

CITY OF HANNIBAL
OFFICIAL COUNCIL AGENDA

Tuesday, August 1, 2017
Council Chambers
7:00 p.m.

ROLL CALL

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

APPROVAL OF MINUTES
Regularly Re-Scheduled Council Meeting – July 18, 2017

APPROVAL OF PAYROLL AND CLAIMS
Second Half – July, 2017

ADRIENNE ABRIGHT – HANNIBAL JAYCEES
Re: Request, Purchase of Amphitheater Structure

CARRIE DANNER – ACCESS TO HEALING & WELLNESS
Re: Request, Street Closures – Zombie Run
Saturday, September 30, 2017 – 4:00 p.m. – 6:30 p.m.

JAMES R. HARK - MAYOR
Re: Approval of Appointments

HANNIBAL CONVENTION & VISITORS BUREAU

- **Beth Knight – appointment for a term to expire September, 2020**

JEFF LAGARCE – CITY MANAGER

Re: Lease of City Owned Property, 3752 Warren Barrett Drive – Assignment & Second Amendment to Lease

General Mills Operations
(Resolution No. 2102-17, to follow)

Re: “Proposition 1” Legal Services – Engagement Letter

Leonatti & Baker
(Resolution No. 2103-07)

Re: Recommendation of Appointment

BOARD OF PUBLIC WORKS

- **Bill Fisher – appointment for a term to expire July, 2021**

ANGELICA ZERBONIA – CITY CLERK

Re: Approval, Destruction of Records

Re: Policemen & Firemen’s Retirement Fund – Amended Plan Document
Section VI - Disability Benefits – 6.01 & 6.02 & Other Clarifying Modifications
(Bill No. 17-018, to follow)

KAREN BURDITT – FINANCE DIRECTOR

Re: Request, Set Public Hearing – 2017 Property Tax Levy
August 15, 2017, 6: 30 p.m.

BRIAN CHAPLIN – DPW SUPERINTENDENT

Re: Alley Vacation – Cruikshank Alley, McDonald’s Subdivision
(Bill No. 17-019, to follow)

RESOLUTION NO. 2102-17

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A
TEN (10) YEAR EXTENSION OF A LEASE AGREEMENT WITH
GENERAL MILLS, INC. FOR THE USE OF CITY PROPERTY
LOCATED AT 3752 WARREN BARRETT DRIVE,
HANNIBAL, MISSOURI**

RESOLUTION NO. 2103-17

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE
AN ENGAGEMENT LETTER WITH LEONATTI & BAKER FOR
THE PROVISION OF LEGAL SERVICES**

BILL NO. 17-018

**AN ORDINANCE OF THE CITY OF HANNIBAL, MISSOURI
RESTATING THE CITY OF HANNIBAL, MISSOURI
POLICEMAN AND FIREMAN RETIREMENT FUND AND
ADOPTING AMENDMENTS TO THE PLAN'S
DISABILITY BENEFITS**

First Reading

BILL NO. 17-019

**AN ORDINANCE APPROVING A PARTIAL VACATED
ALLEY LYING IN THE MCDONALD'S SUBDIVISION,
INTO THE CITY OF HANNIBAL, MARION
COUNTY, MISSOURI**

First Reading

BILL NO. 17-017

**AN ORDINANCE APPROVING A MINOR SUBDIVISION
AT 1200 COLLIER AND A VACATED ALLEY AT
LEMON STREET, COLLIER STREET AND WARREN
BARRETT FOR EZRA BLUE AND SONS, INTO THE
CITY OF HANNIBAL, MARION COUNTY, MISSOURI**

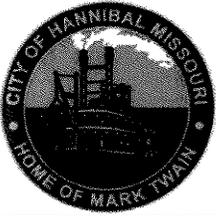
Second & Final Reading

CLOSED SESSION

In Accordance with RSMo. 610-021:

- *(1) – Litigation, Proposition 1*
- *(2) – Real Estate Negotiations*
- *(3) - Personnel*

ADJOURNMENT



City of Hannibal
Office of City Clerk

320 Broadway • Hannibal, MO 63401
Phone: 573-221-0111 • Fax: 573-221-8191

City Council Request to Speak
First and Third Tuesday of each Month
Deadline is 4:00 p.m. Thursday Prior to City Council Meeting

Meeting Date: August 1, 2017
Name: Adrienne Abright - Hannibal Jaycees
Address: 320 S Third St / Hannibal
Phone Number: 573-248-5033 (personal cell)
Subject Matter: Proposed Jaycee purchase of city amphitheater structure

Speaker shall be allowed up to a maximum of a five (5) minute presentation.

