

City of Hannibal
OFFICIAL COUNCIL PROCEEDINGS

Tuesday, February 6, 2024
Council Chambers
7:00 p.m.

ROLL CALL

Present: Council Member Phillips, Welch, Munger, McCoy, Mayor Pro Tem Dobson, Mayor Louderman, and Council Member Franke -7

Absent: - 0 -

CALL TO ORDER

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

INVOCATION

The invocation was then given by Council Member Munger.

PLEDGE OF ALLEGIANCE

Mayor Louderman led the Pledge of Allegiance to the Flag.

APPROVAL OF AGENDA

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

Motion carried.

APPROVAL OF MINUTES
Regular Scheduled Council Meeting – January 16, 2024

A motion was made by Council Member Munger to approve the Regular Scheduled Council Minutes of January 16, 2024. The motion was seconded by Council Member Welch.

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS
Second Half- January 2024

A motion was made by Council Member Phillips to approve the payroll and claims for the second half of January 2024. The motion was seconded by Council Member Munger.

Motion carried.

PUBLIC COMMENTS
3 Minutes/ Sign Up Required

LaDonna Hampton of 1921 Missouri Street addressed the Council regarding squatters' rights. Ms. Hampton of the current squatters' rights and the effect they have on property owners. Ms. Hampton advised an individual may take up residency in a property that they have no legal right to occupy, once doing so they have legal rights to the property forcing the owner to hire legal Counsel and force eviction, the process is expensive and long for the property owner. City Attorney James Lemon advised squatters rights is a very "complicated issue", the truth is the City does not have the authority to change basic laws regarding evicting a person. Mr. Lemon however understanding of the situation advised if a property owner can show a person had no prior relationship with the landlord, and that they entered illegally, which the City of Hannibal can enforce under the trust pass laws. Mr. Lemon advised however, if a person claims of permission was granted law-enforcement cannot make that determination only a judge can do so. Mr. Lemon advised there are several avenues property owners have, however, the property owner would need to seek legal advice on those options.

Vickie Jones of Hannibal addressed the Council regarding squatter rights. Ms. Jones advised she purchased property allowing tenants to reside there with a agreement of a evacuation date. The tenants refused to move and placed a restraining order against her. Ms. Jones advised that she has been in a battle since November 2022, receiving fines for property maintenance with no access to the property. City Attorney James Lemon advised her to seek another opinion from new legal Counsel, in addition never allow anyone access to your property without a legal agreement/contract.

BARRY LOUDERMAN – MAYOR
Re: Approval of Appointment to Library Board

Library Board
Jessica Gilmore – Appointment for a term to expire June 2024

Barry Louderman, Mayor advised the Council he is requesting a motion to approve the appointment of Jessica Gilmore to serve on the Library Board for a term to expire in June 2024.

A motion was made by Council Member McCoy to approve the appointment of Jessica Gilmore for a term to expire June 2024, to the Library Board. The motion was seconded by Council Member Welch.

Motion carried.

Re: Approval of Re-Appointment to Airport Commission

Airport Commission
Don Bastian– Re-Appointment for a term to expire September 2026

Barry Louderman, Mayor advised the Council he is requesting a motion to approve the re-appointment of Don Bastian to serve on the Airport Commission for a term to expire in September 2026.

A motion was made by Mayor Pro Tem Dobson to approve the re-appointment of Don Bastian for a term to expire September 2026, to the Airport Commission. The motion was seconded by Council Member Munger.

Motion carried.

MICHAEL DOBSON- CHIEF, HANNIBAL RURAL FIRE PROTECTION DISTRICT
Re: Use of City Owned Property

Mayor Pro Tem Dobson as Chief of the Hannibal Rural Fire Protection District advised they are requesting the use City owned property for annual fire house testing. The testing will be held on March 4, 2024 and are requesting the use of the parking lot west of Clemens Field and also utilize the fire hydrant at the site to charge and test fire hoses.

A motion was made by Council Member McCoy to approve the request authorizing the Hannibal Rural Fire Protection District to use the parking lot west of Clemens field for testing of fire hoses along with use of hydrants. The motion was seconded by Council Member Munger.

Motion carried.

