW collecting fees. He then asked Mr. Campbell's thoughts on that process, in which he responded he had not thought of that scenario but will and will get back with Council Member McCoy. Mayor Pro Tem Dobson advised that the BPW does not feel equipped nor have the desire to do this for the City. Council Member Bowen advised that the BPW had a hard time wanting to have the stormwater system fees and doubts they would want to take this on also. BPW was required to "take on" the stormwater system, however, there was a lot of back office requirements. Council Member Veach advised he feels it is just another line item to him. Mayor Hark asked for clarification from Mr. Campbell if the goal was for the hauler to continue to collect the fees, in which he advised that it would be a lot for the BPW to take on since many people leave for vacation and want their bills stopped for a short time, or they want additional items picked up by their haulers, which are additional costs. Council Member McCoy stated he doesn't think it has to be the BPW that was just something discussed years ago. Mayor Hark stated he believes that the City should not handle the billing, it's the hauler's business, their fees.

JOE CHURCHILL – 4932 LAKVIEW DR, QUINCY
Re: Changes to Subdivision Ordinance, Enacted October 20, 2020

Mayor Hark advised that there has been a number of people who have asked to be on the agenda to discuss the changes to the subdivision code that was previously voted upon and already into effect. The subdivision ordinance modifications went through two different Planning & Zoning Commission meetings and most of the persons who have requested to speak tonight have either spoken at one or both of those meetings. The new Ordinance then went through two readings before Council and was voted on and approved at the second meeting with no further requests or comments at either meetings. There appears to be some kind of believe that these Ordinances can be "rolled back" by the Council, however, they cannot. The Ordinances are clear, in regards to the new changes in the zoning code for the subdivision codes. Once they are in place they can't be changed until after review and recommendation from the Planning & Zoning Commission. This has to be followed by a public meeting, which is then followed by two readings of the proposed new Ordinance at two regular scheduled Council meetings. The Council is not able to grant a request to "roll back" Ordinances without following this process. Due to the Council not having the power to grant a request to "roll back" the Ordinance that was previously approved and put into effect, this isn't really a time to bring this up before Council, however, the Council always welcomes input from citizens. If any of the parties that have requested to speak, still wish to speak, even though Council can't take action, comments are going to be limited to five minutes or so.

Mayor Hark then called on Joe Churchill, who wished to speak in regards to the subdivision ordinance changes. Mr. Churchill distributed a packet of information to Council, and began by advising that he understands that rules are changed and there is a process that has to be followed. What he did was to apply these new changes to a real subdivision that everyone is familiar with, Fette Orchard, which has been a very successful subdivision. According to his map, most of the

lots are sold, there are about 40 houses that are built there, equaling about 15 million dollars of construction. He was interested to see how the subdivision would change according to all the new rules. Mr. Churchill advised Fette Orchard has about 6,000 lineal feet of street, in which the new rule states that the streets must be tested every 100 feet. This would mean 60 engineering tests and then the aggregate has to be tested every 100 feet, which is another 60 tests, totaling 120 tests before the concrete can be poured. Once concrete is poured, the new guidelines state four tests have to be applied every 90 feet. Altogether that would be 268 tests on the concrete. If you add the concrete and the base that would be a total of 388 engineering tests that have to be completed and if the sidewalks were included that would be 523 tests, just for Fette Orchard.

The next question he looked at was what all this testing would cost for 12,000 lineal feet of sidewalk, the cost, roughly \$20/lineal foot, which is really a cheap price. The total cost would be roughly \$240,000 for just the sidewalks alone in Fette Orchard. Also, in the new subdivision Ordinance, the builder would have to give up three different lots for what the City calls "open space", which would cost the builder about \$100,000. Overall, Mr. Churchill stated in order for Fette Orchard to be built with the new rules, it would cost an additional \$400,000. These extra costs would be tacked on to the price of the lots, which would impact Hannibal because he believes that fewer subdivisions would be built.

Since the new guidelines would cause more of a "risk", Mr. Churchill believes there would be more difficulty having banks finance the projects. There would be fewer options for the buyers as well. With the new guidelines Mr. Churchill asked if they will cost growth, yes; will they cost jobs, yes; will development be caused to go outside of Hannibal, there is a good chance of that happening; will the home owners be forced to pay more for the home, yes.

Mr. Churchill then explained how it would affect one single home in Fette Orchard. The house he choose was recently sold and appraised for \$390,000. When an appraiser looks at a house with the "new rules", the only difference would be a sidewalk visible in the front yard. Due to the builder having to pay an additional \$7,000-\$10,000 for the lot, he would then have to "tack on" those additional costs to the selling price. The appraiser is still going to say the house has the same value, they won't add another \$7,000-\$10,000 for having a sidewalk. So who "eats" that additional cost, the builder does.

In conclusion, it's very expensive to develop in the City of Hannibal applying the new rules. At least three subdivisions would not be built, Fette Orchard, Orchard Point and Oak Springs. That's 131 lots that wouldn't have been built. The reason he can say they wouldn't have been built, he talked to all the developers and they stated there was too much of a risk involved. Due to the risk, the bankers wouldn't finance the constructions, which would cost Hannibal millions of dollars in revenue. The Mayor and Council are the only elected people in this room and are the most important people because they are the ones who decide if there is growth. When it was decided to change the guidelines, Mr. Churchill stated there were very few community leaders involved. His understanding is there were no bankers in the process, few builders and no suppliers. Of the builders that were involved, three were opposed to the sidewalks. They came to the Planning & Zoning meetings, they got up and spoke opposing the sidewalk requirement, however, their ideas were not considered. Instead the ideas of another party who was in favor of sidewalks on both sides of the street to be ADA compliant, that was the decision the commission went with. The Mayor and Council are in the position to correct the problem and he feels that this is a problem that would slowing the growth in the City.

He is strong believer on the free enterprise system and if a developer wants sidewalks in the subdivision, they should be allowed to do so. However, the subdivision and builder should not be mandated to do so. The main reason most developers don't want a sidewalk is because it is too expensive and makes the job unfeasible.

Mayor Pro Tem Dobson then advised that in Mr. Churchill's email he advised that the new guidelines added about \$400,000 to Brad Peter's project, Mr. Churchill advised that number is a very conservative number, but yes. On Brad Peter's subdivision, when you pull into it, the road goes down about a 45 degree angle, if a sidewalk is to be placed there, a very expensive retaining wall would also have to be placed, which wasn't figured in on the additional cost given before. Mayor Pro Tem Dobson advised that in Orchard Point they are stuck with a street that the City won't take because it doesn't meet standards and are having issues. The homeowners are required to pay dues to the homeowner's associations to maintain the streets. Mr. Churchill advised that the subdivision Mayor Pro Tem is referring to, has a long entry road and if they were required to put sidewalks on both sides, it just isn't feasible. The owners were aware of this when purchasing the lots, that their maintenance fees are high because they have to maintain the road. However, they still purchased the lots and they love the location and wanted the view of the river.

Council Member Franke then advised he trusts his experience and admired his charisma, however, he's not sure the banks wouldn't appraise higher if they had a sidewalk. He believes that if you can afford to buy a \$400,000 home, an individual should be able to afford an extra 2%. He has experienced this in his own life and he wishes he was able to have nicer sidewalks. Mr. Churchill advised the builder puts in granite counter tops, why, because the customer wants it, build a three car garage, why because the customer wants it.

