

*City of Hannibal*

**OFFICIAL COUNCIL PROCEEDINGS**

**Tuesday September 20, 2022  
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 Phillips-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 Hannibal Police Chief Nacke to lead the Pledge of Allegiance to the Flag.

**APPROVAL OF AGENDA**

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

Motion carried.

**APPROVAL OF MINUTES**  
*Regularly Scheduled Meeting – August 16, 2022*

A motion was made by Council Member McCoy to approve minutes from the regularly scheduled Council meeting held August 16, 2022. The motion was seconded by Mayor Pro Tem Dobson.

Motion carried.

**APPROVAL PAYROLL AND ACCOUNTS PAYABLE**  
**First Half –September 2022**

A motion was made by Council Member Veach to approve the payroll and accounts payable for the first half of September 2022. The motion was seconded by Council Member Welch.

Motion carried.

**ANTHONY VIOREL – AVK EVENTS, LLC** *(dba: The Rialto)*  
**Re: Request, Caterer’s License – The Orchard, 2200 Palmyra Road**  
*(Friday, October 14, 2022 – 5:00 p.m. – 10:30 p.m.)*

Mayor Hark then called Anthony Viorel, representing AVK Events, LLC forward. Mr. Viorel advised Council he is requesting a caterer’s license for an event to be held at The Orchard located at 2200 Palmyra Road, held on Friday, October 14, 2022, from 5:00 p.m. until 10:30 p.m. This area is not zoned for the sale of alcohol, thus requires Council approval.

Mayor Pro Tem Dobson made a motion to approve the issuance of the caterer’s license for AVK Events to sell alcohol at The Orchard, Friday, October 14<sup>th</sup> from 5:00 p.m. until 10:30 p.m. The motion was seconded by Council Member McCoy.

Motion carried.

**MARK MILEWSKI – 909A CHURCH STREET**  
**Re: Eviction**

Mayor Hark then called Mr. Milewski forward. Mr Milewski advised Council he was here this evening to discuss two issues. His first is the need for “wrong way” signage placed at the

intersection where he lives. Mr. Milewski informed Council that when “people pull out of the Nutrition Center and Attorney’s office they often turn the wrong direction heading down Church Street the wrong way”. Mr. Milewski is requesting the City to place a couple signs around that location advising drivers to “do not enter.” Milewski informed Council he “sees this about five times a day” and feels signs will avoid an accident.

City Manager Lisa Peck advised Council this issue was taken to the Traffic Committee, and it was voted down to place signage.

Mr. Milewski’s second issue is he believes for some time now, him going onto his porch has been a problem for the City. He stated that “someone from the City is making my landlord evict me for going on my porch.” Mayor Hark then informed Mr. Milewski that this allegation had been looked into and no one within the City had anything to do with having him evicted. Mr. Milewski then explained his funding got cut off a week before the new landlord purchased the building, adding “now I’ve lost my funding and I’m getting evicted.

Mayor Hark thanked Mr. Milewski for attending and speaking with Council.

**REVEREND HELEN MCFARLAND – SCOTT’S CHAPEL UMC**

**Re: Request, Street Closures – *Block Party***

*(Saturday, September 24, 2022 – 10:00 a.m. – 2:00 p.m.)*

Reverend Helen McFarland, representing the Scott’s Chapel UMC, approached Council requesting street closures for the annual Scott’s Chapel UMC Block Party to be held Saturday, September 24, 2022, from 10:00 a.m. until 2:00 p.m. She stated the event will be held in the parking lot; however, she is requesting that one block of Hope Street, from Griffith to Locust be closed with barricades. City Clerk Angel Zerbonia-Ramey advised that all documents and insurance is on file, as well as department approvals.

A motion was made by Council Member Veach, to approve street closures for the Scott’s Chapel UMC block party to be held Saturday, September 24, 2022, from 10:00 a.m. to 2:00 p.m. The motion was seconded Council Member Welch.

Motion carried.