MELISSA COGDAL – CITY CLERK

Re: Primary Elections Approval

(Bill No. 24-004, to follow, for Emergency Reading)

City Clerk, Melissa Cogdal advised in accordance with the provisions of Section 17.01 Charter of the City of Hannibal, a general municipal election may be held for the purpose *of electing a mayor, councilmen, and other elective officers of the city, and for the purpose of deciding any question which may lawfully be submitted to the electors.* Mrs. Cogdal advised she is requesting Council approval to give a Emergency Reading to *Bill No. 24-004* which authorizes a Primary Election to be held, Tuesday, August 6, 2024. The 2024 City of Hannibal Election schedule provides for the election of the Municipal Judge. This position is currently held by Municipal Judge Donald Bastian. Mrs. Cogdal reminded the Council candidate filing for the above-mentioned positions will commence Tuesday, February 27, 2024, at 8:00 a.m., concluding March 26, 2024, at 5:00 p.m.

Mayor Louderman advised Bill No. 24-004 will follow for an Emergency Reading.

ANDY DORIAN – DIRECTOR OF CENTRAL SERVICES

Re: North Street Stormwater Project Authorized Official Resolution

(Resolution No. 2497-24, to follow, for approval)

Andy Dorian, Director of Central Services, is requesting approval authorizing Mayor Louderman to act as the “authorized Official” for the signing of all documents associated with the North Street project. Mr. Dorian advised this is a needed change due to the fact former Mayor Hark was the authorized signer for the project and the paperwork needs updated to reflect the new Mayor as so.

Mayor Louderman stated Resolution No. 2497-24 is to follow, for approval.

**Re: Sell of City Owned Property – 1527 Arch Street
Corey Allen - \$575.00**

(Resolution No. 2498-24, to follow, for approval)

Andy Dorian, Director of Central Services, is requesting approval for the sale of 1527 Arch Street to Corey Allen in the amount of \$575.00. Mr. Dorian advised the cost covers all closing costs; in addition, the standard covenants will be placed on the property upon sell. Mr. Dorian also advised a title report was done on the property showing no liens or restrictions have been placed on the property.

Mayor Louderman stated Resolution No. 2498-24 is to follow, for approval.

Re: Waiving Objection – Lease Agreement with On Premise L.L.C.
(Resolution No. 2499-24, to follow, for approval)

Andy Dorian, Director of Central Services, is requesting approval for consent for On Premise LLC to enter into a Commercial Pledge agreement. Mr. Dorian advised the City currently has a hanger lease with On Premise L.L.C who needs to enter into the agreement with Fortress Bank regarding financial transactions between them. Mr. Dorian advised the agreement would be construed as a lease violation between On Premise and the City of Hannibal, therefore On Premise has requested the City of Hannibal waive objection to the execution of the agreement.

Mayor Louderman stated Resolution No. 2499-24 is to follow, for approval.

MIKE MCHARGUE – BUILDING INSPECTOR

Re: Reschedule Public Hearing

Code Amendment updating Fire Code- Tuesday, February 20, 2024, 6:45 p.m.

Lisa Peck, City Manager advised she is requesting to set a public hearing for Tuesday, February 20, 2024, at 6:45 p.m. for Updating Fire Code from 2012 to 2018 of the City Code.

Mayor Pro Tem Dobson made a motion to set a public hearing for Tuesday, February 20, 2024, at 6:45 p.m. for updating the Fire Code from 2012 to 2018. Council Member Munger seconded the motion.

Motion carried.

Re: Schedule Public Hearing

Rezoning of 574 Clinic Road- Tuesday, February 20, 2024, 6:30 p.m.

Lisa Peck, City Manager advised she is requesting to set a public hearing for Tuesday, February 20, 2024, at 6:30 p.m. for rezoning of 574 Clinic Road from D Highway Business to B Multiple Family.

Council Member Phillips made a motion to set a public hearing for Tuesday, February 20, 2024, at 6:30 p.m. for rezoning 574 Clinic Road from D Highway Business to B Multiple Family. Council Member Welch seconded the motion.

Motion carried.

Re: Schedule Public Hearing

Code Amendment Updating Recreational Marijuana- Tuesday, February 20, 2024, 6:15 p.m.

Lisa Peck, City Manager advised she is requesting to set a public hearing for Tuesday, February 20, 2024, at 6:15 p.m. for Code amendment for updating Recreational Marijuana of the City Code.

Council Member McCoy made a motion to set a public hearing for Tuesday, February 20, 2024, at 6:15 p.m. for Code Amendment Updating Recreational Marijuana of the City Code. Council Member Munger seconded the motion.

Motion carried.

TRISHA O'CHELTREE – HCVB DIRECTOR
Osborn, Barr, & Paramore Estimate
Re: OBP FY 2024 Web Maintenance Agreement - \$3,150.00

Trisha O'Cheltree, HCVB Director advised Council she is requesting approval for the Mayor to execute an agreement covering website maintenance with OBP including bug repairs and minor updating for \$3,150 for the 2024 fiscal year.