Mayor Pro Tem Dobson advised that he feels the homeowner wants a nice street to drive to their own home. Fette Orchard has nice street and there were a lot of tests done and he doesn't know if there were to the new standards.

Council Member Bowen advised that Mr. Churchill stated that three of the subdivisions wouldn't have been built, however, have already been built. The Ordinance that is in place now, does not affect ones that were built prior. Council Member Bowen stated he loves sidewalks, he walks with his kids, ride bikes. The street he lives on, which is around 26" feet wide, they are forced to park on the curb because the streets aren't wide enough. They ride on the sidewalk, if he destroys the sidewalk it is his responsibility to repair the side walk. If they don't strengthen the Ordinances now, 20 years there will be another Council that will have to fund the repairs to fix those streets/sidewalks. Council Member Bowen believes the new guidelines are "swell" and it saves the tax payers 15 years from now.

JILL CHURCHILL – 226 GALA DRIVE, HANNIBAL
Re: Subdivision Codes

Jill Churchill then addressed Council, advising she lives at 226 Gala Drive, in Hannibal. After working for her father's construction company for nearly 25 years, she and a couple of co-workers formed Cabot Fine Homes, who are currently beginning construction on their fourth home in the Fette Orchard subdivision. Last fall she spoke in opposition of the new subdivision ordinances. She presented an informal survey that they had completed where 31 of 36 homeowners surveyed did not want sidewalks, even if they were free. They stated they don't see

a need for them or could not justify the extra expense associated with them. Some even went on about the additional issues sidewalks would cause, animals on their property, maintenance of them, etc.

Last year Cabot Fine Homes wanted to develop property on Stardust Drive with free standing villas and incorporate a Homeowner's Association (HOA) that would take care of lawn work and snow removal, which typically appeals to empty nesters or retirees. When they first talked to the City about the Villa's, the City mentioned a need for affordable housing. With this information and knowledge of similar homes they had built in Quincy and surrounding areas, they were eager to build these in Hannibal. She was told during early conversations with the City she would be able to get variances for the items that make a cluster home/villa work, if the new Ordinances were passed before she could get her subdivision approved. This villa type housing would be something new for Hannibal and would create more tax revenue for the City. While she thought she was familiar with some of the new changes the Ordinances brought, some of the new changes were much more complicated and detrimental then she thought. She was honestly intimidated, uninformed and since she was new to the area, she didn't speak up as much as she wanted to. Upon requesting the Planned Density Residential District (PDR) rezoning and submitting the new layout subdivision amongst the new guidelines, it was made clear that a variance would be nearly impossible to acquire. She asked City officials to please visit the villa at Stone Crest or others that were built to see how successful they were working. Even looking at the subdivisions in Hannibal and Quincy now, most would not be allowed to be built in Hannibal due to the new guidelines.

Including a sidewalk in new subdivisions seem like a simple thing, which can be if it's a flat piece of ground. However, with the new guidelines, sidewalks have to be within so many feet of the road that would put them closer to homeowner's front doors. She was also not aware of the 4% land donation to the City. This is something new that she has never heard of. She was also not aware of the new multitude of required engineering testing. She looked at realtor.com today and looked for homes that were offered in the range of \$200,000 to \$700,000, there were five houses available. She believes Hannibal needs more housing available in that range.

Council Member Franke advised that he has a comment, he moved here four years ago and he too felt intimidated and commended her for coming up here tonight and "rocking the boat".

CHRIS DOYLE – 531 HEAD LANE, HANNIBAL
Re: Roll Back Changes to City Subdivision Ordinance

Chris Doyle, then approached Council advising that he is a builder in Hannibal, actually a third generation of builders in Hannibal. His concern is also with the testing and the requirement of sidewalks. Hannibal is called the bluff City for a reason, he believes if Council were to go to the Orchard, some of those homes would be obsolete if the new guidelines were applied. He believes what might work in the big metropolitan areas, might not work for Hannibal. He sees some of the current lots in the Fette Orchard selling for about \$55,000/lot, however, with the new guidelines, those lots would sell for \$65,000. When you apply the covenants that are the norm in the subdivision, that would mean those homes would cost well over \$300,000. He did some research and in the 2020 census, less than 20% of "Hannibalian's" can afford a house for \$300,000. When the price goes up to \$400,000, that's less than 10%. Mr. Doyle mentioned that Mayor Pro Tem Dobson had referred to the Orchard, and he agrees that those residents can afford the new guidelines, he is referring more to the affordable housing side. The

improvements in the ordinance come at too high of a cost. Hannibal needs more affordable housing.

Council Member Bowen then asked about the affordable housing, he advised his first home he bought eight years ago and was a seventh of the \$400,000 everyone keeps referring to. He knows a lot of people that are buying homes in Fette Orchard, who are in the 30-35 year old range. He is definitely not in the 10% range of affording the \$400,000 homes, so how is this affordable if it's not what 50% of what the Hannibal people can afford. Mr. Doyle stated realtors will advise the average house in Hannibal sells for about \$120,000 with there being a big gap between that and \$300,000 that needs to be addressed. Mr. Doyle believes if some of the new guidelines didn't amount to such high additional amounts, the developers would be able to build more homes in that range.

BRAD PETERS – 110 GALA DRIVE, HANNIBAL
Re: Concerns, New Road Guidelines

Brad Peters then approached Council advising that he didn't speak at the Council meetings when they were held previously, as the gentleman in front of him covered many of the basis/concerns he had. Hopefully Council doesn't think by him not coming forward that he had no concerns. He is not in favor of the new Ordinances, he was happy with the way things were. He followed all the guidelines the City had, he hired all the engineers, did all the testing and he feels his homes turned out just fine. His concern is the cost of the homes, not only is there new street ordinances, the cost of lumber has increased along with water mains.

He was unsure why they had to quit allowing private streets, he has them and doesn't believe it causes the City any issues. He spoke at the development meeting and Planning & Zoning and by the time Council heard it, he was worn out. He does not have a problem coming back to Planning & Zoning and who ever to speak again, in order to allow Council to change the ordinance. If someone wants to purchase a lot in a subdivision with a sidewalk then they can buy in the Ball Subdivision. In order to get the cost down, you can't have everything. He's not sure what was wrong with the subdivisions with private drives that he constructed but the new guidelines will increase the cost too much. He will sit down and meet whoever and whenever they need to meet to come up with any resolutions.

CARL BALL – 8954 COUNTY ROAD 422, HANNIBAL
Re: Support, Subdivision Ordinance Changes

Next, Carl Ball came forward to address Council, advising that his message would be a bit different than others, and he is here representing Ball Investment Group, who is currently building Minnow Creek subdivision, across from Fiddlestiks. Mr. Ball advised when they took this project on, they went to other developments and toured other towns and one of the common things they found were sidewalks. He was born and raised in Hannibal, in the Oakwood area and he believed the sidewalks there were a "safe zone", because they were a "barrier" from the streets. He thinks that most people want sidewalks here.

