

City of Hannibal

OFFICIAL COUNCIL PROCEEDINGS

**Tuesday August 2, 2022
Council Chambers
7:00 p.m.**

ROLL CALL

Present: Council Member McCoy, Mayor Pro Tem Dobson, Council Member Franke, Mayor Hark, Council Members Phillips and Welch -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 given by Mayor Pro Tem Dobson.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Mayor Hark then asked of a motion to excuse Council Member Veach. A motion was made by Mayor Pro Tem Dobson. Council Member Welch seconded the motion.

Motion carried.

A motion to was made by Council Member McCoy to approve the agenda. Council Member Welch seconded the motion.

Motion carried.

APPROVAL OF MINUTES
Regularly Scheduled Meeting – July 19, 2022

Mayor Pro Tem Dobson made a motion to approve the regularly Council minutes from the July 19, 2022, meeting. Council Member Welch seconded the motion.

Motion carried.

APPROVAL PAYROLL AND ACCOUNTS PAYABLE
Second Half – July 2022

A motion was made by Council Member McCoy to approve the payroll and accounts payable for the second half of July 2022. The motion was seconded by Council Member Phillips.

Motion carried

ANTHONY VIOREL – AVK EVENTS, LLC (*dba: The Rialto*)
Re: Request, Caterer’s License – *The Orchard, 2200 Palmyra Road*
(Saturday, September 4, 2022 – 4:30 p.m. – 11:30 p.m.)

Anthony Viorel on behalf of AVK Events presented a request for a caterer’s license to sell alcohol for an event to be held Sunday, September 4th, 2022, at The Orchard located at 2200 Palmyra Road. Mr. Viorel explained that the license would cover beer, wine, and liquor. Mayor Hark reminded Council being that The Orchard is not zoned for the sell of alcohol license holder that are required to seek Council approval for a caterers license for each special event they wish to serve alcohol, at this location He then advised all application requirements had been met and asked for a motion to approve.

Mayor Pro Tem Dobson made a motion to approve issuance of a caterer’s license for an event to be held September 4, 2022, at The Orchard. Council Member McCoy seconded the motion.

Motion carried.

LISA PECK – CITY MANAGER
Re: Recommendation of Appointment
Hannibal Board Public Works

City Manager Lisa Peck made a recommendation for an appointment of Robert Koehn to the Hannibal Board of Public Works Board for an unexpired term to expire July 2023. Mayor Hark advised this is a recommendation and no vote needed. Mr. Koehn will be submitted for approval at the next meeting.

Re: Request, Set Public Hearing – Code Amendment
Chapter 32, Articles IV – XV – Adding Daycares
(Tuesday, September 6, 2022 – 6:45 p.m.)

City Manager Lisa Perk then made a request to set a Public Hearing for a Code amendment to Chapter 32 Articles IV-XV: adding daycares as an allowed use to each zoning district. Ms. Peck asked to set the hearing for Tuesday, September 6, 2022, at 6:45p.m. Mayor Pro Tem Dobson made the motion to set the hearing for Tuesday, September 6, 2022, at 6:45p.m. Council Member Welch seconded the motion. Mayor Hark then asked if there were questions or discussions.

Council Member Welch then requested City Manager Peck address the issue of placing a business in a residential location. Peck advised that typically daycares would be a approved use as a home based business, and feels this has been an oversight in the Code and the amendment would allow schools and churches to provide daycares. Ms. Peck continued by stating General Mills, as an example of Industrial zoning; if they would like to open a daycare to attract and retain employees, why would the city care? Additionally, the hospital already has a daycare on their location, also being in an industrial zone.

Pick advised discussing this at the Planning and Zoning Commission as well as with the City Attorney and City Engineer and all have come to agreement with updating the code to allow for daycares in all zoning districts.

Council Member Franke asked if the amendment was just to allow daycares as home-based businesses? Ms. Peck advised that daycares are already allowed as home-based businesses. City Attorney James Lemon explained further that historically the City has never “done anything” with daycares and the Building Inspector has always taken the stance that a daycare is a home-based business. The City has allowed daycares in industrial zones and everywhere else, “there were people arguably in violation of our ordinance and the only allowable zones, is RD zones in which the City no longer has.”