**DEBBIE HIGBEE ROBERTS – HANNIBAL HIGH SCHOOL**

**Re: Request, Street Closures – *Annual Band Day Parade***

*(Tuesday, October 11, 2022 – 3:00 p.m. – 5:00 p.m.)*

**\*\*Rain date: Tuesday, October 18, 2022\*\***

Ted Sampson on behalf of Debbie Higbee Roberts, representing the Hannibal Public School was next to approach Council requesting street closures. Mr. Sampson explained they are requesting

street closures for the annual Band Day Parade to be held Tuesday, October 11, 2022, from 3:00 p.m. until 5:00 p.m. Sampson advised they would need assistance with traffic control and street closures for the parade, the parade will assemble at Delaney Park and travel up Grand Avenue Extension and continue down Broadway to the Riverfront, buses will park in the riverfront lots to collect the kids. Mr. Sampson advised Ms. Roberts requested the “street department call her to discuss the parking of the busses at the riverfront.” City Clerk Angel Zerbonia-Ramey advised that all department approvals are on file, pending receipt of certificate of insurance.

A motion was made by Mayor Pro Tem Dobson, to approve street closures for the Annual Band Day Parade to be held Tuesday, October 11, 2022, with a rain date of Tuesday, October 18, 2022, from 3:00 p.m. to 5:00 p.m. The motion was seconded Council Member McCoy.

Motion carried.

**JACOB GREVING – HANNIBAL HIGH SCHOOL**  
**Re: Request, Street Closures – Annual Homecoming Parade**  
*(Wednesday, October 5, 2022 – 5:15 p.m. – 6:45 p.m.)*

Mayor Hark then called Ted Sampson, in attendance for Jacob Greving, representing the Hannibal High School to approach. Mr. Sampson stated he is requesting street closures for the Annual Homecoming Parade to be held Tuesday, October 11, 2022, from 5:15 p.m. until 6:45 p.m. Mr. Sampson requested street barricades for the parade to travel Broadway, as well as police presence at Broadway and Maple Street He continued that in addition they are requesting the same at Broadway, 10<sup>th</sup>, and 4<sup>th</sup> Street. In closing Mr. Sampson requested Broadway and Grand Avenue closed to east bound traffic at 5:15 p.m. on that day. City Clerk Angel Zerbonia-Ramey advised that certificate of insurance is on file as well as department approvals.

A motion was made by Council Member Welch, to approve street closures for the Annual Homecoming Parade to be held Wednesday, October 5, 2022, from 5:15 p.m. until 6:45 p.m. The motion was seconded Council Member Phillips.

Motion carried.

**APRIL AZOTEA – LA AZOTEA LOUNGE**  
**Re: Request, Partial Parking Lot Closure – Living Dead Windows**  
*(October 28, 2022, at midnight – October 30, 2022, at noon)*

April Azotea addressed Council requesting partial parking lot closure for Living Dead Windows event to be held Friday, October 28<sup>th</sup> until Sunday, October 30<sup>th</sup>. The event will start at midnight on the 28<sup>th</sup> and end Sunday at noon. Ms. Azotea explained to the Council that this year’s theme is Alice in Wonderland. She continued that she would have several very large “props” that will require quite a bit of area. She is intending this event to be for families and that it will include a “down the rabbit hole” aspect for all to enjoy and “it will be very interactive.” Council Member

Welch asked if this would take up the entire parking lot? Ms. Azotea advised she would only need the parking lot area located closest to her building. Mayor Pro Tem Dobson then explained that those parking lots in that area are due to be repaved and inquired if that would interfere with the event? Director of Central Services, Andy Dorian was not in attendance, but Ms. Azotea was advised to check with him on the paving schedule. Council Member Phillips inquired if the area would be used for her props or parking? Ms. Azotea advised she would be using it for the event and not parking. Council Member Philips then inquired if it would be safe for pedestrians with the additional two rows of parking being open in the lot? Ms. Azotea insured him that the area she intends to use will be blocked off and safe, she will place a wall of plywood between the two areas as she feels it's always "safety first." Council Member Veach then asked if it would be safer to block off the entire lot? Ms. Azotea advised she hates to block off anymore area or take up parking spaces that she does not need. She indicated she would be happy to set up the prop and take a picture to show the Council what the area will look like and the safety feature. Council Member Phillips advised that he would like for her to do so and send it to him. Mayor Pro Tem Dobson then asked Ms. Azotea if she had hosted other events like this one in the past. She advised that while she has held many events, she normally utilizes the sidewalk and her property, "this will be my first time of using the parking area for activities." Ms. Azotea continued that she would also like to put a prop in the tree near her building, Mayor Pro Tem Dobson stated she should inquire with the Tree Board for permission to do so. Council Member Franke stated that she would be permitted to do so if she "wasn't hammering nails or inserting any object into the tree." Ms. Azotea explained she would be putting holes in the plywood and using a rope to secure the prop to the tree to ensure the public's safety. Council Member Franke stated he believes that would be permitted.