He wants to thank the City Council, City Manager, Police and Fire Departments, Board of Public Works, Corey Mehaffy, for their assistance on the new Ordinance. This wasn't something that they did on their own, it was a joint effort and all were supportive. As far as the extra costs of

the sidewalk, it is minimal and you do pass that on to the buyer. He is glad City Council took the opportunity to move forward with the changes. It makes things very “black and white” where previously there were a lot of variances and most subdivisions looked completely different. This will create a community where it will bring people out to their sidewalks, in their front yards and not just staying in their homes.

Mayor Pro Tem Dobson then questioned Mr. Ball about the sidewalks in his subdivision and if they met ADA compliance in which he advised that they were four feet wide, in which Mayor Pro Tem Dobson advised that ADA is five feet wide, which is also what the new zoning requires. Mayor Pro Tem Dobson stated engineers also require bump outs every 150 feet, and will Mr. Ball comply with that, in which he advised there will be bump outs at every opportunity possible. He then questioned Mr. Ball what the average lot costs, in which he advised the average cost per lot is \$42,000 - \$47,000, which includes sidewalks. Mayor Pro Tem Dobson then asked what his street width is, in which Mr. Ball advised 30 feet.

KRISTY TREVATHAN – 208 CARDIFF DRIVE, HANNIBAL

Re: Discussion, Positive Remarks Concerning Ordinance 4847 – Subdivision Regulations and Requirements

Kristy Trevathan then approached Council advising that 28 years ago she was sitting in Council’s exact place. In 1993 it was a water shed year, it destroyed hundreds of homes in Hannibal, which is also the same year she was elected to the City Council. They were faced with areas along Bear Creek and Collier/Warren Barrett Drive with FEMA buying out a lot of these homes. Subdivisions were being built, west of town, which at that time were out of City limits, however, they were allowed to have City sewer. As a Council, it was decided that they could not allow subdivisions to have these services unless they were annexed in. During her tenure, 20 year old subdivisions, Lake Apollo being one, had serious problems, streets were deteriorating that had been built in the 1970’s. One of the drives in her ward was Gemini, which was a disaster. The half-cent sales tax was coming up for re-instatement and the Council had to work really hard to get that passed, due to not everyone wanting that increase. With that passing, the City was able to rebuild Gemini Drive, re-extend Hyacinth Road to connect with the subdivision that leads to the YMCA and the schools, along with rebuilding Central Avenue, which were all in her ward. She doesn’t recall all the new roads that were built, just those few. At that time, concrete street requirements were just being discussed and they were being told that it would kill development, that it couldn’t be done. However, the Council “soldiered” on. She believes that sometimes developers “lead” the way to new things, such as underground electric.

After reviewing Ordinance 4847, the new subdivision Ordinance, she applauds the City Council for moving forward with this. These requirements aren’t really new, it’s just reinstating them. “Walkability” is a new term; this is a big way people are grading communities on their amenities. She believes Palmyra Road sidewalk is a huge benefit to the City. She lives downtown and she sees people that don’t live downtown come downtown just to be able to have the sidewalks to walk on. She thinks change is hard and being a realtor for over 30 years she has witnessed growth and a lot of price changes. The Orchard developed extremely fast, she feels sorry for those residents since they don’t have sidewalks.

Mayor Hark then requested Mark Bross, City Engineer, to come forward as he wanted to clarify some numbers. Mr. Bross advised that he would like to address a lot of the things he has heard

this evening and correspondence that he has seen. He then wanted to give the real world situations, as he can speak on these as his firm designed some of the subdivisions.

Back to the beginning on why; the process started in 2018 and included the City Manager, City Building Inspector, Hannibal Board of Public Works General Manager, an engineering consultant from PSBA and himself. Much of the currently approved code was revised at that time but not brought forward to the Planning and Zoning Commission nor the City Council for approval. While the former City Manager, Jeff LaGarce, was still employed by the City, a process was started to revise Chapter 9, *Drainage and Flood Control* and Chapter 29, *Subdivisions* in response to problems with stormwater, allowance of varying street widths, and a lack of criteria for takeover of streets from developers for City maintenance. After the departure of Mr. LaGarce, these code revisions laid dormant until early 2020. The new City Manager, Lisa Peck, was finding early on that there were many problems with the City Code and the lack of accountability that the Code allows for subdivision developers. A group comprised of the City Manager, Director of Central Services, City Building Inspector, Hannibal Board of Public Works, and he convened again to dust off the work that had already been done and give it a fresh look with the goal of implementation in 2020. This was prior to COVID and the urgency was driven by the fact that the Fette Subdivision was ongoing and there were at least 2-3 other subdivisions being contemplated or started already. Collectively, no one wants to see a repeat of some of the same problems in the future.

For the first half of 2020, the Code revisions for these two chapters were finalized with input from staff involved and information from surrounding, similar-sized communities, not the St. Louis metro area. Once a pre-final version of these two ordinances were completed and reviewed by the City Attorney, it was agreed that these proposed revisions should be sent out to developers, surveyors, and engineers in our community for comment. Personal invitations were sent out inviting those to attend a meeting in July, 2020. The proposed revisions were published on the City's website. Written comments were suggested for over a period of at least a month and participation at the meetings were also suggested. At the meeting, there was about 15 people who attended, some were developers, some were surveyors, some were engineers, and our economic development director attended. Copies of the proposed ordinances were available at the meeting as well. Mr. Bross provided a full summary of all written comments he received during those meetings and via email to the City Manager. He wrote down many of the comments he received during the meeting and provided that to the City Manager as well. Mr. Bross stated that most of the comments centered on the following:

1. Sidewalks – none, one side of the street, or two sides of the street. The original version had a requirement for sidewalks on one side of the street. There were 2 verbal comments in the meeting for no sidewalks and two verbal comments in the meeting for sidewalks on both sides along with a written comment supporting sidewalks on both sides (by a developer).
2. Number of copies and information on survey plats to streamline and modernize the process.
3. Monumentation for subdivisions
4. Codify the minor subdivision process in a clear manner
5. Street width – Was proposed at 32', requested to go down to 28', and the final revision reflected 30' width.

Mr. Bross advised the following topics were not commented upon in the meeting or during the comment process:

1. Open spaces
2. Acceptance testing for streets
3. Riparian corridors.

This process moved through two Planning & Zoning meetings in August and September and then went through two City Council readings, for approval. In all, there were five public opportunities to influence the proposed City Code changes. For anyone to say the process was anything less than transparent, is simply astonishing. To say that COVID limited the opportunity for people to comment through this process that took over four months is unbelievable when we had a community full of people that found ways to attend meetings via Zoom or in person, go to restaurants, go to school, etc. The opportunity to submit comments in writing or email throughout the process was not limited. The opportunity to pick up the phone and call a City Council member was not limited.

Mr. Bross then wanted to give a “real world situation” on two particular subdivisions. One of which is nearly complete and the other is in the design process. He can speak with some knowledge of these particular subdivisions because he designed one of them and his firm is currently working on the other one.

Fette Subdivision was designed in 2015 by Klingner & Associates, reviewed and approved by PSBA for compliance with the City Code. Below is some information:

No. of Lots: 73

Street Length: 5,500 feet

Street Width: 30 feet (approved by City Council even though 32’ width was required)

He then evaluated the subdivision with the new City Code:

Street Width: matches current City Code – no impact

Sidewalks: For sidewalks down both sides, this would be 11,000 feet of 5’ wide sidewalk or about 55,000 SF. At \$3.50/SF for sidewalk cost, this equates to \$192,500. A pair of ADA ramps at 6 intersections would cost approximately \$9,000, bringing the total cost to \$201,500, not the \$400,000 quoted by Mr. Churchill in some of his correspondence.