The issue is “it’s not a good or clean way of doing things” and the discussion had at the Planning and Zoning Commission was daycares have never been directly addressed and in order not to “half ass” things, Mr. Lemon believes it should be. Council Member Welch then asked if daycares had to purchase a business license from the City of Hannibal? City Clerk Angel Zerbonia-Ramey replied “No, if a daycare is licensed by the State of Missouri; they are not licensed by the City, nor specified to be in the ordinances.

Mayor James Hark then asked for any further discussion, hearing none, he called the question.

Motion carried.

JESSICA ROSENKRANZ – FISCAL MANAGEMENT ASSISTANT

Re: Request, Set Public Hearing – 2022 Tax Levy

(Tuesday, August 16, 2022, 6:30 p.m.)

Jessica Rosenkranz, Fiscal Management Assistant brought forth the request to set a Public Hearing for the 2022 tax levy. In order comply with the Missouri State Auditor requirements to set the 2022 ad valorem property tax rate, the City Council must first hold a public hearing.

Following the public hearing, an Ordinance will be presented to adopt the proposed tax rate, as approved by the State Auditor, which is based upon prior year tax information and assessed valuations. The State Auditor’s Office prepared pro forms (tax rate forms) which authorize the 2022 tax rate ceiling, which have been outlined for Council in the memo provided in the packet.

Mrs. Rosenkranz asked for approval to set a public hearing for the purpose of discussing the 2022 ad valorem property tax rates for the City’s General, Police & Fire Retirement, and Library funds for Tuesday, August 16, 2022, at 6:30 p.m.

Mayor Pro Tem Dobson made the motion to set the public hearing for Tuesday, August 16, 2022, at 6:30 p.m. Council Member Welch seconded the motion.

Motion carried.

**COREY MEHAFFY – HANNIBAL REGIONAL ECONOMIC DEVELOPMENT
COUNCIL**

Re: Request, Set Public Hearing – Project Stay Redevelopment Project

(Tuesday, August 16, 2022 – 6:15 p.m.)

Corey Mehaffy representing the Hannibal Regional Economic Development Council reminded Council in September of last year, he briefed the Council on a proposal designated “Project Stay” involving renovations of the former Best Way Inn located at 612 Mark Twain Avenue, using the incentives provided under Chapter 353 of the Revised Statutes of Missouri, as amended, the “Urban Redevelopment Corporations Law.” The incentive involves a grant of partial real property tax abatement on 50% of the property’s assessed valuation for a maximum duration of 15 years.

Mr. Mehaffy is here to advise Council all documentation required under the Urban Redevelopment Corporations Law has been prepared and the proposal is ready for their consideration. Before such a grant can be approved, however, the Urban Redevelopment Corporations Law requires that a

public hearing be held for the stimulation of comment on the proposed tax abatement and the associated Development Plan.

Mr. Mehaffy is requesting that the Council schedule and hold a public hearing at 6:15p.m. on August 16, 2022 to allow for public comment on the Project Stay proposal.

Mayor Pro Tem Dobson made the motion to set the public hearing for Tuesday, August 16, 2022, at 6:15 p.m. Council Member Welch seconded the motion.

Motion carried.

ANDY DORIAN, DIRECTOR – CENTRAL SERVICES
Re: Acceptance of Donated Property – 419 North 7th Street
Mark & Tina Holmes
(Resolution No. 2424-22, to follow)

Andy Dorian Director of Central Services requested Council consider acceptance of property at 419 N. 7th. Mr. Dorian explained the property is in extreme state of disrepair and has been determined to be a nuisance or dangerous building by the City. Dorian added the owners of the property, Mark & Tina Holmes, have agreed to donate the property to the City, furthermore, a title search was conducted showing no liens or indebtedness on the property.

Dorian recommends the acquisition of 419 N. 7th and requests the Council authorize the Mayor to sign the settlement agreement and release as well as the general warranty deed.

Mayor Hark stated Resolution No. 2424-22 is to follow, for approval.

Re: Sale of City Owned Property – 629 Willow Street
Gary R. Wagner II - \$575
(Resolution No. 2425-22, to follow)

The next item Dorian presented was the sale of City owned property at 629 Willow from the City to Gary R. Wagner II. Dorian advised a title report was completed showing no deed restrictions or liens on this property.

