

*City of Hannibal*

**OFFICIAL COUNCIL PROCEEDINGS**

**Tuesday May 2, 2023  
Council Chambers  
7:00 p.m.**

**ROLL CALL**

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

**Absent:** -0-

**CALL TO ORDER**

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

**INVOCATION**

The invocation was then given by Mayor Pro Tem Dobson.

**PLEDGE OF ALLEGIANCE**

Mayor Hark then requested former Council Member Jim Van Hoose to lead the Pledge of Allegiance to the Flag.

**APPROVAL OF AGENDA**

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

Motion carried.

**APPROVAL OF MINUTES**  
**Regularly Scheduled Council Meeting – April 18, 2023**  
**Closed Session Minutes- November 1, 2022**  
**Closed Session Minutes- November 15, 2022**  
**Closed Session Minutes- December 6, 2022**  
**Closed Session Minutes- December 20, 2022**  
**Closed Session Minutes- January 17, 2023**  
**Closed Session Minutes- February 21, 2023**  
**Closed Session Minutes- March 7, 2023**

A motion was made by Council Member Franke to table the approval of the regularly scheduled Council minutes for April 18, 2023, and closed session minutes for November 1, 2023, November 15, 2023, December 6, 2022, December 20, 2022, January 17, 2023, January 21, 2023, and March 7, 2023 pending further review on a few Closed Session Minutes. The motion was seconded by Mayor Pro Tem Dobson.

Motion carried.

**APPROVAL OF PAYROLL AND CLAIMS**  
**Second Half- April 2023**

A motion was made by Council Member Veach to approve the payroll and claims for the second half of April 2023. The motion was seconded by Mayor Pro Tem Dobson.

Motion carried.

**JASON NOLAND – HANNIBAL HIGH SCHOOL**  
**Re: Hannibal High School Graduation Ceremony**  
*Street Closures for Graduation Ceremony*

Jake Greving, from the Hannibal School District, was in attendance requesting street closures for the Hannibal High School Commencement ceremony. The district is requesting McMasters Avenue to Edgewood Street and Brookside to be closed for the Commencement ceremony to be held Thursday, May 25<sup>th</sup> from 6:30 p.m. – 8:30 p.m.

Mr. Greving stated they are also requesting barricades to be placed at the edge of McMasters Avenue along Edgewood and Greenway to help block traffic during the ceremony.

A motion was made by Council Member Franke to approve the requested street closures and the use of barricades for the HHS Commencement ceremony on Thursday May 25<sup>th</sup>. The motion was seconded by Council Member McCoy.

Motion carried.

**JEFF HARDOIN – 1021 CENTER STREET  
Re: Citizens of Hannibal**

Mayor Hark called Jeff Hardoin, a citizen of Hannibal forward. Mr. Hardoin advised the Council he would like to discuss several concerns this evening, including Council being more in touch with citizens, the amount of time the agenda is posted before each meeting, and his feelings as an “outsider” of Hannibal having not been born or raised here.

**DAVID W. RUBY – 62325 OAK HILL ROAD  
Re: Use of Clemens Field**

Mayor Hark called David W. Ruby, a citizen of Hannibal forward. Mr. Ruby advised the Council he would like to request usage of Clemens Field for a community boxing event. Andy Dorian advised Council the City policy prohibits usage of Clemens Field of any event beyond Baseball tournaments due to damage to the field and tournaments are scheduled a full year in advance. Mr. Dorian volunteered to meet with Mr. Ruby to discuss the issue further.

No action was taken.

**APRIL AZOTEA – HANNIBAL MO.  
Re: Questions for City Council and Mayor**

Mayor Hark advised Council Ms. Azotea had notified City Hall she would be unable to attend this evening.

**JIM VAN HOOSE – 1009 SIERRA STREET  
Re: City Manager Monthly Report**

Mayor Hark called Jim Van Hoose forward. Mr. Van Hoose advised the Council he attended this evening to commend the City Manager on the City Manager report posted to the City website, as well as all the department heads for all the detailed information included in the report.

**MELISSA COGDAL – DEPUTY CITY CLERK  
Re: Certification of Election, April 2023**

Mayor Hark asked Deputy City Clerk Cogdal to read the Certification of the April 4, 2023, Municipal Election, at this time. Cogdal read:

**I, Melissa Cogdal, Deputy City Clerk of Hannibal, Missouri, do hereby certify that the following is a complete and true copy of the Certification of Election, held on April 4, 2023, as certified to me by the Marion and Ralls County Clerks.**

Witness my Hand and the Seal  
Of the City of Hannibal. Done  
This 18<sup>th</sup> day of April 2023.