Riparian Corridor Easements: There are no riparian corridors in this subdivision and they are easements not property deeded to the City anyway. No cost impact.

Acceptance Testing:

Street Density Test for Subgrade: 1 per 100 lineal foot – 55 tests at \$20/each = \$1,100

Street Density Test for Aggregate Base: 1 per 100 lineal foot – 55 tests at \$20/each = \$1,100

Sidewalk Density Test for Subgrade: 1 per 100 lineal foot – 110 tests at \$20/each = \$2,200

Street Concrete Testing: 1 test per 50 CY of concrete – 61 tests at \$27/each = \$1,647

Sidewalk Concrete Testing: 1 test per 50 CY of concrete – 14 tests at \$27/each = \$378

Total testing cost = \$6,425

Total cost impact to the Subdivision is \$207,925. The cost impact per lot is \$2,848. This would make a \$30,000 lot, \$32,848, or roughly 9.5% higher. It is difficult for him to understand how this makes the lot and/or the house unaffordable when someone is going to spend \$250,000 - \$300,000 for their lot and their home, why would another \$2,848 make that big of a difference.

For the Timberview Estates Subdivision – This is currently in design by Klingner & Associates and has not been reviewed or approved by the City yet. This is Mr. Churchill’s own subdivision. Here is some information for his Phase 1 development, which is required to follow the new code:

No. of Lots: 11
Street Length: 600 feet
Street Width: 30 feet

Let’s evaluate this with the new City Code vs. the old City Code:

Street Width: Current City Code allows 2’ less in width. $2' \times 600' / 9 = 133.33$ SY. At \$65/SY = \$8,666 savings

Sidewalks: For sidewalks down both sides, this would be 1,200 feet of 5’ sidewalk or about 6,000 SF. At \$3.50/SF for sidewalk cost, this equates to \$21,000. There would be one pair of ADA ramps at a cost of \$1,500, bringing the total sidewalk cost to \$22,500.

Riparian Corridor Easements: There is a riparian corridor on the east side of this development but it will not impact lot development. No cost impact.

Acceptance Testing:

Street Density Test for Subgrade: 1 per 100 lineal foot – 6 tests at \$20/each = \$120

Street Density Test for Aggregate Subgrade: 1 per 100 lineal foot – 6 tests at \$20/each = \$120

Sidewalk Density Test for Subgrade: 1 per 100 lineal foot – 12 tests at \$20/each = \$240

Street Concrete Testing: 1 test per 50 CY of concrete – 7 tests at \$27/each = \$189

Sidewalk Concrete Testing: 1 test per 50 CY of concrete – 2 tests at \$27/each = \$54

Total testing cost = \$723

The total cost impact to the subdivision is \$14,557. The cost impact per lot is \$1,323. This would make a \$30,000 lot, \$31,323, or roughly 4.4% higher. It is difficult for him to understand how this makes the lot and/or house unaffordable when someone is going to spend \$250,000 - \$300,000 for their lot and their home, who wouldn’t do that for another \$1,323.

Mr. Boss then advised that if people are going to live in the “real world”, they should be dealing with real numbers, not someone’s guess in order to support their argument. He then addressed the issue of sidewalks specifically as follows:

ADA: 5’ width is required. The grade of the sidewalk can match the grade of the road. This really does not make the sidewalk extremely expensive when the sidewalk can match the grade of the road. ADA ramps are required at street intersections. Every subdivision will be different so the number of ADA ramps will vary.

Another discussion are the sidewalks to nowhere; there are many subdivisions in this town that do not have sidewalks. He sees this is as a safety issue when people are walking in streets. He certainly understand that some people may not want people walking across their yard, but those people will be walking on City right of way, not private property. If we are going to make our community attractive to younger people and young families, we have to start somewhere with sidewalks.

The next topic, driveway impacts, in which a diagram was provided to Council in correspondence depicting the most extreme situation imaginable for a sloped driveway. What is

not shown is that on steep lots, the developer can build split-level houses to mitigate this problem.

The origin of the sidewalk discussion came locally, not from St. Louis or the City Manager. Input was received from the people on and in the committee meeting who wrote the changes to the Code, along with the local Economic Developer. In public meetings, there were two comments for and two comments against. To his knowledge, no survey data was ever provided in writing by the one individual who indicated they did two surveys. In summary on sidewalks, this Council can do what they please. It's Bross's personal belief that having no sidewalks will be short-sided and impact the attraction of younger families to this community, whether the right answer is one sidewalk or two, is up to Council.

Mr. Bross then addressed the open space requirement specifically. The origin of the current version of the open space requirement is from Moberly, Missouri. He was instructed to do some research for alternatives to the old version. To clarify, there is no requirement that a developer has to absolutely dedicate open space. It says within 29-122 (a) (2), the City Council **MAY** (not shall) require the dedication or reservation of such open space. Out of all five public meetings and the open comment periods, zero comments were received on this section of the City Code change. Quite honestly, if the City Council wants it to go back to the old version, he has no problem with that.

Mr. Bross then addressed the acceptance testing provision in the City Code specifically:

1. Under the old City Code, staff had no guidance on what criteria should be used to take over a street in a subdivision. There were no requirements for testing data, no inspection requirements, and no staff availability to review the construction throughout its progress. There are numerous examples of streets that have had to be redone within a few years after the City took them over because they had improper compaction, no aggregate base, thinner pavement thickness, etc. (Hummingbird, Tennyson, Clover Road).
2. The City does not have full-time staff available to perform the testing or inspections necessary to make sure the completed construction is worthy of being taken over by the City for maintenance. For the City to hire staff would be \$50,000 - \$100,000 per year, every year.
3. The testing requirements is inexpensive as compared to the overall construction cost for streets, sidewalks, grading, and building of the homes. In the two examples Mr. Churchill cited, it represents less than 0.8% of the overall cost of streets and sidewalks.
4. The City Code must have standards that can be enforced and acceptance testing is the only way to enforce it so that the City does not get stuck repairing streets in the future that should have been constructed properly the first time. Allowing things to continue as they are, creates a taxpayer subsidy to developers that don't properly construct the streets. It should be unacceptable for the City Council to allow this to happen.

To repeal the acceptance testing requirements would be short-sided and would allow the current problems with streets in this community to continue. It's Bross's opinion that this requirement putting an undue burden on the developer just does not hold water. Finally, Mr. Bross knows what it is like to be in Council's shoes and have people argue both sides of an issue. Council has to balance the needs of their constituents and staff and be as fair as they can in making the correct decision. The process was transparent on these Code changes. A moratorium is not the right answer; however, there may be a few items that could be adjusted with regard to sidewalks and open spaces. To go back to the old City Code for any period of time is going to hamstring the staff and will have lasting impacts on infrastructure far into the future.