Council Member Phillips made a motion to approve the signing of the agreement with OBP in the amount of \$3,150 for the fiscal year 2024. Council Member Munger seconded the motion.

Motion carried.

DARRIN GORDON – HBPW GENERAL MANAGER
Re: MPUA Mutual Aid Agreement
(Bill No. 24-005, to follow, first reading)

Darrin Gordon, General Manager of Board of Public Works presented Council with the 2024-2025 Missouri Public Utility Alliance mutual aid agreement. Mr. Gordon advised the City of Hannibal has participated in the MPUA and APPA for decades. Mr. Gordon reminded the Council this agreement allows the City to participate in a statewide or national need for large emergency repairs as well as receive aid if needed for an emergency need in our community.

Mayor Louderman stated Bill No. 24-005 is to follow, for a first reading.

**Re: Purchase Policy Exception – Amendment for Additional Construction
Replacement of River Pumphouse & Pleasant Street Booster Pump Roofs**

Darrin Gordon, General Manager advised the Council he is requesting approval to amend a current bid for the replacement of the roofs at the River Pumphouse and Pleasant Street Booster Pump Station. Mr. Gordon advised the Hannibal Board of Public Works sought bids for the replacement of the Water Treatment Plant. He is requesting a change order to increase the quantities to complete the additional buildings. He advised using the unit price bid will allow the addition or subtracting from the project to match available funds.

Mayor Pro Tem Dobson made a motion to approve the amendment of the current bid to increase the quantities to complete to allow for the replacement of the River Pumphouse and Pleasant Street Booster Roof. Council Member Munger seconded the motion.

Motion carried.

**Re: Bid Award - North Street Storm Sewer
S&A Equipment & Builders L.L.C. - \$1,563,228.70
(Resolution No. 2501-24, to follow, for approval)**

Darrin Gordon, General Manager of Board of Public Works third item this evening was the request for approval for the North Street Storm Sewer project award to S&A Equipment and Builders in the amount of \$1,563,228.70. Mr. Gordon advised the City received four bids with S&A being the low bid within the specifications of the project. Mr. Gordon advised the grant award for the project was five million dollars.

Mayor Louderman stated Resolution No. 2501-24 is to follow, for approval.

**Re: Franchise Fees
Franchise Fees for Utilities Operating in City**

City Attorney, James Lemon addressed Council regarding franchise fees for utilities operating inside the City. Mr. Lemon advised at this time he is working with Mr. Gordon to gain information on which utilities are operating and how many customers those utilities have. Mr. Lemon advised once he has that information at the Councils request, he will issue letters to those utilities for the purpose to secure franchise agreements with those utilities.

BILL NO. 24-003

AN ORDINANCE AMENDING CHAPTER 7- BUILDING AND BUILDING REGULATIONS, ARTICLE III - HOUSING CODE, OF THE REVISED ORDINANCES OF THE CITY OF HANNIBAL BY ADDING A NEW DIVISION 6. - DESIGN AND CONSTRUCTION STANDARDS FOR STANDARD CONSTRUCTED RESIDENTIAL HOMES

Second and Final Reading

A motion was made by Council Member McCoy to have the City Clerk read Bill No. 24-003 and call the roll for adoption. The motion was seconded by Council Member Munger.

ROLL CALL

Present: Council Member Phillips, Welch, Munger, McCoy, Mayor Pro Tem Dobson, Mayor Louderman, and Council Member Franke -7

Absent: - 0 -

Motion carried.

Mayor Louderman declared Bill No. 24-003 duly approved and adopted on this date.

BILL NO. 24-004

AN ORDINANCE OF THE CITY OF HANNIBAL PROVIDING FOR A SPECIAL PRIMARY ELECTION TO BE HELD, TUESDAY, AUGUST 6, 2024, FOR THE PURPOSE OF ELECTING A MUNICIPAL JUDGE.

Emergency Reading

A motion was made by Mayor Pro Tem Dobson to have the City Clerk read Bill No. 24-004 an Emergency Reading and call the roll for adoption. The motion was seconded by Council Member Munger.

ROLL CALL

Present: Council Member Phillips, Welch, Munger, McCoy, Mayor Pro Tem Dobson, Mayor Louderman, and Council Member Franke -7

Absent: - 0 -

Motion carried.

Mayor Louderman declared Bill No. 24-004 duly approved and adopted on this date.

BILL NO. 24-005

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING THE PRESIDENT OF THE BOARD OF PUBLIC WORKS TO SIGN AN MPOA MUTUAL AID AGREEMENT.