Speaker shall adhere to the above stated subject matter.

7-25-17
Date

Adrienne Abright
Speaker's Signature

July 25, 2017

Hannibal City Council
Attn: Angelica Vance, City Clerk
320 Broadway
Hannibal, MO 63401

Greetings Mayor Hark and City Council Members,

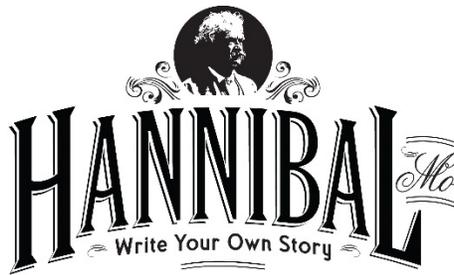
At the council meeting on Thursday, July 6th, the Hannibal Jaycees approached the council about our desire to purchase the steel framework of the old city amphitheater and move it to our location at 320 South Third Street in downtown Hannibal.

City Manager Jeff LaGarce has determined that selling the amphitheater would save the city thousands of dollars in maintenance and upkeep costs. The Hannibal Jaycees wish to offer a sum of \$100.00 to the city to purchase the structure.

Will you please add my name to the agenda for your next meeting on Tuesday, August 1st, so I may make the formal proposal and answer any questions?

Thank you for your consideration.

Respectfully yours,
Adrienne Abright
Hannibal Jaycees
2017 President
Work: (573) 231-7157
Cell: (573) 248-5033



MEMORANDUM

To: Mayor James Hark and Members of the City Council

From: Jeff LaGarce, City Manager

Re: Hannibal Jaycees' Request to Acquire Pavilion

Date: July 11, 2017

On July 6, the Hannibal Jaycees formally requested to acquire the city amphitheater pavilion on the old amphitheater site. The City Council made no decision, as discussions of value/exchange arose. Staff was assigned to work with the applicant to try and identify a fair rate-of-exchange.

The site upon which the pavilion sits is isolated, except by boat. Sole land access exists through an adjacent property; the city has no access easement from that owner. If an access easement were obtained from that owner, the city would still require an access easement from the railroad, because that owner possesses HIS sole access through a railroad easement (crossing over the tracks). Its not a safe site for the general public to cross; not in-terms of "public events" venues. Restated, if the city were to re-establish the amphitheater site for public events and obtain all necessary easements, it would be tenuous to encourage hundreds of people to cross the railroad tracks at that crossing. Its basically a gravel road with no special crossing facilities of any sort.

The city no longer uses amphitheater pavilion, but other organizations certainly sponsor concerts. It would be beneficial if somebody could use this pavilion structure for public benefit.

The question of value. While purchasing a brand new pavilion would be expensive, we do not know the precise value of this old pavilion. The pavilion has sat unused for nearly two decades; we feel fairly confident it has depreciated-out. I'm told the scrap metal is estimated at/near \$600.

By acquiring and removing this pavilion, the Jaycees are actually performing a service to the city. We have no easement to access our property. In 2012, the adjacent land owner charged the city \$1,500 to obtain a one-time, 10 foot temporary access easement on a nearby site. I have little doubt the fee would be at-least \$1,500 today.