**COREY MEHAFFY, EXECUTIVE DIRECTOR – HANNIBAL REGIONAL
ECONOMIC DEVELOPMENT COUNCIL**

Re: Request for Funding, Downtown Community Improvement District

Corey Mehaffy, Executive Director of the Hannibal Regional Economic Development Council, then addressed Council regarding a request for funding for a downtown Community Improvement District (CID). He apologized to City Clerk Zerbonia, City Manager Peck and to the Council, for not getting his memo in on time to include in the agenda packet, he had some confusion as to what Council meeting he was to speak at. As Council is aware they have been discussing downtown redevelopment opportunities to assist with downtown building owners and business owners to help redevelop that area. About 20 years ago there was a purposeful bit of work that was done on the downtown buildings. However, there seems to be a need for it once again. The Hannibal Regional Economic Development Council has been working with HHMC, the Chamber of Commerce and others to determine what that might look like. Over the past couple of years, numerous meetings have been held with Historic Hannibal Marketing Council (HHMC), business owners and building owners. The memo provided to Council outlines the redevelopment of the downtown area. He is requesting Council to appropriate up to \$75,000 of funding to start the process for the Downtown Community Improvement District (CID) for redevelopment.

Council Member Franke questioned Mehaffy the amount of money being requesting, in which Mehaffy advised up to \$75,000, he was told the fees would be between \$60,000 to \$75,000. Council Member Franke then questioned Mehaffy if he was asking for money, not a loan, in which he concurred. Council Member Franke then questioned Mehaffy if he was requesting CID, 353 and NID as with a CID there are quite a bit of requirements that are placed upon the City Clerk and questioned if he has spoken to City Clerk Zerbonia about all these duties, as it will put a lot on her. Mehaffy advised that he has not spoken to the City Clerk, however, once the City establishes a Community Improvement District Board, the board would take on those responsibilities. The Board also would take over all the reporting that is required. Council Member Franke then suggested this sounded like additional costs, in which Mehaffy agreed but said the CID takes care of the cost. There is typically a budget that is produced every year and the CID board takes care of that.

Council Member Franke asked if they had a map of the CID yet, in which Mehaffy advised they have proposed the downtown business district, which is from the brewery to the depot building, back to Main Street, up to Third Street, up Broadway to Grand Avenue and up Mark Twain Avenue to Grand Avenue. He then questioned any revenue estimates, in which Mehaffy advised that he does not have at this time. He questioned if there was a line by line budget, in which Mehaffy advised that he does not have one at this time. Then then asked if there were dates attached to the process, in which Mehaffy advised they did not, as the CID decision procession can be complex and time frames can be unsure as some property owners contracts can take as long as a year to finalize. Council Member Franke then asked if Mehaffy looked into USDA Rural Development grant funds, in which Mehaffy advised he had not and then asked if that was an option, in which Mehaffy stated not to fund the legal expenses he is referring to and stated he was unsure if it was even an option. Council Member Franke then asked if Mehaffy had looked into Mark Twain Regional Council of Governments, in which Mehaffy advised they normally have a revolving loan fund program, however it's not a grant program. Council Member Franke then questioned why the folks benefiting from the CID aren't paying the legal fees, in which Mehaffy advised they do technically as taxpayers. Council Member Franke then questioned if it would be fair to say Mehaffy was the "cheer leader" of the CID, in which he advised that he has

been the main person to provide the information. Council Member Franke then questioned if he had sought a private loan, in which Mehaffy advised he had not. Council Member Franke indicated that he supports the project, however, not the procedure and often times, even just today he hears Hannibal does not have the money and this is one of the reasons why. In the last couple of weeks Council Member Franke has spoken to a not-for-profit organization in this field and has been advised most of these documents can be created without legalese. He also knows that the amount of money he is requesting could go towards a lot such as a City Planner. Council Member Bowen clarified that a City Planner would require a \$75,000 annual salary, not just a onetime request. Also the CID would fund itself over time going forward.

A motion was made by Mayor Pro Tem Dobson to approve the request for funding up to \$75,000 for development of a downtown Community Improvement District (CID). The motion was seconded by Council Member Bowen.

ROLL CALL

Yes: Council Members Welch, Veach, McCoy, Mayor Pro Tem Dobson, Mayor Hark and Council Member Bowen - 6

No: Council Member Franke - 1

Absent: - 0 -

Motion carried.

ALAN BOWEN – 4TH WARD COUNCIL MEMBER Re: Utility Task Vehicles, Code Amendment

Council Member Bowen addressed Council and advised in recent years utility task vehicles (UTVs) have become more popular around the country. Many citizens use them for recreation, but some use these machines to take care of their properties. The City of Hannibal has many of these UTV's and we utilize them every chance we get. Hauling small loads around job sites, going back for more supplies, easily surveying a job site and more. Some organizations in town use UTVs during festivals and parades as they are easier to get from one side of the event to the other rather than a vehicle. These machines can be very useful and have created a fun hobby for citizens, if used correctly.

With the recent vote to not allow an organization to use their UTV, the City of Hannibal decided to not use their UTVs either to support the council's decision. This has opened citizen feedback and City Department feedback that we need these machines in town.

The biggest problem with "allowing" UTVs on the road is that they are hard to license through the state, as a title is not issued when purchased. Our current Ordinances allow for "licensed vehicles" (with a few exceptions) and all-terrain vehicles (ATVs), like four-wheelers.

He feels these sections need to be addressed and "cleaned up" and with the recent request from the Mark Twain Home Foundation presented to Council for the use of UTV for property maintenance, the City department's needs and upcoming festivals, he feels this is the perfect time

to do so. He does have a rough draft Ordinance that the City Attorney prepared and was distributed to Council.

Council Member Veach advised that he likes everything except for the fees and insurance requirement. Council Member Bowen advised that he feels the City should require insurance, Council Member Veach advised he agrees, however, not 1 million, maybe \$300,000. Council Member McCoy questioned how much insurance is required for a motorcycle, in which Council Member Bowen was unsure. Mayor Hark then clarified the minimum requirements are \$25,000 per person for bodily injury, \$50,000 per accident for bodily injury, \$10,000 per accident for property. Council Member McCoy indicated he likes the rough draft, he does have a couple things to address, however, he is in favor of it. He feels it's time to update the current Ordinance.

Mayor Pro Tem Dobson indicated he has spoken with Chef Davis and Lieutenant Grote is prepared to provide Council with information from a study she conducted. Lt. Grote advised that in October or November of last year, this same topic came up for discussion, and she was asked to research the topic. She was asked to see what other entities are doing in regards to allowing the use of UTV's. She started looking at other cities, similar in size to Hannibal, then reaching out to their local Police Departments, and searching online for their Ordinances. She talked to Popular Bluff, Kirksville, Lake of the Ozarks, Rolla and Sedalia, currently none of them have Ordinances allowing the use of UTV's on roads. nor are they looking to implement. She then looked at more rural locations such as Bowling Green, Louisiana, etc., places that are close to Hannibal, most of which had a population of 5,600 or less. These places did have Ordinances on the books, so she reached out to them, asking what works, what doesn't work, etc. Lt. Grote advised that specifically with Bowling Green's Ordinance, they stated there were many things they wished they had added such as licensing, permits, etc. She just talked to Louisiana today and they advised it's a "big pain". She also talked to a vendor that sells them, not a local vendor, and asked if they had any suggestions on what should be addressed in the Ordinance, they stated "not in Hannibal, would they recommend allowing them on the road". They did discuss the recreational vs. agricultural vehicles, which are completely different. The vendor also suggested to have turn signals wired into the brake lights, operational headlights on at all times, sideview and rearview mirrors being a must.