**CERTIFICATION OF ELECTION  
Results of the Municipal Election of  
April 4, 2023**

For Council Member – Fifth Ward:	<u>Marion County</u>	<u>Ralls County</u>
<b>Colin R. Welch</b>	220	18
<b>Write In</b>	<u>0</u>	<u>0</u>
<b>Total Votes</b>	<b>220</b>	<b>18</b>

**Declaring Colin R. Welch winner of the Fifth Ward Council seat.**

For Council Member – Sixth Ward:	<u>Total</u>
<b>Jeffery A. Veach</b>	<b>339</b>
<b>Write In</b>	<b>0</b>

**Declaring Jeffery A. Veach winner of the Sixth Ward Council seat.**

**Proposition R**

**Shall the Citizens of Hannibal support the City of Hannibal’s Recycling Program by approving a recycling fee of \$1.90 (One dollar and ninety cents) per month, said fee to be charged on each utility bill issued by the City of Hannibal Board of Public Work for service provided within the City Limits of Hannibal, Missouri with said recycling services to be provided by a third party contractor, with preference granted to contractors providing meaningful, productive employment for people with disabilities? If adopted, this fee shall continue for a three-year period to begin May 1, 2023 and expire April 30, 2026.**

	<u>Yes</u>	<u>No</u>
Marion County	1,131	738
Ralls County	<u>8</u>	<u>11</u>
<b>TOTAL VOTES</b>	<b>1,139</b>	<b>749</b>

**Showing a total vote of 1,888 for Proposition R for the City of Hannibal: 1,139- YES and 749 - NO votes; declaring Proposition R having passed by 390 votes.**

**Proposition 1**

**Shall the City of Hannibal, Missouri impose a citywide sales tax of three percent (3%) on all tangible personal property retail sales of adult use marijuana sold in the City of Hannibal, Missouri?**

Marion County	<u>Yes</u>	<u>No</u>
Ralls County	1,265	597
	<u>12</u>	<u>7</u>
<b>TOTAL VOTES</b>	<b>1,277</b>	<b>604</b>

**Showing a total vote of 1,881 for Proposition 1 for the City of Hannibal: 1,277- YES and 604 - NO votes; declaring Proposition 1 having passed by 673 votes.**

**JAMES R. HARK – MAYOR**

**Re: Oath of Office**

- *5<sup>th</sup> Ward Council Member – Colin Welch*
- *6<sup>th</sup> Ward Council Member – Jeff Veach*

Mayor Hark then administered the Oath of Office to newly re-elected Council Members. Colin Welch 5<sup>th</sup> Ward Council Member and Jeffrey Veach, 6<sup>th</sup> Ward Council Member. All were elected for a three-year term to expire April 2026.

**Re: Approval of Appointment**

Historic Development District Commission

**Bob Yapp – appointment for a term to expire May 2024**

**Andrew Wikstrom – appointment for a term to expire May 2028**

Mayor Hark requested a motion to table both readings under his name this evening until the May 18<sup>th</sup>, 2023, Council Meeting.

Council Member Veach made a motion to table Mayor Harks appointments until May 18, 2023. Council Member Welch seconded the motion.

Motion carried.

**Re: Renewal Professional Service Contract James Lemon Law Firm, LLC**

*(Resolution No. 2454-23, to follow)*

Mayor Hark advised City Attorney James Lemon contract renewal has been distributed to the Council for review and renew this evening.

Mayor Hark declared Resolution No. 2454-23 to follow.

**LISA PECK – CITY MANAGER**

**Re: Approval of Appointment**

Planning and Zoning Commission  
**Andrew Wikstrom – appointment for a term to expire June 2024**

**Re: Recommendation of Re-appointment**

Planning and Zoning Commission  
**Barry Louderman– appointment for a term to expire June 2027**

Mayor Hark requested a motion to table both readings under City Manager Lisa Peck’s name until the May 18<sup>th</sup>, 2023, Council Meeting when she returns.

Council Member Veach made a motion to table appointments until May 18, 2023. Council Member McCoy seconded the motion.

Motion carried.

**MARIA KUHNS – HANNIBAL REGIONAL ECONOMIC DEVELOPMENT COUNCIL**  
**Re: Update on Proposed Hannibal Community Improvement District**

Maria Kuhns, with the Hannibal Regional Economic Development Council, presented the Council with an update on the Community Improvement District. Ms. Kuhns advised the CID is at the stage to be presented to the neighbors within the boundaries of the CID, Board Members, as well as the final map is ready to review. Ms. Kuhns advised a fifty-one percent assessed value property owners would be needed for the approval of the CID, and a meeting has been scheduled for May 15<sup>th</sup> at 6:00 p.m. for its presentation. Ms. Kuhns concluded that the tax impact statement will be available at that time.

**MIKE MURPHY – BUILDING INSPECTOR**  
**Re: Set Public Hearing, Tuesday June 6, 2023**  
*Vacate portion Choteau Street*

Mayor Hark then called Mike Murphy, Building Inspector forward. Mr. Murphy advised he is requesting to set a public hearing for Tuesday, June 6, 2023, at 6:15 p.m. to vacate a portion of Choteau Street. The portion is located between 1420 Valley and 1424 Valley Street. Mr. Murphy advised that the Planning and Zoning Commission held a public hearing on April 20<sup>th</sup>, 2023, and approval was granted.

Mayor Pro Tem Dobson made a motion to set a public hearing for Tuesday, June 6, 2023, at 6:15 p.m. for vacating a portion of Choteau Street. Council Member McCoy seconded the motion.