Council Member Franke then made a motion to approve the partial parking lot closure for Friday, October 28<sup>th</sup> at midnight until Sunday, October 30<sup>th</sup> at noon, pending City department heads approvals, once the photos are sent. Council Member Phillips then interjected "pending a "walk through" or the photos Ms. Azotea intends to send." Ms. Azotea then advised Council that she would come back with pictures before the event. Council Member Phillis advised he believes that would be a good idea. Council Member McCoy then advised that he doesn't believe that it's needed for her to return before Council adding "it's only those ten spots closest to her building that she's asking for." Ms. Azotea replied that she would be more than happy to return or to send pictures, whatever the Council needed.

Mayor Hark then asked Council Member Franke to restate his motion, in which Council Member Franke requested City Attorney Lemon to rephrase his motion "more eloquently." City Attorney Lemon stated the motion was to approve the request, subject to the appropriate department head approvals. Council Member Dobson then advised that there were no objections by any department heads. Mayor Hark advised they are only needing the certificate of insurance. Mayor Pro Tem Dobson then seconded the motion.

Motion carried.

**Re: Parking Spot Lease (2)**

Ms. Azotea's next item of business, relates to a sign that states no parking on two parking spots on the lot near her business that has been in place the last several years. She reminded Council that her employees have been followed from work on occasions and some nights they don't leave the building until three or four in the morning. Ms. Azotea continued that when her female staff must walk in the dark sometimes ten blocks "it's a real safety issue with them getting to their vehicles." She also added that she knows of other businesses that has signs for reserved parking, although she "won't throw anyone under the bus." Council Member Welch advised that he is not in favor of leasing public parking. Ms. Azotea questioned him why and he advised "that is public parking." Ms. Azotea again reiterated that she knows other businesses that have signs up, yet she was told to take her signs down while the others were not.

City Attorney Lemon advised he is not aware of any other businesses with signs reserving parking and it would also not be appropriate for any business to mark off public parking spaces. Lemon continued "the charter provides specifics on leasing, there are a lot of issues in leasing parking spaces on a public lot, or an area that has limited parking." Lemons continued that Ms. Azoteas business is open on certain times and questioned would it only need to be those times that parking would be restricted, as during festivals Council approves closing the entire parking lot and having a lease could cause a problem. Mr. Lemon suggested perhaps a survey of all the downtown merchants on leasing parking spaces, explaining that he feels "they will be upset if the City moved forward and they were not aware," however he doesn't feel the City needs to go through the appraisal process, he recommends conducting a survey of businesses whose customer's use that lot and all information taken into consideration and could be written into a lease agreement.

Ms. Azotea questioned if it's possible to place a sign stating no parking during her business hours or, no parking during festivals, as her biggest concern is during festival weekends when her employees are forced to park so far away from her business. Mr. Lemon advised if they wrote the specifics into a lease, it would be less likely they would receive "protests from other downtown merchants." Based on his years of being City Attorney, people that don't feel they were consulted are the ones who "freak out." He is concerned about push back after the fact for not allowing others to make their opinions known.

Ms. Azotea advised she is fine signing a lease if everyone else has to do it. Mr. Lemon advised that he agrees, if Council were to go with a lease it would state specifics and cost, and any details of such lease. Council Member Mccoy advised he is in favor of sending a survey to all downtown businesses and he would be interested in seeing a survey, and thoughts about parking during the festivals. He advised that if Council approves leases, they will lose these parking spots. Mr. Mccoy then asked if the City has a lease with what used to be the Hannibal Trolley Company? Ms. Azotea stated that she believes they have never had a lease, as they fall under public transportation. She feels if they are blocking parking spots, they should have to sign a lease and they have been open "years and years with ever signing a lease or paying anything."