Lt. Grote advised the biggest problem is with inspections. As taxi cabs are inspected by the Police Department, this is time consuming and labor intensive to ensure they are conducted thoroughly. Lt. Grote also advised that UTV's can't be licensed due to not having a title. Most UTV's/ATV's aren't designed to have a plate put on, or if they want lettering, showing they are "licensed", placement being an issue. If enforcement from Police is needed, something needs to be addressed on how to differentiate one from the other.

The other thing is keeping track of records for those licensed. For example Bowling Green has 135 on the books, Louisiana has 53, the police department cannot allocate or dedicate the time to do this. These vehicles are not allowed on the highways, which would include Highway 36, 61, 79, I-72, which is a state law. She advised the department is focused on safety and if Council chooses to move forward on the Ordinance, to please take all her information into consideration. Council Member McCoy indicated that this would fall on the responsibility of the City and someone should not be denied their rights due to the City not having the staff to conduct the inspections, and record keeping.

Mayor Pro Tem Dobson then questioned the safety device requirements, in which Lt. Grote advised most of the new models have the three-point harness installed along with the roll cage, she is unsure of the older models. Mayor Pro Tem Dobson indicated as he is an emergency responder in the county and he has worked a couple accidents involving these vehicles and they were not pretty. Council Member Bowen then questioned how many motorcycle accidents had he handled, in which Mayor Pro Tem Dobson advised the same. Council Member Bowen then advised at least the UTV's have harness belts and roll cages, or that can be required in the Ordinance. Lt. Grote advised that if a UTV pulled out from Huckleberry Park onto Highway 61 and can't keep up with the oncoming traffic that too would be a safety concern. Council Member Franke then thanked Lt. Grote for researching the issue. It's his feeling that people may be doing this anyway and that Council should look for ways to help them do it as safely as possible. Council Member Welch then questioned if an officer sees someone on an UTV in the street, is it enforceable for the officer to make them get off the road, in which Lt. Grote advised that is why the press release was done, so people are aware it is illegal. As far as City employees not being able to use them, it is a function of their job, which is allowed.

Council Member Welch then questioned if it was a "ticketable" offense, in which Lt. Grote advised they aren't trying to ticket, they are trying to educate the public first and again this was part of the purpose of the media release and placement on Facebook. Council Member Welch advised he has driven his mule from his shop to home in Oakwood and he was stopped by the Police and advised he was not allowed to do so. She then advised Council Member Welch of the Ordinance in which he was in violation of.

Mayor Hark then questioned Council Member Bowen's intent with the draft Ordinance, in which he advised that he would like to move forward. Lemon indicated that he feels that he could include some additional suggestions based upon Lt. Grote's research and take back to HPD and have them take a second look and see if they are more comfortable with the enforcement side. Council can do this all day long, however, they should take into consideration the "boots on the ground" that must enforce it. Mayor Pro Tem Dobson then asked if Lt. Grote had to vote on an Ordinance, allowing UTV's on the street, what would her position be, in which Lt. Grote advised, her personal opinion, would be no.

Director of Central Services, Andy Dorian then questioned what does this mean for the City personnel UTV uses; in which Davis advised that in the Ordinance it states they can't operate them on City streets. However, governmental entities can use them in the course of their duties. Council Member Bowen feels what's good for the City should be good for the citizen. Chief Davis advised that if it's in a governmental capacity it's allowed. For instance, if a police officer is responding to a call with lights and sirens, they can run a red light, but as a citizen they cannot. Council Member Bowen indicated that he feels that the City should not use them in the course of their duty until this is all figured out. Mayor Hark advised that the City Manager is responsible for the administrative functions of the City departments and she has the authority to grant organized uses, in which the City Attorney concurred, that state law indicated you cannot have on a City street unless you are a City, in which they are allowed as a scope of their duty. Council Member Bowen advised he will work with Lemon, update the Ordinance and then bring back before Council.

LISA PECK – CITY MANAGER

Re: Approval of Appointments

City Manager Peck reminded Council of the candidate she presented for recommendation of appointment during the last Council meeting. She is recommending Melissa Cogdal be approved for appointment to the Hannibal Board of Public Works Board.

HANNIBAL BOARD OF PUBLIC WORKS

- **Melissa Cogdal – appointment for an unexpired term to expire July 2023**

A motion was made by Council Member Veach to approve the appointment of Melissa Cogdal to the Hannibal Board of Public Works Board for an unexpired term to expire July 2023. The motion was seconded by Council Member McCoy.

Motion carried.

Peck then reminded Council of the candidate she presented for recommendation of appointment during the last Council meeting. She is recommending Roger McGregor be approved for appointment to the Planning & Zoning Commission Board.

PLANNING & ZONING COMMISSION

- **Roger McGregor – appointment for a term to expire June 2025**

A motion was made by Mayor Pro Tem Dobson to approve the appointment of Roger McGregor to the Planning & Zoning Commission Board for a term to expire June 2025. The motion was seconded by Council Member Bowen.

ANDY DORIAN, DIRECTOR – CENTRAL SERVICES

Re: Hannibal Regional Airport Business Plan – Airport Aid Agreement

Missouri Highways & Transportation Commission - \$67,500

(Bill No. 21-013, to follow)

Andy Dorian, Director of Central Services, approached Council requesting approval to enter into an Airport Aid Agreement. This is more of a housekeeping item, as Council approved the Highway Aid agreement at a previous meeting, however, for the airport business plan. When it was sent off to Missouri Department of Transportation (MODot), they informed him it needed to be approved in Ordinance form, therefore, Dorian is bringing it back in Ordinance form instead of Resolution form.

Mayor Hark stated this is Bill No. 21-013 to follow, for a first reading.

Re: Purchase Approval, Swaploader Hook Lift Truck

Cassone Truck & Equipment Sales - \$104,500

Dorian's next item is approval to purchase a swaploader hook lift truck to be shared by the Department of Public Works, Street and Parks & Recreation Department for the hauling of trash dumpsters, as well as asphalt, rock, and tree debris dumpsters.

Currently, getting dumpsters at the rate in which we need them has been challenging. Specifically, when it comes to building demolitions and the inability to get dumpsters significantly slows down the demolition process. This leaves partially torn down structures for days which is dangerous and unpleasant for neighbors.

The departments have been working on a plan for the last year to purchase their own Hook Lift Truck and dumpsters which would give them more control of the demolition process. It will allow them to tear down buildings at a faster rate and since the City would own the truck and dumpster, this will also be a cost savings.

In addition to its use for demolitions the truck and accompanying gravel bed, will allow the department to haul a larger amount of asphalt from the asphalt plants. This will also result in a savings of time and money, saving on fewer trips.

Another benefit is that we can also haul a larger quantity of sand, rock etc, saving on time and manpower. Another use for the truck and dumpsters will be for the collection of trash during large special events and riverboat dockings. Currently, the City is at the mercy of the dumpster companies to provide a dumpster and pick it up in a timely fashion. With events and riverboat dockings taking place on the weekends, dumpsters often sit full for days in the middle of the summer heat resulting in both an eyesore and unpleasant odor. Dorian advised with the ability to control our own dumpsters, the department can make sure the dumpsters are there on time and as soon as they are full, they can be removed them.

