

*City of Hannibal*

**OFFICIAL COUNCIL PROCEEDINGS**

**Tuesday, January 5, 2021  
Council Chambers  
7:00 p.m.**

**ROLL CALL**

**Present:** Council Members Welch, McCoy, Mayor Pro Tem Dobson, Council Member Cogdal, Mayor Hark and Council Member Bowen - 6

**Absent:** Council Member Veach - 1

**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 Hannibal Police Officers in attendance to lead the Pledge of Allegiance to the Flag.

A motion was then made by Council Member McCoy to excuse Council Member Veach from the meeting. The motion was seconded by Council Member Bowen.

Motion carried.

Mayor than took a moment to recognize the Parks & Recreation, Street, Hannibal Board of Public Works, Police and Fire Departments for their outstanding efforts during the recent ice storm. This was nearly an impossible task to manage, and he personally appreciates the employee's efforts and knows the citizens do as well.

**APPROVAL OF AGENDA**

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

Motion carried.

**APPROVAL OF MINUTES**  
**Regularly Scheduled Council Meeting – December 15, 2020**

A motion was made by Council Member McCoy to approve the minutes from the regularly scheduled Council meeting held December 15, 2020. The motion was seconded by Council Member Bowen.

Motion carried.

**APPROVAL OF PAYROLL AND CLAIMS**  
**Second Half – December 2020**

A motion was made by Council Member Bowen to approve the payroll and claims for the second half of December, 2020. The motion was seconded by Council Member Welch.

Motion carried.

**JAMES LEMON – CITY ATTORNEY**  
**Re: Approval, Notification to Trash Haulers Pursuant to RSMo. 260.247**

City Attorney James Lemon then addressed Council regarding trash hauling and waste management issues in the City. He believes part of the problem is citizens not keeping approved trash haulers, which leaves the City with an interesting situation.

He indicated the City has two choices, either enter into a contractual agreement with the existing trash haulers or a “two year notice” can be sent to the haulers. This notification would meet the requirement outlined in RSMo. 260.247 of the City’s intent. At the conclusion of the two year time period the City could then begin the process to taking over trash hauling, City wide. This issue was discussed previously and the Council approved to instruct him to draft a letter that was to be sent to all current trash hauling companies within the City limits. This letter would notify the haulers that the City was going to look at this process.

Lemon stated there is also a statute that states the haulers are required, by law, to provide the City with a listing of all their customers and what they are being charged per month. The reasoning behind this is so the City can have an understanding of what would be needed to negotiate to “put a deal together”. This notice was sent, however, the first problem is only one or two trash haulers have responded by providing the requested information and the second problem is the building inspector’s office has since advised Lemon there are two additional trash hauling companies the City wasn’t aware of at the time. These two haulers are entitled to a two year notice just as the other companies were provided, therefore he recommends sending another notice to all haulers, even if they received the letter previously. This will ensure that all companies, including the two companies we were not aware of, have received the proper notification. Lemon also believes that by discussing this in open session, it will help the trash haulers understand that the City is not trying to “poke their nose in their business”, they are merely requesting the information that is needed for negotiations.

A motion was made by Mayor Pro Tem Dobson authorizing the City Attorney to draft a two-year notification letter and to send to all trash hauling companies within the City. The motion was seconded by Council Member Welch.

Motion carried.

**Re: April, 2021 Municipal Election – Emergency Reading**

**➤ Proposition 1**

*(Bill No. 21-001, to follow)*

Lemon advised Council his last item of business pertains to an issue that would need to be placed on the next election ballot, if approved. He explained, currently under the Charter there are some questions on what Council can do during a pandemic/emergency pertaining to alternate abilities to “attend” a meeting. Being as modern technology abilities such as zoom or online meetings were not available when the Charter was originally developed, this needs to be a consideration. There is some argument that in an emergency the City would be authorized to utilize these abilities, however, it’s a little unclear. City staff feels it is appropriate for Council to meet virtually or by phone. There will be security guidelines in place, where the attendees (i.e. Council Members) would have to prove who they are, before participating in such meeting. Lemon has drafted language which would allow for online/virtual attendance and is seeking approval to place this issue on the April, 2021 ballot.

Lemon advised he is seeking an emergency reading of Bill No. 21-001, due to timing issues for the issue to be placed on the ballot, and the City Clerk to be able to meet the election certification requirements.

