

CITY OF HANNIBAL
OFFICIAL COUNCIL AGENDA

Tuesday, October 3, 2017
Council Chambers
7:00 p.m.

ROLL CALL

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

APPROVAL OF MINUTES
813 South Main Real Estate Negotiations

- **April 19, 2016**
- **May 3, 2016**

Closed Session Minutes - Communication Tower Lease Negotiations

- **April 18, 2017**

Regularly Scheduled Council Meeting – September 19, 2017

APPROVAL OF PAYROLL AND CLAIMS
Second Half – September, 2017

JAMES R. HARK - MAYOR
Re: Municipal Judge Candidate Forum

➤ Stephen Porter

➤ Donald Bastian

Re: Appointment, Municipal Judge

Re: Oath of Office

➤ *Municipal Judge*

Re: Approval of Appointments

INDUSTRIAL DEVELOPMENT AUTHORITY

➤ **Gordon Ipson –appointment for a term to expire, January, 2023**

DARRELL MCCOY – HANNIBAL JAYCEES

Re: Request, Street Closure – Halloween Parade

Saturday, October 28, 2017 – 6:00 p.m. – 8:00 p.m.

JOSEPH BOGUE – HISTORIC HANNIBAL MARKETING COUNCIL

Re: Amended Request, Additional Street Closures

Main Street Trick or Treat

Tuesday, October 31, 2017 – 5:30 p.m. – 8:30 p.m.

ANGEL ZERBONIA – CITY CLERK

**Re: City Landline Phone Services & Features – Business Local Calling
Confirmation of Service Order**

AT&T

(Resolution No. 2112-17, to follow)

MIKE BENJAMIN – ASSISTANT FIRE CHIEF

Re: Radiation Detection Equipment Transfer – Memorandum of Agreement

Missouri Department of Natural Resources

(Resolution No. 2113-17, to follow)

BILL NO. 17-023

**AN ORDINANCE AMENDING THE FISCAL YEAR 2017/2018
PAYROLL ORDINANCE, NO. 1, RELATIVE TO THE
STREET DEPARTMENT**

Second & Final Reading

RESOLUTION NO. 2112-17

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A
THREE (3) YEAR CONFIRMATION OF SERVICE ORDER,
OPTION B, BETWEEN THE CITY OF HANNIBAL AND AT&T
FOR THE PURPOSE OF PROVIDING REDUCED RATE
LANDLINE PHONE SERVICES AND FEATURES IN THE BASE
RATE AMOUNT OF \$27 PER LINE**

RESOLUTION NO. 2113-17

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A
MEMORANDUM OF UNDERSTANDING BETWEEN THE
MISSOURI DEPARTMENT OF NATURAL RESOURCES AND
THE CITY OF HANNIBAL REGARDING TRANSFER OF
RADIATION DETECTION EQUIPMENT**

CLOSED SESSION

In Accordance with RSMo. 610-021:

- *(1) – Litigation*

ADJOURNMENT



MEMORANDUM

TO: Mayor Hark and Members of the City Council

FROM: Angelica N. Zerbonia, MRCC
City Clerk

DATE: September 21, 2017

SUBJECT: Municipal Judge – Letters of Interest

Below are the two (2) interested parties who have submitted letters of interest for the Municipal Judge position, listed in the order received:

<i>Name</i>	<i>27 years of age</i>	<i>US Citizen</i>	<i>Registered Voter</i>	<i>Inhabitant City – 1 yr.</i>	<i>Licensed Attorney & MOBAR Member</i>	<i>City Taxes Paid</i>
Porter, Stephen	✓	✓	✓	✓	✓	✓
Bastian, Don	✓	✓	✓	✓	✓	✓

I have verified all interested parties meet the minimum, advertised qualifications of:

- At least 27 years of age
- Citizen of the United States
- Registered voter of the City of Hannibal
- Inhabitant of the City for at least one (1) year
- Licensed attorney and member of the Missouri Bar Association
- No City tax arrearage

The candidates have been advised they are to appear at the October 3rd Council meeting to participate in the interview process. Attached you will find the letter of interest submitted by each candidate.

Should you require additional information or I can be of further assistance in Municipal Judge selection process, please let me know. I will have the candidate questions available for you the evening of the October 3rd meeting, in hard copy format, at your respective seat.