If the city were to access our site and demolish the pavilion structure, demolition may cost \$2,000+/- . If instead, we entered our site to repair/paint the structure and improve the grounds, I estimate a cost of \$2,000+/- for that as well (painting, repair, leveling and landscaping, tree clearing, etc.). Therefore, knowing an access easement will have a cost, our estimated cost to:

1. Enter site and demolish \$3,500+/-
2. Enter the site and repair/improve \$3,500+/-

It is unlikely we would enter the site to improve it. We have no access. If we created a permanent public venue at this location for summer concerts, I suspect we'd pay a lot more than \$1,500 for permanent access (the \$1,500 we previously paid was for one-time access). Alternatively, if we built a bridge over bear creek to access the site, the cost really grows.

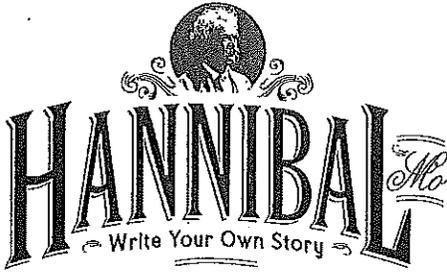
Given the cost estimates above, recall salvage value is roughly \$600. By entering the site and removing the structure, the Jaycees are actually performing a service for us. Its similar to a demolition project; a service being performed. Yet here, people will again be able to achieve some use/enjoyment from this equipment.

In this case, since it's a city-owned asset, we do propose a small price-of-exchange; \$100. Despite the fact Jaycee acquisition/removal would save city money in the future, its probably not good to establish a precedent of giving-away property.

I proposed an acquisition price of \$100 to the Jaycees, who accepted (subject to Council approval). Actually, Jaycee leadership only is empowered to spend up to \$99 without full membership approval. But the city's price is recommended at \$100; the Jaycees would pay \$99, and one of their officers will foot the other \$1.

There is no good way to value this old equipment, so we've done the best we can using economic rationale. If we can't use this facility for public benefit, this local service club can. We'll get a little something from it, and avoid ever having to deal with that facility as a future maintenance problem.

Staff proposes a \$100 price for the sale of the old amphitheater pavilion to the Hannibal Jaycees. The Jaycees would be responsible for obtaining legal access, removal of the structure, and posting all requisite insurances and hold-harmlesses indemnifying the city.



Return to:
Office of the City Clerk
Attention: Debbie White
320 Broadway
Hannibal, Mo 63401
Phone (573) 221-0111 ext.221
Fax (573) 221-8191

SPECIAL EVENT APPLICATION

Today's Date: 7/17/17 Date you wish to be placed on Agenda: road scheduled Aug. 1 meeting 2017

Your Organization: Access to Healing: Wellness Special Event: Zombie Run

Date(s) of Event: 9/30/2017 Requested Times (from - to) 4-6:30 pm

Description of Activity: Run starting at the Hannibal Jaycees location

Primary Contact Person(s): Carrie Danner Home Phone: _____

Work Phone: 573-221-2111 Cell Phone: 573-795-6560 E-mail: cdanner@whiteoakcouncil.org

Assistance Needed (location, etc.) cones, road closure

DEPARTMENTAL COMMENTS:

Police: 5 officers overtime Dept. Cost \$175⁰⁰

Lt Routh

Fire: No issues with this event Dept. Cost _____

Chief Hampton

Public Works: no comment Dept. Cost _____

B Chaplin

Building Inspector: No comment Dept. Cost _____

J Burnham

Parks: No issues A: Zell Dept. Cost _____

Street: Street Dept will assist in road closure. Dept. Cost _____
B Chaplin

Tourism:

No comment

Dept. Cost

G Bryant

Administration:

no concerns

J. LaMarce

Dept. Cost

STAFF RECOMMENDS:

Approval upon certificate of insurance received - on file.

Angelica M. Zerkowicz, MACE
City Clerk

Zombie run proposed course:

Starts at Hannibal JC's property S. 3rd St. Turn right South Main

Right on Fulton

Right on Sycamore enter the trail at the end of Sycamore Exit

then turn Right on to Ely St.

Left on Colfax to Delaney Park Rt. On Ledford to Industrial.

Left on 4th Right on Lyon to Finish at JC building.