**ANDY DORIAN – DIRECTOR, CENTRAL SERVICES**

**Re: Riverfront Redevelopment Project – Change Order No. 5**

*Bleigh Construction Company - \$83,537.84*

*(Resolution No. 2312-21, to follow)*

Andy Dorian, Director of Central Services, approached Council with one item. He advised Bleigh Construction has submitted change order No. 5 for the Riverfront Renovation Project. The changes are:

1. Adjustment in electric conduit which will allow us to expand electrical capacity at the marina, an increase of \$1,334.
2. Removal of fuel contaminated soil located where the underground gas storage tanks were located, an increase of \$37,599.60.
3. Furnishing and installing retrieval chains and hoists for Canton Marine Towing and the Mark Twain Riverboat that will hook up their barge and wharf boats after high water events. This was a necessary item that came up during installation of the mooring piles and docks, resulting in an increase of \$13,325.
4. Cost to hire a railroad flagman for the fence installation project, increase of \$4,470.32.
5. Installation of additional rip rap in the marina area, increase of \$3,155.
6. Installation of a water line down to the Marina, which was missed during the design, increasing \$13,220. Dorian then thanked Council Member Bowen for catching the water line issue, as this would have cost more money should the project progressed further.

7. Installation of additional fencing at the three gangway locations, for safety reasons, increase of \$10,433.92.

This results in Change Order No. 5 increase the project by \$83,537.84, for a new contract price of \$6,768,823.65

The Parks Department anticipated some additional expenses, as part of the project, and budgeted \$200,000 in this year's budget to cover these costs. Dorian advised he is expecting one more change order before the contract is closed out with Bleigh Construction and this involves some modification to the dock configuration, which will allow larger boats to dock in the marina and adding additional rip rap near the Boat Club. They are working on cost estimates before Dorian makes a final decision.

Council Member Bowen questioned what the total amount of all change orders have been, in which Dorian advised \$120,823, all of which have been budgeted for.

Mayor Hark stated Resolution No. 2312-21 is to follow, for approval.

**EDIE GRAUPMAN – DPW MGMT ASSISTANT**

**Re: Request, Set Public Hearing –February 2, 2021 – 6:45 p.m.**

*Rezoning – 9.5 Acre Tract Property, Stardust Drive & Munger Lane  
A-One & Two-Family to B-Multiple Family – Koontz Properties, LLC*

Edie Graupman, DPW Management Assistant, approached Council seeking approval to set a public hearing to rezone property. She advised an application has been received from Koontz Properties, LLC to rezone a 9.5-acre tract of property at the corner lot of Stardust Drive and Munger Lane. This property is currently owned by the Girard H. & James B. and Jennifer S. Secker Trust. The request is to re-zone from A-One & Two Family to B-Multiple Family to build one and two story apartments. The purchase is contingent upon the approval of this rezoning.

The Planning & Zoning Commission Public Hearing has been set for Thursday, January 21, 2021 at 4:00 p.m. and she is requesting Council set a Public Hearing for Tuesday, February 2, 2021 at 6:45 p.m. If the public hearing is approved by Council, the Planning & Zoning Commission meeting can be attended via zoom, which will be the first time this has happened. Graupman will send notifications, just as with all other rezoning requests, but a zoom link will be included since public meetings are limited. This process moving forward is due to the fact that the sellers have a closing date scheduled in February, leaving a limited timeframe.

Mayor Pro Tem Dobson questioned if this will be a private enterprise or is it government money that will fund the purchase and building of multiple residences. Someone from the audience advised it will be a private build.

A motion was made by Mayor Pro Tem Dobson to set the public hearing for February 2, 2021 at 6:45 p.m. to rezone a 9.5-acre tract of property located at the corner lot of Stardust Drive and Munger Lane from A-One & Two Family to B-Multiple Family. The motion was seconded by Council Member Welch.

Motion carried.

**Re: Acceptance of Donated Property – General Warranty Deed and Settlement Agreement  
& Release**

*Krysten Banghart – 1722 Grace Street  
(Resolution No. 2313-21, to follow)*

Graupman’s last item is approval for the acceptance of donated property located at 1722 Grace Street. This property was on the Building Commission’s pending demolition list and was ready for demolition when the current property owner, Krysten Banghart, purchased from the Marion County Tax sale. Ms. Banghart did not realize the property was pending demolition and now wishes to donate the property to the City.

The structure is beyond salvageable and needs to be demolished as the roof has collapsed into the home. Ms. Banghart does not have the funds to renovate the property and has approached the City to request to sign it over as part of the City’s new property acquisition project. Graupman advised the utilities have been pulled and the asbestos removed. If approved, the structure will be demolished within the next couple of weeks.