STEPHEN RAY PORTER
Attorney at Law
P.O. Box 875
655 Clinic Road, Suite 201
Hannibal, Missouri, 63401-0875

Telephone: 573-221-8808
Facsimile: 573-221-8819
E-mail: stephenrayporter@gmail.com
Website: <http://www.stephenrayporterlaw.com>

September 14, 2017

Ms. Angelica Zerbonia
City Clerk
City Of Hannibal
320 Broadway
Hannibal, Missouri, 63401

RE: Request For Interest – Municipal Judge

Dear Ms. Zerbonia:

I am herein submitting my Letter Of Interest for the City Of Hannibal Municipal Judge position.

Enclosed please also find a copy of my Curriculum Vitae.

I am age 59. I have been a citizen of the United States for 59 years and a resident of the State Of Missouri for 49 years. I have been a resident of the City Of Hannibal since 1999. I have never had a city taxes arrearage.

Please telephone/text me at 573-629-5865 with any questions.

Thank you.

Sincerely,

By: 

Stephen Ray Porter

SRP/amp

Enclosure

9/14/17 - City taxes paid for personal @ 737 Cedar Creek
past 3 years
9/14/17 - NO Bar attached
AZ

STEPHEN RAY PORTER
P. O. Box 875
655 Clinic Road, Suite 201
Hannibal, Missouri, 63401

Telephone 573-221-8808
Cell phone 573-629-5865
Facsimile 573-221-8819
E-Mail stephenrayporter@gmail.com

September 14, 2017

EDUCATION:

B. S. E. English/Education, Hannibal – LaGrange College, 1985.

J. D. Law, University Of Tulsa, 1989.

Also attended: Truman University, University Of Missouri – Columbia, University Of Arizona- Tucson, William Jewell College.

PROFESSIONAL EXPERIENCE:

2004 – Present: Private practice of law, primarily criminal and traffic law and family law, office at Hannibal, Missouri.

2001 – 2004: Cary, Welch, Hickman, Walden & Porter, LLP, Hannibal, Missouri. Law Partner. primarily criminal and traffic law and family law.

1996 – 2001: Private practice of law, primarily criminal and traffic law and family law, office at Monroe City, Missouri.

1989 – 1996: Assistant City Attorney for the City Of Tulsa, Oklahoma. Served in the Criminal Division prosecuting ordinance violations in the Municipal Court Of The City Of Tulsa. Tried over 100 jury trials in 7 years.

1988 – 89: Legal Intern, City Attorney's Office, City Of Tulsa, Oklahoma. Assisted full – time Assistant City Attorneys in Contracts Division and Worker's Compensation Division and Civil Litigation Division and Criminal Division.

CAREER ACCOMPLISHMENTS:

1982 – 84: Alderman, 2nd Ward, City Of Monroe City, Missouri.

1984 – 86: Mayor, City Of Monroe City, Missouri.
Lifetime Teaching Certificate, English, Grades 7 – 12, State Of Missouri, 1985 – Present.

PROFESSIONAL MEMBERSHIPS:

10TH Judicial Circuit Bar Association
Missouri Bar Association
Missouri Association Of Criminal Defense Lawyers (MACDL)

REFERENCES:

Mr. Timothy R. Beard
Attorney – at – Law
510 West Highway 22
Centralia, Missouri, 65240
573-682-6868

Mr. Edward L. Campbell
Attorney – at – Law
1902 South Baltimore Street, Suite 400
Kirksville, Missouri, 63501
660-627-1241

Mr. John Jay Benson
Attorney – at – Law
111 South Baltimore Street
Kirksville, Missouri, 63501
660-627-0111

Additional References Upon Request

Porter, Stephen Ray

Bar Number: 47191

Date Admitted: 1/25/1996

Hannibal, MO 63401-3647 United States

Current Standing: Good Standing, Active

	Name	City	Zip	Status
Select	Porter, Stephen Ray	Hannibal	63401-3647	Active

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Paid for by The Missouri Bar Sebrina Barrett, Executive Director PO Box 119
 Jefferson City, MO 65102

LAW OFFICE
DONALD M. BASTIAN, P.C.

DONALD MCMASTER BASTIAN

306 CENTER STREET
P.O. BOX 1316
HANNIBAL, MISSOURI 63401

TELEPHONE 573-221-7099
FACSIMILE 573-328-6005

September 19, 2017

Angelica N. Zerbonia
City of Hannibal
Office of City Clerk
320 Broadway
Hannibal, MO 63401

Re: *Request for Interest* MUNICIPAL JUDGE

Dear Angel,

Thank you for emailing information regarding the Municipal Judge vacancy. I would be honored to participate in an interview with the City Council for consideration as Municipal Judge for the City of Hannibal.