Dorian recommended a sale price for this property of \$575, which covers all closing costs, in addition, standard covenants will be placed on the property.

Dorian then informed Council that forty-five properties have been sold by the City year to date. Mayor Hark added that most properties sold are to adjacent property owners, allowing landowners to add to their current property. City Manager Lisa Peck added that all the properties have the covenants placed on them to protect the sale and neighborhoods.

Council Member Franke then asked Mr. Dorian what prevents the homeowner who surrendered the property to “turn around and repurchase said property?” Mr. Dorian explained that while the City has never had that happen, they would not sell property the back to an owner that has derelict properties. They use safeguards such as background checks to insure property is being sold to suitable property owners.

Mayor Hark stated Resolution No. 2425-22 is to follow, for approval.

RESOLUTION NO. 2424-22

A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING THE MAYOR TO EXECUTE A SETTLEMENT AGREEMENT AND RELEASE AND GENERAL WARRANTY DEED FOR THE ACCEPTANCE OF DONATED PROPERTY KNOWN AS 419 N. 7TH FROM MARK AND TINA HOLMES TO THE CITY RESOLUTION NO. 2425-22

A motion was made by Council Member McCoy to have the City Clerk read Resolution No. 2424-22 and call the roll for adoption. The motion was seconded by Mayor Pro Tem Dobson.

ROLL CALL

Yes: Council Member McCoy, Mayor Pro Tem Dobson, Council Member Franke, Mayor Hark, Council Members Phillips and Welch. - 6

No: - 0 -

Absent: Council Member Veach - 1

Motion carried.

Mayor Hark declared Resolution No. 2424-22 duly approved and adopted on this date.

A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR TRANSFER OF REAL ESTATE AND SPECIAL WARRANTY DEED TO FOR THE

**SALE OF CITY OWNED PROPERTY KNOWN AS 629 WILLOW
STREET TO GARY R. WAGNER II
IN THE AMOUNT OF \$575**

A motion was made by Mayor Pro Tem Dobson to have the City Clerk read Resolution No. 2425-22 and call the roll for adoption. The motion was seconded by Council Member Welch.

ROLL CALL

Yes: Council Member McCoy, Mayor Pro Tem Dobson, Council Member Franke, Mayor Hark, Council Members Phillips and Welch. - 6

No: - 0 -

Absent: Council Member Veach - 1

Motion carried.

Mayor Hark declared Resolution No. 2425-22 duly approved and adopted on this date.

BILL NO. 22-020

**AN ORDINANCE OF THE CITY OF HANNIBAL AMENDING THE
FISCAL YEAR 2022/2023 PAYROLL ORDINANCE (NO. 1)
RELATIVE TO THE CORRECTION TO THE FINANCE
DIRECTOR/POLICE MANAGEMENT ASSISTANT SALARY, THE
ADDITION OF CERTAIN FIRE DEPARTMENT SALARIES, AND
THE ADDITION OF AUXILLARY POLICE OFFICER SALARIES**

Second and Final Reading

A motion was made by Council Member McCoy to have the City Clerk read Bill No. 22-020 and call the roll for adoption. The motion was seconded by Mayor Pro Tem Dobson.

ROLL CALL

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

No: - 0 -

Absent: Council Member Veach - 1

Motion carried.

Mayor Hark declared Bill No. 22-020 duly approved and adopted on this date.

CLOSED SESSION

In Accordance with RSMo. 610.021 (2)

Mayor Hark then entertained a motion to enter into closed session in accordance with RSMo. 610-021, sub-paragraphs (2), (3) and (13) admitting himself, City Council Members, City Attorney James Lemon, City Manager Lisa Peck, City Clerk Angel Zerbonia, Director of Corey Mehaffy, and Deputy City Clerk Melissa Cogdal. A motion was made by Mayor Pro Tem Dobson to enter into closed session. The motion was seconded by Council Member Phillips.

ROLL CALL

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

No: - 0 -

Absent: Council Member Veach - 1

Motion carried.

OPEN SESSION

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

Motion carried.

ADJOURNMENT

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

Motion carried.

James R. Hark, Mayor

Angelica N. Zerbonia, MRCC, CMO - City Clerk