Motion carried.

**ANDY DORIAN, DIRECTOR – CENTRAL SERVICES**

**Re: Bid Award Approval, Annual Street Materials**

- Aggregates - No Bid Received
- Snow Removal Salt – Compass Minerals - \$103.42
- Snow Removal Salt - Cargill Inc. \$108.38/ton
- Asphalt - Emery Sapp & Sons - \$84.00
- Diamond Asphalt - \$90.00
- Cold Patch - Diamond Asphalt - \$140.00
- Liquid Calcium Chloride – SICALCO - \$.89/gallon
- CLSM (Flowable Fill) – Bleigh Ready Mix - \$117.00/\$40.00per hour
- Eastern Missouri Concrete - \$109.50/\$40.00/ per hour
- Gasoline and Diesel Fuel - Big River Oil
- Concrete - Bleigh Ready Mix - \$136.55/\$40.00per hour
- Mark Twain Ready Mix - \$135.00/\$40.00 per hour

Andy Dorian, Director of Central Services, addressed Council this evening regarding the approval of bids for the Street Department’s Annual Materials. Mr. Dorian advised Council a bid tabulation and memo had been presented for their review regarding all bids received with pricing. Mr. Dorian advised the Council that the City did not receive a bid for aggregates and he would be rebidding for that material.

A motion was made by Council Member Veach for the approval of the bids presented for the street department’s annual materials as recommended. The motion was seconded by Mayor Pro Tem Dobson.

Motion carried.

**CHARLES PHILLIPS – 4<sup>TH</sup> WARD COUNCIL MEMBER**

**STEPHAN FRANKE – 3<sup>RD</sup> WARD COUNCIL MEMBER**

**Re: City Managers Report**

*(Bill No. 23-010, to follow)*

Council Member Phillips advised that he, and Council Member Franke would like to propose the Ordinance requiring the City Manager to present a once-a-month report during a regularly scheduled Council Meeting for the seventh time this evening. Mr. Phillips, advised under Section 3.09- Powers and duties of the City Manager, grants the Council authority to request the report.

Mayor Hark declared Bill No. 23-010 is to follow for first reading.

**ROLL CALL**

**Yes:** Council Members Franke, and Phillips -2

**No:** Council Member McCoy, Mayor Pro Tem Dobson, Mayor Hark,

Motion failed.

**Re: Update on Tow Company Rotation List**

Council Member Franke along with Council Member Phillips advised on October 18, 2022, Council had made a directive to the staff to update the towing Ordinance to establish a proper protocol for which a towing company is called when one is needed, and report back to Council in a month. City Attorney James Lemon advised meetings had been held and a draft was sent to tow companies for review. Mr. Lemon said there were several responses received both written and verbal, however there were differences in opinions regarding specifics of the draft, with one company strongly disagreeing and two others showing indifference. Mr. Lemon advised a future meeting will be scheduled when the City Manager returns to move forward with discussions of the responses and updating of the Ordinance.

**BILL NO. 23-010**

**AN ORDINANCE REVISING CHAPTER 2 OF THE REVISED  
ORDINANCES OF  
THE CITY OF HANNIBAL BY REVOKING AND ENACTING IN IT'S  
PLACE A NEW CHAPTER 2, ARTICLE III – CITY COUNCIL,  
DIVISION 2, RULES AND ORDER OF BUSINESS, SECTION 2-172**

*First Reading*

A motion was made by Mayor Pro Tem Dobson to have the Deputy City Clerk read Bill No. 23-010 as a first reading. The motion was seconded by Council Member Franke.

**ROLL CALL**

**Yes:** Council Members Franke, Phillips, and Welch -3

**No:** Council Member McCoy, Mayor Pro Tem Dobson, Mayor Hark,  
Council Member Veach -4

Motion failed.



**RESOLUTION NO. 2454-23**

**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A PROFESSIONAL SERVICES CONTRACT WITH THE LEMON LAW FIRM, LLC TO PROVIDE SERVICES AS CITY ATTORNEY AND CITY PROSECUTOR**

A motion was made by Council Member Veach to have the Deputy City Clerk read Resolution No. 2454-23 and call the roll for adoption. The motion was seconded by Welch.

**ROLL CALL**

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

**No:** Council Member Franke -1

**Abstain:** Council Member Phillips -1

Mayor Hark declared Resolution No. 2454-23 duly approved and adopted on this date.

**CLOSED SESSION**

*In Accordance with RSMo. 610.021 (1), and (3)*

Mayor Hark then entertained a motion to enter closed session in accordance with RsMO. 610-021, sub-paragraphs (2) and (3) admitting himself, City Council Members, City Attorney James Lemon, Deputy City Clerk Melissa Cogdal and Director of Central Services/Acting City Manager, Andy Dorian.

A motion was made by Council Member Veach to enter closed session. The motion was seconded by Council Member Welch.

**ROLL CALL**

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

**Absent:** -0-

## **OPEN SESSION**

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

Motion carried.

## **ADJOURNMENT**

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

Motion carried.

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**James Hark, Mayor**

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**Melissa Cogdal, Deputy City Clerk**