I reside in the City of Hannibal and have been a registered voter in the City of Hannibal for the past twenty-six (26) years. I currently reside in the 1st Ward. Other requirements for the position are met as well, in that I am a citizen of the United States and of the State of Missouri, I am a licensed attorney and have been a member of the Missouri Bar for twenty-eight (28) years, and I am not in arrears for any City taxes.

I believe my legal experience, community involvement, and education make me uniquely qualified to fill the Municipal Judge vacancy. I was appointed as Municipal Judge early in my legal career due to the retirement of Judge Dennis Davidson. I ran unopposed for office at the conclusion of Judge Davidson's term and served as Municipal Judge for the City of Hannibal from 1994 to 1997. Then, in 1997, I was recruited by the Marion County Prosecutor's Office to serve a full-time position as the Assistant Prosecuting Attorney for Marion County where I prosecuted hundreds of misdemeanor and felony cases in the local court system. Since leaving the Prosecutor's Office I have represented hundreds of clients in criminal and civil matters in both the Municipal and State court systems. The experience of having previously served as Municipal Judge, prosecuting attorney, and in later defending clients in the same court system has given me a unique perspective that can only be obtained by having served as judge, prosecutor, and defense attorney.

Please note that I have been serving as a member of the Hannibal Planning and Zoning Commission for the past thirteen (13) years and have served as its Chairman since 2010. This appears to be a potential conflict of interest that may require replacement of my position on P&Z if appointed as Municipal Judge.

In addition to serving as the Planning and Zoning Chairman, my community involvement has included service on the Hannibal Airport Commission, Hannibal Arts Council, Hannibal

9/19/17. MODAR - attached to
9/19/17 - taxes pd. gny

rd 9/19/17 - 11:22AM

Chamber of Commerce, Hannibal-LaGrange University (adjunct faculty member), Hannibal Lions Club, Northeast Missouri Community Foundation, and the Northeast Missouri Economic Development Council. I have also served on the Board of Directors of MCM Savings Bank and now serve on the Board of Directors of F&M Bank and Trust Company, where I am Chairman of the Board.

I am interested in serving as Municipal Judge because it fits with my interest of serving the community in a manner not otherwise available and would allow me to apply my legal and professional experience to administer fair and just rulings. When I served as Municipal Judge years ago each case was given individual attention and the various defendants, often younger citizens of Hannibal, were given the respect and attention appropriate for a court room environment. I would continue to apply this manner of judicial professionalism in the Hannibal Municipal Court if appointed as Municipal Judge and I respectfully request an opportunity to interview for said position.

Sincerely,

DONALD M. BASTIAN, P.C.

By: 
Donald M. Bastian

DMB/ley

LAW OFFICE
DONALD M. BASTIAN, P.C.

306 CENTER STREET
P.O. BOX 1316
HANNIBAL, MISSOURI 63401

DONALD MCMASTER BASTIAN

TELEPHONE 573-221-7099
FACSIMILE 573-248-3224

RESUME OF DONALD M. BASTIAN

EDUCATION:

University of Missouri, Columbia, MO
Juris Doctor, May 1989

University of Missouri, Columbia, MO
Master of Business Administration, December 1985
Concentration: Finance

Westminster College, Fulton, MO
Bachelor of Arts, May 1982
Dual Majors: Accounting and Computer Science

Hannibal Senior High School
Graduated, May 1978

PROFESSIONAL EMPLOYMENT:

Law office of Donald M. Bastian, P.C.
Attorney at Law (July 1998 to present)
Hannibal, Missouri
General Practice, including Wills, Trusts and Estate Planning,
Financial & Corporate Matters, Civil and Criminal matters, and Real Estate

F & M Bank and Trust Company, Hannibal, Missouri
Chairman of the Board (October 2011 to present)
Member of Board of Directors (2003 to present)

Mark Twain Title Company
President (August 1998 to present)
Palmyra, Missouri and Hannibal, Missouri

Marion County, Missouri
Assistant Prosecuting Attorney (1997 to 1998)

City of Hannibal, Missouri
Municipal Judge (1994 to 1997)

Law office of Rendlen, Rendlen & Bastian, PC
Attorney at Law (1989 to 1997)
Partner (1992 to 1997)
Hannibal, Missouri

Texas Eastern Corporation
Houston, Texas
Certified Public Accountant (1982 to 1984)