BLOCK OF SOUTH MAIN AT END OF LYON

BLOCK OF ELY AT COLFAX INTERSECTION

From: cdanner@whiteoakcounseling.org
Sent: Wednesday, July 19, 2017 3:15 PM
To: Debbie White
Subject: RE: Zombie run course

I am not sure what other information you need this is the course and the roads that we think need to be closed:

(block south main at end of Lyon)

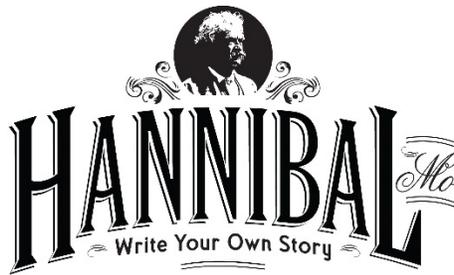
(block Ely at Colfax intersection)

Run starts at Hannibal JC's property S. 3rd St. Turn right South Main Right **(block south main at end of Lyon)** on Fulton Right on Sycamore enter the trail at the end of Sycamore Exit the trail right on to Ely St. Left on Colfax **(block Ely at Colfax intersection)** proceed to Delaney Park Rt. On Ledford to Industrial. Left on 54th Right on Lyon to Finish at JC building.

I assume we can have people monitor the other areas, if this is not the case then please let me know.

Thank you,

Carrie Danner MSW, LCSW
Managing Director
White Oak Counseling
1221 Broadway, Hannibal, MO 63401
Phone 573.221.2111
Fax 573.221.2123



MEMORANDUM

To: Mayor James Hark and Members of the City Council

From: Jeff LaGarce, City Manager

Re: Resolution Approving 10-Year Extension of General Mills Warehouse Lease

Date: July 14, 2017

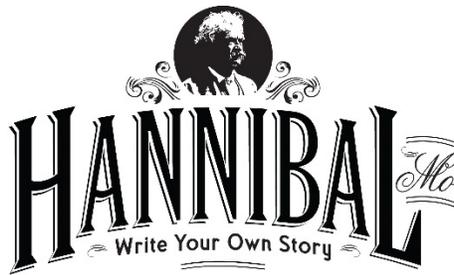
The city leases warehouse property at 3752 Warren Barrett Drive to General Mills. This property is a key component to General Mills production process.

The original lease began in January 2003, and prescribed pre-determined market-lease rates until January 2015. In early 2014, the lease was then renewed for the 3-year period 2015 – 2017. The current lease expires December 31, 2017.

Tonight's Resolution would renew this lease for the ten (10) year period 2018 through 2027. The first year's lease payment provides for 1% growth over the current payment, and each subsequent year of the lease provides for 1% growth annually, as well. This is a productive lease for the city; the lease currently generates over \$310,000 in income annually.

The proposed lease extension does provide General Mills' the opportunity to terminate the lease during the 5th year. While they have no intent of invoking termination, their corporate offices desire that flexibility, in the event company direction would happen to change. We have no objection to this. Under the present 3-year lease arrangements, they already possess the opportunity to "walk away" every 3 years.

Staff recommends approval of the Resolution authorizing a 10-year lease extension with General Mills for use of the warehouse building at 3752 Warren Barrett Drive.



MEMORANDUM

To: Mayor James Hark and Members of the City Council

From: Jeff LaGarce, City Manager

Re: Resolution Authorizing the Mayor to Accept and Sign an Engagement Letter with Leonatti & Baker for Legal Services

Date: July 26, 2017

The Hannibal Board of Public Works has brought suit against the City over Ordinance 4751; the chloramine ordinance. While the suit understandably seeks injunctive relief from the 90-day deadline for removing ammonia from drinking water, it also seeks to set-aside the April 4 referendum results on-same. Specifically, BPW's claim involves whether this particular Initiative Petition enters into areas legally off-limits from Initiative Petitions; specifically, "the budget or capital program or any ordinance relating to appropriation of money".

I believe I speak for the entire elected body when I state the 90-day provision cannot be met without simultaneous violation of federal and state environmental law, and must therefore be extended to some reasonable, yet diligent period. But we are opposed to the challenge being brought against the April 4 referendum itself, and must oppose this in-court.