Ms. Azotea advised that there is a group of downtown business owners, and she would be happy to message the group as a survey and include Council in the message. She advised she is not trying

to take spots near Main Street. Council Member Welch questioned if the reserved spots would be used for merchandising, in which she advised it would only be for her staff parking and mainly during festivals. Council Member Franke advised he feels the survey is a good idea. Council Member McCoy then made a motion directing the City Manager Lisa Peck to compile a survey to the downtown businesses in regards to leasing public parking spaces. City Attorney Lemon advised he would assist her in doing so, and she has staff to help her do so. The motion was seconded by Council Member Franke.

Motion carried.

**SARA NORTH – 45 HOLIDAY DRIVE**  
**Re: Curb Cuts – Hill and Main Streets**

Sara North, Hannibal resident addressed Council advising that “Frank” had sat down and composed a diagram of the intersection in question I “totally forgot it.” She began by advising, one of my closest friends was Abigail Heifner, who grew up in Hannibal, by the age three was diagnosed with Rheumatoid Arthritis, and by age twelve she was in a wheelchair. Her mother was a champion in education and the disabled in Hannibal. She added her mother was an influence in bringing the American Disabilities Act (ADA) to the forefront. She added she is not here to argue against anything and advised that Abigail loved the entrance to the Ice Cream Parlor.

Ms. North advised since the completion of the Main Street sidewalk project with its limited accessibility features, Pat Wealder the owner of the Hickory Stick has been trying to move her into a greater awareness of the hazard caused by the sidewalk at the corner of Hill and Main Street on Saturday September 3<sup>rd</sup> she herself had tripped and fell on the corner of Hill and Main. She advised that on September 5<sup>th</sup>, she returned downtown to ask the vendor at that location what he observed at that corner over the weekend, in which he told her he had seen five or six people fall there.

Everyone she has spoken with has either fallen or knows someone who has fallen at that corner. She advised her and Frank walked Main from Broadway to Hill Street last week which was mostly not a problem, the intersection at Hill and Main Street is like three others, and inquired if the different designs in the intersections, has to do with water? Ms. North advised the Council that those sidewalks were provided with grant dollars and although she has not researched this information herself, she feels the grant money may have come with preset stipulations and therefore required some of these designs, however, she wonders about the cost of “free money.” She believes that the percentage of people benefiting from the accessibility component of the sidewalks are far less than the percentage benefiting from the liability component. Ms. North advised that just before her surgery she witnessed a visitor trip at that same location, but he did not fall. She continued that since that time she has placed a flowerpot on the “triangle” on the corner of the area and advised the ladies at the Hickory Stick to contact Mayor Hark, Council Member Dobson and City Manager Lisa Peck every time they see someone fall there. She stated that it is a lot ask of these ladies, but she is hoping for a safe solution, and continues to wonder the cost of those “free dollars.”

Mayor Pro Tem Dobson advised that during the construction of the sidewalks that Missouri Department of Transportation oversaw all ADA compliances. He does remember that one intersection had to be tore out because it did not comply, however he believes all the intersections comply and, understands what she is sharing.

**JAMES R. HARK - MAYOR**  
**Re: Approval of Appointment**  
**AIRPORT BOARD**

- *Donald Bastian – appointment for an unexpired term to expire September 2023*

A motion was made by Council Member Veach to approve the re-appointment of Donald Bastian for a term to expire September 2023, to the Airport Board. The motion was seconded by Mayor Pro Tem Dobson.

Motion carried

**MEGAN RAPP – DIRECTOR, HCVB**  
**Re: Bid Award Approval, 2023 Visitors Guide Design & Layout**  
*McDonald Video & Photography - \$5,000*

Megan Rapp Director of Hannibal Convention and Visitors Bureau was next to address Council. She advised it was time to award the bid for the 2023 visitors guide design and layout. Ms. Rapp informed Council a legal notice was placed in the Hannibal Courier Post on August 24, 2022, and request for proposal sent to vendors soliciting bids for the 2023 Hannibal Visitor Guide layout & design. She advised bids were opened on September 12<sup>th</sup> at 10:00 a.m., by the City Clerk Angelica N. Zerbonia-Ramey. Ms. Rapp informed Council that one bid was submitted by McDonald Video & Photography in the amount of \$5,000.00. The company was verified by the City Clerk’s office to have a Hannibal business license. “We have worked with this company in year’s past and have been well satisfied with their work” explained Ms. Rapp. She recommends the bid be awarded to McDonald Video & Photography in the amount of \$5,000.00 for the layout & design of the 2023 Hannibal Visitors Guide.