First Reading

A motion was made by Mayor Pro Tem Dobson to give Bill No. 24-005 a first reading. The motion was seconded by Council Member McCoy.

Motion carried.

RESOLUTION NO. 2497-24

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE MISSOURI DEPARTMENT OF NATURAL RESOURCES, FINANCIAL ASSISTANCE CENTER'S STATE ARPA GRANT PROGRAMS FOR SUBAWARD OF FEDERAL FINANCIAL

**ASSISTANCE PROVIDED TO THE STATE OF MISSOURI BY THE
U.S. DEPARTMENT OF THE TREASURY (“TREASURY”)
PURSUANT TO SECTION 602(B) OF THE SOCIAL SECURITY ACT,
AS ADDED BY SECTION 9901 OF THE AMERICAN RESCUE PLAN
ACT.**

A motion was made by Council Member Munger to have the City Clerk read Resolution No. 2497-24 and call the roll for adoption. The motion was seconded by Council Member Phillips.

ROLL CALL

Present: Council Member Phillips, Welch, Munger, McCoy, Mayor Pro Tem Dobson, Mayor Louderman, and Council Member Franke -7

Absent: - 0 –

Motion carried.

Mayor Louderman declared Resolution No. 2497-24 duly approved and adopted on this date.

RESOLUTION NO. 2498-24

**A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING
THE MAYOR TO EXECUTE A SPECIAL WARRANTY DEED TO
COREY ALLEN FOR THE SALE OF CITY OWNED PROPERTY
LOCATED AT 1527 S. ARCH IN THE AMOUNT OF \$575.**

A motion was made by Council Member Munger to have the City Clerk read Resolution No. 2498-24 and call the roll for adoption. The motion was seconded by Council Member Phillips.

ROLL CALL

Present: Council Member Phillips, Welch, Munger, McCoy, Mayor Pro Tem Dobson, Mayor Louderman, and Council Member Franke -7

Absent: - 0 –

Motion carried.

Mayor Louderman declared Resolution No. 2498-24 duly approved and adopted on this date.

RESOLUTION NO. 2499-24

A RESOLUTION WAIVING OBJECTION AND CONSENTING TO EXECUTION OF A COMMERCIAL PLEDGE AGREEMENT BY ON PREMISE, L.L.C.

A motion was made by Council Mayor Pro Tem Dobson to have the City Clerk read Resolution No. 2499-24 and call the roll for adoption. The motion was seconded by Council Member Munger.

ROLL CALL

Present: Council Member Phillips, Welch, Munger, McCoy, Mayor Pro Tem Dobson, Mayor Louderman, and Council Member Franke -7

Absent: - 0 -

Motion carried.

Mayor Louderman declared Resolution No. 2499-24 duly approved and adopted on this date.

RESOLUTION NO. 2501-24

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A \$1,563,228.70 CONSTRUCTION CONTRACT BETWEEN THE CITY OF HANNIBAL AND S&A EQUIPMENT & BUILDERS LLC FOR THE REPLACEMENT OF APPROXIMATELY 514' OF STORM SEWER AND RELATED APPURTENANCES UNDER AND ADJACENT TO NORTH STREET.

A motion was made by Council Member McCoy to have the City Clerk read Resolution No. 2501-24 and call the roll for adoption. The motion was seconded by Mayor Pro Tem Dobson.

ROLL CALL

Present: Council Member Phillips, Welch, Munger, McCoy, Mayor Pro Tem Dobson, Mayor Louderman, and Council Member Franke -7

Absent: - 0 -

Motion carried.

Mayor Louderman declared Resolution No. 2501-24 duly approved and adopted on this date.

CLOSED SESSION

In Accordance with RSMo 610.021 (1) and (2)

Mayor Louderman then entertained a motion to enter closed session in accordance with RSMo. 610-021, sub-paragraphs (1) and (2). He is requesting to admit himself, City Council Members, City Attorney James Lemon, City Manager Lisa Peck, City Clerk Melissa Cogdal, and Director of Central Services Andy Dorian.

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

ROLL CALL

Present: Council Member Phillips, Welch, Munger, McCoy, Mayor Pro Tem Dobson, Mayor Louderman, and Council Member Franke -7

Absent: - 0 -

Motion carried.

OPEN SESSION

A motion was made by Council Member Welch to return to open session. The motion was seconded by Council Member Phillips.

Motion carried.

ADJOURNMENT

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

Motion carried.

Barry Louderman, Mayor

Melissa Cogdal, City Clerk