City Attorney James Lemon serves as legal counsel to both the city and BPW. As such, it would be difficult for Attorney Lemon to represent the city in this case. Therefore, we have selected Lou Leonatti, of the firm Leonatti & Baker from Mexico, MO. I've had minimal interaction with Mr. Leonatti over the years, but I have personally known him for 25 years. He served as Mexico's city attorney when I worked there in the early 1990s, and he remains Mexico's city attorney today. Mr. Leonatti is a fine attorney and has many years of experience; municipal and otherwise.

The Resolution would authorize the Mayor to execute an Engagement Letter with Mr. Leonatti for his services as special counsel. Terms are stated in the letter; to which I find no objection.

Staff recommends approval of the Resolution authorizing the Mayor to execute the Engagement Letter of Leonatti & Baker for legal services.



Jeff LaGarce
City Manager

MEMORANDUM

To: Mayor Hark and Members of the City Council

From: Jeff LaGarce, City Manager

Re: Appointment of Bill Fisher to the Hannibal Board of Public Works

Date: July 21, 2017

I am appointing Bill Fisher to the Hannibal Board of Public Works, subject to confirmation by the Mayor and City Council.

Bill has lived in Hannibal nearly his entire life. Bill worked for Buckhorn Rubber for 33 years, having recently left to accept a position at Huber. Bill served Buckhorn as Production Manager for 9 years. He also worked in the lab at Buckhorn, which provided him a great deal of knowledge and understanding of water and water quality issues. Bill has also managed a great many people throughout his career; up to 160 people during high-volume production periods.

Bill also serves on the Board of the Community First Credit Union here in Hannibal, and has served in this capacity for 2.5 years. He and his wife are involved in service clubs, and have participated in many community service activities over the years. Bill is very interested in serving, and I am happy to appoint him.

Staff recommends appointment of Bill Fisher to the Hannibal Board of Public Works for a 4-year term to expire July 2021.



MEMORANDUM

TO: MAYOR HARK
CITY COUNCIL MEMBERS

FROM: ANGELICA N. ZERBONIA, MRCC
City Clerk

DATE: JULY 24, 2017

SUBJECT: DESTRUCTION OF RECORDS

The Missouri Secretary of State oversees document retention in Missouri's political subdivisions. According to the Missouri Records Retention Manual published by that office, certain records need only be retained for limited periods of time, at which point they can be destroyed.

Over the years, the City has not been following a consistent records retention schedule which led to a large volume of records and a lack of storage place. David Snead, Archivist for the State's local records division was onsite to review the documents determined by staff as eligible to destroy. That list of documents requested to be destroyed is attached to this memo as *Exhibit A*.

Shredding of the documents is estimated at \$150-200; this is not an expressly budgeted item; but adequate funds exist in the ARP budget to cover this expense.

Following Council approval, staff will oversee the shredding and disposition of the records, which will be securely provided on-site by *On-Site Information Destruction*. As required; the minutes of this meeting authorizing the destruction, along with *Exhibit A*, will serve as the permanent record, in accordance with the practice outlined by the Secretary of State's office.



TO BE DISCARDED OR DESTROYED	
Bank Statements & balance sheets	1995
balance sheets	2005-2006
	2006-2007
	2009-2010
	2010-2011
	2011-2012
	2012-2013
	2013-2014
cancelled checks	1998-2003
Cash Reports	1996-2000
Cash Trial Balances	1997-1998
	1999-2005
	2009-2014
Check Registers	1999-2011
Check Registers (Self Ins. Fund)	1997-2002
	2005
	2008-2012
Daily Revenue Sheets	2001-2007
Telephone franchise fees	2005
Purchase orders	1994-1995
	2006-2013
Paine Webber Investment Info	1991-1994
Mileage Logs	2001
	2003-2010
receipt cards	1995
	2004-2008
Tax Books	1992-1999
	2001