In the end, having the ability to control dumpsters will have a positive impact on numerous departments in the City and will allow them to complete projects in a more costly and efficient manner.

Mike McHargue, Assistant Director of Central Services – Streets, has researched a considerable amount of trucks and hook lift systems, with Cassone Truck & Equipment Sales providing the best deal of \$104,500.

The payment breakdown would be:

- \$41,800 for Department of Public Works
- \$41,800 for the Street Department
- \$20,900 for the Parks Department

In addition Dorian advised the plan is to initially purchase one gravel bed dumpster (approximately \$11,000) and three regular 30 yard dumpsters (approximately \$6,300 per piece). That purchase will be from two different company's contingent on the approval of the truck and hoist system.

Council Member Bowen questioned how much of the cost (\$4,000 - \$8,000) of demolitions is the cost of the dumpster and is this purchase going to save enough that maybe more houses can get demolished. McHargue advised last year 28 homes were demolished, averaging about five 30 yard dumpsters, \$550 a dumpster, costing \$75,000-\$80,000/year. They can now just pay \$210 dump fee, cutting that almost in half. Council Member Bowen, based on those numbers, the truck will pay for itself in a couple of years. More importantly, McHargue advised that with the departments back hoe, it can load a dumpster in 35 minutes, which will cut down on manpower hours. Dorian advised that the City now has to dispose of debris from the street sweeper, so this would be used for that also, the departments currently have to contract that out

costing around \$40,000. McHargue advised how the truck works and within less than five minutes you can change the body of the truck, so you can go from an asphalt/gravel to a dumpster body.

Mayor Hark advised he has seen these type of trucks and they are becoming more popular in the towing industry. Dorian advised this would be used for asphalt, sand, rock and will save on not having to go to the quarries as often, even saving on tires. This truck can also be used to haul water. Council Member Bowen then asked the year, in which McHargue advised it's a 2010, with new equipment on the used truck. This equipment can be taken off and used on a new truck, if they purchase a new one in the future. It has 35,000 miles on the truck, only 5,000 miles on the engine.

A motion was made by Council Member Welch to approve the purchase of the 2010 swaploader hook lift truck from Cassone Truck & Equipment Sales in the amount of \$104,500. The motion was seconded by Council Member Bowen.

Motion carried.

EDIE GRAUPMAN – DPW MANAGEMENT ASSISTANT
Re: Sale of City Owned Property, All Lots Six & Seven, Block Three,
Gore's Addition – Special Warranty Deed & Agreement for
Transfer of Real Estate

Joe Baker - \$500, plus costs
(Resolution No. 2342-21, to follow)

Eddie Graupman, DPW Management Assistant, approached Council requesting the sale of City owned property to Joe Baker. He wishes to purchase a City owned lot known as the Turn Street Lot; this is a vacant lot that has never been developed therefore does not have a physical address. It is located next to 1521 Turn Street, which Mr. Baker has recently purchased and is doing a renovation of the property. Mr. Baker plans to do a Minor-Subdivision of the two lots to build a garage. All the necessary documents have been signed and he would enter into an agreement to purchase the property for \$500, plus costs.

Graupman stated Resolution No. 2342-21 is to follow, for approval.

Council Member Franke questioned if this is located next to his primary residence, in which she concurred. He then questioned if this lot will be "combined" with his other lot, in which she concurred.

Re: Sale of City Owned Property, 309 South Griffith – Special Warranty Deed &
Agreement for Transfer of Real Estate

Porsha McPike & Jeremie Shosho Mulumba - \$500, plus costs
(Resolution No. 2343-21, to follow)

Graupman's next item is also the sale of City owned property. This is located at 309 South Griffith. Porscha McPike and Jeremie Shosho Mulumba wish to purchase the property which was a lot that the City acquired from the previous owner who donated the lot to the City. Porscha and Jeremie have recently purchased the former Hope House located at 1905 Hope, this is not their main residence, it is a renovation project. 1905 Hope Street does not have a yard

since the home takes up most of the lot. Porscha and Jeremie would like to purchase this lot to be able to have a side yard area for the property. If approved, they will enter into an agreement to purchase the property for \$500, plus costs. Mayor Hark asked if it was their plan to bring this to Planning & Zoning Commission for a minor subdivision, in which Graupman concurred.

Mayor Hark stated Resolution No. 2343-21 is to follow, for approval.

Re: Acceptance of Donated Property, 2110 Spruce Street – Settlement Agreement & Release & General Warranty Deed

Megan Elzea

(Resolution No. 2344-21, to follow)

Graupman's next item is the acceptance of donated property located at 2110 Spruce Street. The owner, Megan Elzea, wishes to donate her property to the City. She purchased the property in 2019 with the intentions of a renovation, however, after her father was in a car accident that left him unable to complete the renovation the house has been left vacant. The house is now on the City's Building Commission's pending demolition list. All the necessary documents have been signed if the City does decide to accept this property.

Graupman stated Resolution No. 2344-21 is to follow, for approval.

Re: Historic Development District Commission (HDDC) Design Review Guidelines Handbook, Amendments

(Bill No. 21-014, to follow)

Graupman's last item is the Hannibal Downtown Historic District is working on updating their guideline book, they are going to do each section, one at a time. These will go through Planning & Zoning Commission, then eventually coming before Council.

The first section of the book that is being changed is the Upper Façade Window section of the book. Ironically, the committee would like to go back to the original version of the code book that was used in 1988 along with two additions of no vinyl windows and no air conditions in the front of a building or on a side street building in a window opening. The current 2009 edition that is being used is very restrictive on what types on materials can be used in the Historic District and going back to the original 1988 version allows for more flexibility.

Council Member Franke advised that he was planning to speak about the aesthetic and economic benefits of historic preservation to the community and explain why he thought this action proposed would take a set of guidelines that are currently excellent and reduce them to something that is below average, out of date and out of compliance. After much thought, as much as he likes historic preservation, there is something he likes even better, and that is free money. Unfortunately, if Council approves this out of date guideline, they will lose access to annual grant money opportunities. As a result of the excellent HDDC guidelines, Hannibal applied for and gained status as a certified local government. This means they have access to grant money every single year for things including but not limited to property surveys, design guidelines, educational programs, training, building structural assessments, just to name a few. A lot of the information was taken from the National Park Service Website. The certified local government status is based in part of the Secretary of the Interior Standard for Rehabilitation. This out of date guideline "update", will bring Hannibal out of compliance with those standards and open the City to decertification as a local government, thus the loss of grant opportunities.

As Graupman indicated in the memo there is a willingness to go even further and repeal more sections of the guidelines that would mean the City's decertification would be all but a certainty. He likes free money and will be voting against this out of date guideline.