Council Member McCoy made a motion to approve the bid award to McDonald Video & Photography in the amount of \$5,000.00 for the 2023 Hannibal Visitors Guide design and layout. The motion was seconded by Council Member Veach.

Motion carried.



**ANDY DORIAN, DIRECTOR – CENTRAL SERVICES**

**Re: Acceptance of Donated Property – Settlement Agreement & Release and General Warranty Deed – 902 Fulton Avenue**

*M. Brent and K. Latrinda Taylor  
(Resolution No. 2429-22, to follow)*

Andy Dorian, Director of Central Services was absent this evening and City Manager Lisa Peck advised Council she would present on his behalf. Ms. Peck is requesting Council accept donated property from M. Kent and K. Latrinda Taylor, located at 902 Fulton. This property is in extreme state of disrepair and has been determined to be a nuisance or dangerous building by the City. Ms. Peck advised that the Taylor's have agreed to donate the property to the City of Hannibal, and a title search was conducted showing no liens or indebtedness on the property. Therefore, she recommends the acquisition of 902 Fulton 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. 2429-22 is to follow, for approval.

**Re: Sodalis Outdoor Shelter/Nature Education Pavilion – Engineering Services**

*Klingner & Associates - \$19,500  
(Resolution No. 2430-22, to follow)*

Ms. Peck then presented Dorian's second item advising the Hannibal Parks and Recreation Department has been awarded a \$100,000 Land Conservation Partnership Grant for the construction of a 40'x60' Nature Pavilion at the Sodalis Nature Preserve. Peck explained, "the pavilion will include electricity, picnic tables and a fireplace." In addition, the grant is a 50/50 agreement so the Parks Department will have to spend \$100,000 on the project.

Ms. Peck informed Council the Hannibal Parks Department has selected Klingner & Associates for the topographical survey, site engineering agreement, architecture, and MEP engineering. They submitted a lump sum not to exceed the amount of \$19,500 for the design of the project, furthermore, this project has been budgeted for in the FY 2022-2023 budget.

Ms. Peck advised that the Hannibal Parks Department recommends that the City Council authorize the Mayor to sign an engineering service agreement with Klingner & Associates for the lump sum not to exceed amount of \$19,500.

Mayor Hark stated Resolution No. 2460-22 is to follow, for approval.

**RESOLUTION NO. 2429-22**

**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 AT 902 FULTON FROM BRENT & LATRINDA TAYLOR**

A motion was made by Council Member Veach to have the City Clerk read Resolution No. 2429-22 and call the roll for adoption. The motion was seconded by Council Member McCoy.

**ROLL CALL**

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

**No:** - 0 -

Motion carried.

**RESOLUTION NO. 2430-22**

**A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING THE MAYOR TO EXECUTE A \$19,500 ENGINEERING SERVICE AGREEMENT BETWEEN THE CITY AND KLINGNER & ASSOCIATES FOR THE DESIGN OF AN OUTDOOR SHELTER/NATURE EDUCATION PAVILION AT SODALIS NATURE PRESERVE**

A motion was made by Council Member Welch to have the City Clerk read Resolution No. 2429-22 and call the roll for adoption. The motion was seconded by Mayor Pro Tem Dobson.

**ROLL CALL**

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

No: - 0 -

Motion carried.

**BILL NO. 22-025**  
*(as amended)*

**AN ORDINANCE REVISING CHAPTER 32 OF THE REVISED  
ORDINANCES OF THE CITY OF HANNIBAL TO ALLOW THE  
PLACEMENT OF DAYCARES IN ALL ZONES IN THE CITY OF  
HANNIBAL**

*Second and Final Reading*

A motion was made by Mayor Pro Tem Dobson to give Bill No. 21-029, as amended, a second and final reading. The motion was seconded by Council Member Veach

**ROLL CALL**

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

No: - 0 -

Motion carried.

**ADJOURNMENT**

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

Motion carried.

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**James R. Hark, Mayor**

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**Angelica N. Zerbonia, MRCC, CMO - City Clerk**