Time cards/absence sheets	2000-2007
Journal Entries	FY 04-05
	FY 05-06
	FY 06-07
	FY 07-08
	FY 08-09
	FY 09-10
	FY 10-11
	FY 11-12
demolition/asbestos rem. (unawarded bids)	1996
Hawkins/Lamb Rehab.	1996
Paid BRM-2813 (302)-West Ely Rd	1996
LAGERS Contribution Reports	2001-2005
Cassette Tapes:	
Council Meetings	1994-1996
	2005-2011
	10/15/1991
Police Board Meetings	1995-1997
CWC Meetings	1995-1997
	2005-2006
	2009-2010
Finance Committee Meetings	1995
Zoning Meetings	1995
Fire Board Meetings	1995
	1997
	2000-2011
P&F Retirement Meetings	2005-2013
COH-IDA Meeting	1/17/1991



MEMORANDUM

TO: MAYOR HARK
CITY COUNCIL MEMBERS

FROM: ANGELICA N. ZERBONIA, MRCC
City Clerk/P&F Secretary-Treasurer

MIKE BENJAMIN,
P&F Board Chairman

DATE: JULY 20, 2017

SUBJECT: POLICE & FIRE RETIREMENT PLAN DOCUMENT AMENDMENT
*Section VI - Disability Benefits – 6.01 & 6.02 & Other Clarifying
Modifications*

During the July 26, 2017 Police and Fireman’s Retirement Board meeting, amendments of the current Plan Document, relating to *Section VI - Disability Benefits – 6.01 & 6.02*, and other clarifying modifications were approved.

Pursuant to Section 9.01 of the Plan Document, the City reserves the right at any time to amend, modify or terminate the Plan in its entirety. Therefore, the P&F Retirement Board is recommending Council amend and restate the attached Plan document. This modifies the disability benefits provided under the Plan for those who incur disabilities on or after September 1, 2017, and to make certain other clarifying modifications.

This modification is yet another proactive measure of the Board to reduce direct liability to the Plan due to potential disability claims. Modifying the disability benefits also provides for a group disability insurance plan where neither the Fund nor the City shall be obligated to pay any disability benefits, other than premiums on such policy.

Proposals were solicited, received and reviewed by the P&F Retirement Board, with the Board voting to accept the proposal submitted by *The Standard*. This proposal provides for a plan design most beneficial to the employee while also being the most cost effective for the Plan.



The Fund has budgeted for the payment of such group disability policy in the fiscal year 2017/2018 budget. The cost is .540 percent of earnings per member, which equates to approximately \$1,548 per month, with a three year rate guarantee.

The actuary and the State of Missouri, Joint Committee on Public Employee Retirement Systems are both in favor of this modification to reduce the Plan's overall liability, with no cost impact, as determined by the actuary.

Your consideration and approval is appreciated.





MEMORANDUM

TO: Mayor Hark and Members of the City Council

FROM: Karen Burditt, Director of Finance

DATE: August 1, 2017

SUBJECT: Set Public Hearing

We ask Council to set a Public Hearing for the Property Tax Levy at 6:30 PM on Tuesday August 15, 2017 prior to the City Council meeting the subject of the meeting will be the ad valorem tax rate for property in the City.

Thank you,

Karen Burditt

Karen Burditt
Director of Finance



MEMORANDUM

To: Mayor Hark and Members of the Hannibal City Council

From: Brian Chaplin, DPW Superintendent

Re: Cruikshank Alley Vacation

Date: July 25, 2017

On Thursday, July 20th, 2017 the Planning and Zoning Commission met in regards of vacating the Southwestern section of the Cruikshank alley in the McDonald's Subdivision. The Northern portion of the alley which is the only drivable entrance into alley was previously vacated and is now considered private property. The commission had previously asked for a survey of the alley to see exactly where the boundary lines laid. Once the survey results came back it revealed that the property belonging to Mr. Daniel Golian who is opposed to the alley being vacated, encroaches into the south end of the city alley. Also since the Northern portion of the alley, the only entrance into the alley has been vacated there is no logical reason to keep the southwestern portion of the alley a city maintained alley.

At this time, a positive recommendation was made to council to vacate the southwestern portion of the Cruikshank Alley in the McDonald's Subdivision.