MEMBERSHIPS AND AFFILIATIONS:

Active Memberships, Affiliations, and Offices held:

City of Hannibal Planning and Zoning Commission
Commissioner (2004 to present)
Chairman (2010 to present)

First Presbyterian Church of Hannibal, MO
Member (1969 to present)
Chairman of Finance Committee (2011 to present)
Governing Board (2011-2015)

Hannibal Boat Club
Member (2009 to present)
Secretary (2011-2012)

Missouri Bar
Member (1989 to present)

Missouri Department of Insurance
Title Insurance Agent (1998 to present)

Missouri Tenth Judicial Circuit Bar Association
Member (1989 to present)
President (2016)
Secretary/Treasurer (1989)

United States District Court, Eastern District of Missouri
Admitted (1990 to present)

Prior Memberships, Affiliations, and Offices held:

American Association of Attorney-Certified Public Accountants
Member (1991 to 1997)

American Bankruptcy Institute
Member (1994 to 1997)

Hannibal Airport Commission
Commissioner (1992 to 1994)
Secretary/Treasurer (1993 to 1994)

Hannibal Arts Council
Member of Board of Directors (1991 to 1993)
Member of Advisory Board (1993 to 1996)

Hannibal Chamber of Commerce
Member of Board of Directors (1994 to 1998)

Hannibal-LaGrange University
Adjunct faculty member/instructor of business law (1999 to 2001)

Hannibal Lions Club
Member (1993 to 2011)
President (2000-2001)
Member of Board of Directors (1993 to 2002)

Kappa Alpha Order
Member (1978 to 1982)
Officer No. III (1981-1982)
Alpha Eta Chapter
Westminster College

Missouri State Board of Public Accountancy (1991)

Northeast Missouri Community Foundation

Founding Member (2000)
Member of Board of Directors (2000 to 2007)

Northeast Missouri Economic Development Council

Member of Board of Directors (1995 to 2005)
President (1997 to 2002)
Vice-President (1996 to 1997)
Treasurer (2002 to 2005)

Northeast Missouri Real Estate School

Instructor (1990)

Phi Delta Phi International Legal Honor Society, University of Missouri

Member (1986 to 1989)
Vice-President (1988 to 1989)
Treasurer (1987 to 1988)

Texas State Board of Public Accountancy (1985)

Certified Public Accountant

Bastian, Donald McMaster

Bar Number: 36580

Date Admitted: 10/13/1989

Hannibal, MO 63401-1316

Current Standing: Good Standing, Active

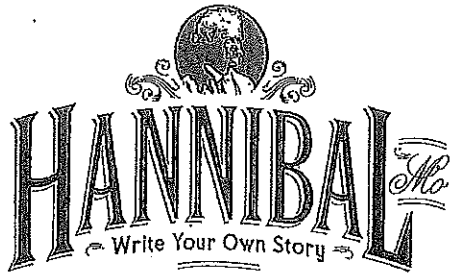
	Name	City	Zip	Status
Select	Bastian, Donald McMaster	Hannibal	63401-1316	Active

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Paid for by The Missouri Bar Sebrina Barrett, Executive Director PO Box 119
 Jefferson City, MO 65102



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: 9-18-17 Date you wish to be placed on Agenda: 10-3-17

Your Organization: Hannibal Jaycees Special Event: Halloween Parade

Date(s) of Event: 10-28-17 Requested Times (from -- to) 18:00 - 20:00 (6pm - 8pm)

Description of Activity: Halloween Parade same route & closures as other Jaycee Parades (4th of July & Christmas) Taking over event from Marion County Health Dept.

Primary Contact Person(s): Darrell McCoy Home Phone: _____

Work Phone: _____ Cell Phone: 573-231-6484 E-mail darrellmccoy1@gmail.com

Assistance Needed (location, etc.) use of Broadway - Normal street closures as associated with other Jaycee Parades. Grand Ave - Main St. North Main to North street

DEPARTMENTAL COMMENTS:

Police: 6 officers Dept. Cost \$42000

Fire: No problem Dept. Cost _____

M McFarlane

Public Works: No comments Dept. Cost _____

B Chaplin

Building Inspector: No comment Dept. Cost _____

J Burnham

Parks: No objections Dept. Cost _____

J Rosenkranz

Street: Will assist with street closure Dept. Cost _____

B Chaplin

Tourism: No comments

Dept. Cost _____

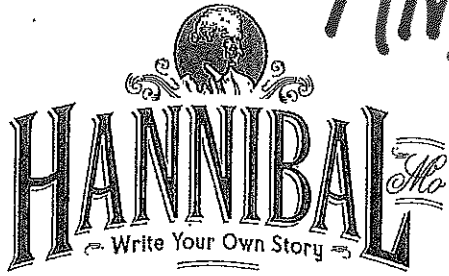
G Bryant

Administration: No concerns

Dept. Cost _____

J LaGarce

STAFF RECOMMENDS: Approval upon certificate of insurance on file



Amended Request

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: 9/25/17 Date you wish to be placed on Agenda: Oct 3, 2017

Your Organization: HHMC Special Event: Main St. Trick or Treat

Date(s) of Event: Tues Oct 31 2017 Requested Times (from - to) Road Closure 3:00 - 9pm

Description of Activity: trick or treating & kid friendly event on Main St event is from 5-8:30

Primary Contact Person(s): Joseph Bogue Home Phone: 314-718-4718

Work Phone: 573-221-5511 Cell Phone: same E-mail jodybogue@gmail.com

Assistance Needed (location, etc.) We would like to ammend approved street closure to include extension of closures up to alleys at Bird St and Center St for safety concerns.

DEPARTMENTAL COMMENTS: (original request all of Main Street)

Police: No cost to APD Dept. Cost _____

G Rowley

Fire: No problem Dept. Cost _____

M McFarland

Public Works: No comments Dept. Cost _____

B Chaplin

Building Inspector: No comment Dept. Cost _____

J Burnham

Parks: No conflicts Dept. Cost _____

J Rosenkrantz

Street: No comments Dept. Cost _____

B Chaplin

Tourism:

No Comment

Dept. Cost

G Bryant

Administration:

No concerns

Dept. Cost

J LaGarce

STAFF RECOMMENDS:

approval

Angelica N. Terhune, Clerk

City Clerk



MEMORANDUM

TO: MAYOR HARK & COUNCIL MEMBERS

FROM: ANGELICA N. ZERBONIA, MRCC
City Clerk

DATE: SEPTEMBER 28, 2017

SUBJECT: AT&T LANDLINE PHONE SERVICES & FEATURES

The existing AT&T *Business Local Calling* service plan has expired and upon negotiations, they have offered the City of Hannibal the continuation of services with the Business Local Calling Service plan, which provides for reduced landline phone services and features.

This service plan, *Option B*, as outline in the attached, will provide a thirty six (36) month term for thirty three (33) landline services in the amount of \$27 per line, base rate. With the expiration of the current agreement, we have seen fees rise to \$75 per line, therefore the negotiations were necessary.

Prior to the expiration of the current agreement the City paid \$28 per line for a twenty four (24) month agreement, thus a minimum savings of \$33 per month.

AT&T has been proven to be the provider to best suit the City's needs and also is a Missouri State Prime Vendor; therefore the bidding process is not necessary.

Consideration and approval of this service plan is appreciated.



Hannibal Fire Department

Office of Deputy Fire Chief Mike Benjamin

2333 Palmyra Road • Hannibal, MO 63401

Phone: 573 221-0657 • Fax: 573 221-2431 • E-Mail: mbenjamin@hannibalfire.com

MEMORANDUM

Date: September 21, 2017

To: Mayor and City Council

From: Mike Benjamin, Deputy Chief

Subject: Agreement with MoDNR

CC: Jeff LaGarce, City Manager

This memo is in reference to the City of Hannibal entering into a Memorandum of Agreement with Missouri Department of Natural Resources regarding the transfer of radiation detection equipment to the City of Hannibal Fire Department.

The Hannibal Fire Department took part in a radiation detection class that the MoDNR was hosting in Hannibal last August. In attending the training, MoDNR will purchase radiation detection equipment for the Hannibal Fire Department. They will hold future training for the department as well as maintain and calibrate the equipment for five years. After this period, the Hannibal Fire Department and the City of Hannibal would take ownership of the detectors.

This is a great program that initially only cost a few hours of training for our department and in return we get some very valuable radiation detection equipment. This will help serve and protect the community should we ever have a radiological emergency in the future.

I recommend the Mayor sign the agreement and forward to Robert LeRoy, Missouri Department of Natural Resources, HWP, Federal facilities Section at the address of P.O. Box 176, Jefferson City, MO 65102. Mr. LeRoy can be reached at 573-751-3907 for additional information.