Mayor Hark stated Resolution No. 2313-21 is to follow, for approval.

**RESOLUTION NO. 2312-21**

**A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING  
THE MAYOR TO EXECUTE CHANGE ORDER NO. 5 BETWEEN  
THE CITY AND BLEIGH CONSTRUCTION COMPANY FOR THE  
HANNIBAL RIVERFRONT RENOVATION PROJECT, IN THE  
AMOUNT OF \$83,537.84**

A motion was made by Council Member Welch to have the City Clerk read Resolution No. 2312-21 and call the roll for adoption. The motion was seconded by Council Member Bowen.

**ROLL CALL**

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

**No:** - 0 -

**Absent:** Council Member Veach - 1

Motion carried.

Mayor Hark declared Resolution No. 2312-21 duly approved and adopted on this date.

**RESOLUTION NO. 2313-21**

**A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING  
THE MAYOR TO ACCEPT AND EXECUTE A GENERAL  
WARRANTY DEED AND SETTLEMENT AGREEMENT &  
RELEASE FOR THE ACCEPTANCE OF DONATED PROPERTY TO  
THE CITY FROM KRISTEN BANGHART, KNOWN AS 1722  
GRACE STREET**

A motion was made by Mayor Pro Tem Dobson to have the City Clerk read Resolution No. 2313-21 and call the roll for adoption. The motion was seconded by Council Member Welch.

**ROLL CALL**

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

**No:** - 0 -

**Absent:** Council Member Veach - 1

Motion carried.

Mayor Hark declared Resolution No. 2313-21 duly approved and adopted on this date.

**BILL NO. 20-033**

**AN ORDINANCE OF THE CITY OF HANNIBAL AMENDING THE  
FISCAL YEAR 2020/2021 PAYROLL ORDINANCE NO. 1 RELATIVE  
TO THE ELIMINATION OF THREE (3) PART-TIME STREET  
MAINTENANCE WORKER II POSITIONS AND CREATING ONE  
FULL-TIME STREET MAINTENANCE WORKER I POSITION**

***Second and Final Reading***

A motion was made by Council Member Welch to have the City Clerk read Bill No. 20-033 and call the roll for adoption. The motion was seconded by Council Member Bowen.

**ROLL CALL**

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

**No:** - 0 -

**Absent:** Council Member Veach - 1

Motion carried.

Mayor Hark declared Bill No. 20-033 duly approved and adopted on this date.

**BILL NO. 21-001**

**AN ORDINANCE OF THE CITY OF HANNIBAL PROVIDING FOR A MUNICIPAL ELECTION TO BE HELD ON TUESDAY, APRIL 6, 2021, TO ALLOW HANNIBAL VOTERS TO CONSIDER AN AMENDMENT TO THE CHARTER OF THE CITY TO ALLOW ATTENDANCE AT COUNCIL MEETINGS BY ELECTRONIC MEANS**

***Emergency Reading***

A motion was made by Mayor Pro Tem Dobson to have the City Clerk read Bill No. 21-001 and call the roll for adoption. The motion was seconded by Council Member Bowen.

**ROLL CALL**

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

**No:** - 0 -

**Absent:** Council Member Veach - 1

Motion carried.

Mayor Hark declared Bill No. 21-001 duly approved and adopted on this date.

**CLOSED SESSION**  
*In Accordance with RSMo. 610.021 (1) (2) (19)*

Mayor Hark then entertained a motion to enter closed session in accordance with RSMo. 610-021, sub-paragraphs (1), (2) and (19), admitting himself, City Council Members, City Attorney James Lemon, City Manager Lisa Peck, City Clerk Angel Zerbonia, Director of Central Services Andy Dorian, Hannibal Regional Economic Development Director Corey Mehaffy, Tourism Director Gail Bryant and Police Chief Lyndell Davis. A motion was made by Mayor Pro Tem Dobson to enter closed session. The motion was seconded by Council Member Bowen.

**ROLL CALL**

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

**No:** - 0 -

**Absent:** Council Member Veach - 1

Motion carried.

**OPEN SESSION**

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

Motion carried.

City Attorney Lemon indicated RSMo. 610.021, sub-paragraph 19 was not discussed, and would be brought forth during the next Council meeting.

**ADJOURNMENT**

A motion was then made by Council Member McCoy 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**