Mayor Pro Tem Dobson advised that he too received an email similar to what Council Member Franke spoke about and it would disqualify the City. Graupman advised that what she distributed was the current and proposed, with changes highlighted in green. Council Member McCoy then asked if Kristy Trevathan would be allowed to speak on behalf of the issue. Kristy advised she has only been on HDDC for a short period of time, however, a lot of noncompliance has happened with several different projects in the historic area. The intent of the 2009 guidelines was not always applied. There was a lot of discussions from a nine member board, and it was agreed to retain most of the original of the 2009 window requirements, not changing size, style or any sash requirements, but to go to a window that could have, "original windows" preferred, but if a replacement was needed a baked enamel aluminum window could be installed, no vinyl windows would be allowed. There were several people on the Board that were ready to do a project and Planning & Zoning reviewed and are passing the issue onto Council. This was the major change with the windows, along with the air condition units. Council Member McCoy, asked if we would be losing the grant money, asking for clarification on whether or not HDDC and Planning & Zoning were aware of the potential loss of grant revenue. Kristy advised that she was not aware that it could cause the loss of grant monies. Council Member McCoy would like some additional clarification on the loss in grant money.

A motion was made by Mayor Pro Tem Dobson to table until the next meeting for further investigations. The motion was seconded by Council Member Bowen. City Attorney Lemon asked that it may be appropriate to refer back to Planning & Zoning in which Mayor Pro Tem Dobson amended his motion. He then made a motion to refer the amendment back to Planning & Zoning for further clarification. The motion was seconded by Council Member Bowen.

Motion carried.

GAIL BRYANT, DIRECTOR – HANNIBAL CONVENTION & VISITOR'S BUREAU
Re: Promote Missouri Fund Grant – Marketing Matching Grant Application
Authorization

Missouri Division of Tourism - \$100,000
(Resolution No. 2345-21, to follow)

Gail Bryant, Director of the Hannibal Convention & Visitors Bureau (HCVB), approached Council requesting approval to submit a grant application up to \$100,000, to the Missouri Division of Tourism for the Promote Missouri Fund. If awarded, this will allow the Mayor to enter into an agreement with Promote Missouri Fund Program. These funds will assist with advertising in the leisure travel market.

Mayor Hark stated Resolution No. 2345-21 is to follow, for approval.

RESOLUTION NO. 2342-21

A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING THE MAYOR TO EXECUTE A SPECIAL WARRANTY DEED AND AGREEMENT FOR TRANSFER OF REAL ESTATE BETWEEN THE CITY AND TO JOE BAKER FOR THE SELL OF CITY OWNED PROPERTY, AN UNDEVELOPED VACANT LOT, KNOWN AS ALL OF LOTS SIX AND SEVEN IN BLOCK THREE OF GORE'S ADDITION IN THE AMOUNT OF \$500, PLUS COSTS

A motion was made by Council Member Veach to have the City Clerk read Resolution No. 2342-21 and call the roll for adoption. The motion was seconded by Council Member Bowen.

ROLL CALL

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

No: - 0 -

Absent: - 0 -

Motion carried.

Mayor Hark declared Resolution No. 2342-21 duly approved and adopted on this date.

RESOLUTION NO. 2343-21

A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING THE MAYOR TO EXECUTE A SPECIAL WARRANTY DEED AND AGREEMENT FOR TRANSFER OF REAL ESTATE BETWEEN THE CITY AND PORSHA MCPIKE AND JEREMIE SHOSHO MULUMBA FOR THE SALE OF CITY OWNED PROPERTY, KNOWN AS 309 SOUTH GRIFFITH IN THE AMOUNT OF \$500, PLUS COSTS

A motion was made by Mayor Pro Tem Dobson to have the City Clerk read Resolution No. 2343-21 and call the roll for adoption. The motion was seconded by Council Member Veach.

ROLL CALL

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

No: - 0 -

Absent: - 0 -

Motion carried.

Mayor Hark declared Resolution No. 2343-21 duly approved and adopted on this date.

RESOLUTION NO. 2344-21

A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING THE MAYOR TO EXECUTE A GENERAL WARRANTY DEED AND SETTLEMENT AGREEMENT AND RELEASE FOR THE ACCEPTANCE OF DONATED PROPERTY, FROM MEGAN ELZEA, KNOWN AS 2110 SPRUCE STREET, TO THE CITY

A motion was made by Council Member Bowen to have the City Clerk read Resolution No. 2344-21 and call the roll for adoption. The motion was seconded by Council Member Welch.

ROLL CALL

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

No: - 0 -

Absent: - 0 -

Motion carried.

Mayor Hark declared Resolution No. 2344-21 duly approved and adopted on this date.

RESOLUTION NO. 2345-21

A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING THE MAYOR TO EXECUTE A MARKETING MATCHING GRANT APPLICATION AND ANY SUBSEQUENT ACCEPTANCE DOCUMENTS WITH THE MISSOURI DIVISION OF TOURISM FOR THE PROMOTE MISSOURI FUND GRANT

A motion was made by Council Member McCoy to have the City Clerk read Resolution No. 2345-21 and call the roll for adoption. The motion was seconded by Mayor Pro Tem Dobson.

ROLL CALL

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

No: - 0 -

Absent: - 0 -

Motion carried.

Mayor Hark declared Resolution No. 2345-21 duly approved and adopted on this date.

BILL NO. 21-012

**AN ORDINANCE OF THE CITY OF HANNIBAL REVISING
CHAPTER 2, THE COUNCIL, SECTION 2.07 MEETINGS, TIME
AND PLACE OF THE CITY CHARTER PURSUANT TO THE
APPROVAL BY THE VOTE OF THE PEOPLE**

Second & Final Reading

A motion was made by Mayor Pro Tem Dobson to have the City Clerk read Bill No. 21-012 and call the roll for adoption. The motion was seconded by Council Member Veach.

ROLL CALL

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

No: - 0 -

Absent: - 0 -

Motion carried.

Mayor Hark declared Bill No. 21-012 duly approved and adopted on this date.

BILL NO. 21-013

**AN ORDINANCE OF THE CITY OF HANNIBAL
AUTHORIZING THE MAYOR TO EXECUTE A \$67,500
MISSOURI HIGHWAYS AND TRANSPORTATION
COMMISSION AIRPORT AID AGREEMENT BETWEEN
THE CITY OF HANNIBAL AND THE MISSOURI
HIGHWAYS COMMISSION FOR FUNDING FOR THE
DEVELOPMENT OF THE HANNIBAL REGIONAL
AIRPORT BUSINESS PLAN**

First Reading

A motion was made by Council Member McCoy to give Bill No. 21-013 a first reading. The motion was seconded by Mayor Pro Tem Dobson.

BILL NO. 21-014

**AN ORDINANCE OF THE CITY OF HANNIBAL REPEALING AND
REPLACING THE 2009 WINDOW SECTION OF THE HISTORIC
DEVELOPMENT DISTRICT COMMISSION (HDDC) DESIGN
REVIEW GUIDELINES HANDBOOK**

First Reading

This Bill was tabled and referred back to the Planning & Zoning Commission.

CLOSED SESSION

In Accordance with RSMo. 610.021 (3) (13)

Mayor Hark then entertained a motion to enter closed session in accordance with RSMo. 610-021, sub-paragraphs (3) and (13) admitting himself, City Council Members, City Attorney James Lemon, City Manager Lisa Peck, City Clerk Angel Zerbonia and Director of Central Services Andy Dorian. A motion was made by Council Member Bowen to enter closed session. The motion was seconded by Council Member Veach.

ROLL CALL

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

No: - 0 -

Absent: - 0 -

Motion carried.

OPEN SESSION

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

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.

James R. Hark, Mayor

Angelica N. Zerbonia, MRCC, CMO - City Clerk