

# OFFICIAL COUNCIL MINUTES

March 2, 2004  
7:00 P.M.

## ROLL CALL

**Present:** Council Members Knickerbocker, Janes, Wilson, Mayor Hark, Council Members Dexheimer, Hatton and Hull – 7

**Absent:** -0-

## CALL TO ORDER

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

## INVOCATION

City Attorney Robert Curtis gave the invocation.

## PLEDGE OF ALLEGIANCE

Council Member Janes led the Pledge of Allegiance to the Flag.

## APPROVAL OF MINUTES Regular Meeting of February 17, 2004

Motion was made by Council Member Wilson to approve the minutes of the February 17, 2004 Council Meeting. Motion was seconded by Council Member Janes.

Motion carried.

## APPROVAL OF PAYROLL AND CLAIMS Last Half of February, 2004

Motion was made by Council Member Wilson to approve the payroll and claims for the last half of February, 2004. Motion was seconded by Mayor Hark.

Motion carried.

**ANDREW MORRIS – CITY MANAGER**  
**Re: City Manager’s Report**  
**Approval of Nominations for Boards and Commissions**

Mr. Morris brought his nominations before Council for approval. These had been presented at the last meeting for Council to consider. These nominations were:

**AFFIRMATIVE ACTION COMMITTEE**

John M. Hark                      3 year term to end March, 2007

**LANDMARKS AND MONUMENT BOARD**

James M. Mitchell      3 year term to end December, 2006  
Jim Dewey                      3 year term to end December, 2006

Council Member Wilson made motion to approve these nominations. Council Member Janes seconded the motion.

Motion carried.

**ROY HARK – MAYOR**  
**Re: Approval of Nominations to Committee for Historic District Set Back Ordinances**

Mayor Hark presented nominations for Council approval as follows:

**HISTORIC DISTRICT SET BACK ORDINANCE COMMITTEE**

Candace Klemann                      Vicki Lewis  
John Lyng                                      Henry Sweets  
Council Member Knickerbocker      Council Member Hatton

Motion was made by Council Member Hull to approve these nominations. Mayor Hark seconded the motion.

Motion carried.

**JIM BURNS – CITY ENGINEER**  
**Re: Traffic Committee Recommendations**

Jim Burns, City Engineer, presented Council with a recommendation from the recent Traffic Committee meeting. The Committee recommended changing the name of Grand Avenue where it intersects Mark Twain Avenue. The sign now reads Hazel Street; however, because of the reconstruction of Grand Avenue at that end, Grand Avenue comes through and Hazel stops where it intersects with Grand Avenue. This will stand

unless Council takes action and since no action was taken, the recommendation was approved.

At this point, Council Member Knickerbocker asked to speak. Mayor Hark made motion to add Council Member Knickerbocker to the agenda. Council Member Dexheimer seconded the motion.

Motion carried.

### **KEVIN KNICKERBOCKER – FIRST WARD COUNCIL MEMBER**

Mr. Knickerbocker spoke concerning the trash issue at hand. The problem, according to Knickerbocker, is with citizens in the City failing to follow the ordinance, which concerns contracting with a hauler for the pickup of trash. Mr. Knickerbocker reminded the public of the lengthy discussion concerning this issue at the previous Council Meeting. He assured the audience that the City was not interested in going to a single hauler system or in any way putting companies out of business, as was stated at that meeting. He addressed the misinformation and false information provided to the public since that meeting.

### **RACHEL CAMPBELL – BIG RIVER DISPOSAL**

Ms. Campbell stated that she represented the waste haulers and citizens of Hannibal who oppose the resolution to be presented, concerning trash collection. She began by stating that everyone has a common goal, which is for each citizen in Hannibal to have waste collection and to see that illegal dumping and littering be minimized. Ms. Campbell complained that the original resolution provided “no protection for the small business” haulers. She added that discussions on the issue should occur before, rather than after, Council passes any resolution of intended change. After a lengthy monologue and submission of a petition containing approximately 1000 signatures, Campbell requested that Council vote against the passage of this resolution.

Various questions were presented to Ms. Campbell, regarding her stand on the issue at hand. Council Member Knickerbocker reiterated that it was not the intention of Council to put anyone out of business or to take over the business of solid waste hauling. The resolution was only designed to give required notice of the City’s intention to alter or change waste collection services in Hannibal. It would also limit the authority of the City, whereas they could NOT establish a single hauler trash system and all current haulers could continue to do business within the City, unless an additional notice is given.

City Manager Morris read the wording in an amended resolution in which the language stating the City was entering into the waste hauling business was omitted.

A large problem is that the City doesn't know who pays for garbage pickup. This is an ongoing problem since updated lists from various trash haulers have not been provided. Committees in the past have failed to make necessary changes; therefore, the resolution would only put the authority of Council behind these possible changes, according to Council Member Knickerbocker.

Counselor Bob Curtis suggested that there was a chance this resolution would not serve as the two year notice to haulers as intended, since these changes were not spelled out and the amended resolution was so vague. Mr. Curtis did, however, clarify that nothing could be changed without first giving a two-year notice of the intent to change. Council Member Hull stated that, it was his understanding this was what was being done with the resolution at hand. A lengthy discussion ensued.

**NAN POAGE-PRATER – PRESIDENT OF RAW**  
**(Ralls Countians Against Waste)**  
**Re: Trash Issue**

This organization, according to Ms. Poage-Prater, encourages rural trash pickup and recycling. One of their primary goals is to reduce illegal dumping in rural areas. She stated that RAW supports the development of city-wide trash pickup in Hannibal because they believe that this change would not only benefit Hannibal, Marion and Ralls Counties, but would also be a positive step toward responsible trash management for the entire region.

**JOE CAMPBELL – HAUL-A-WAY COMPANY**  
**Re: Trash Issue**

Mr. Campbell stated that he was prepared to speak against the original resolution. He stated that the resolution appeared to be intended to put the trash collection companies out of business. It was Campbell's understanding that the City doesn't have to give a two-year notice unless they intend to put the trash haulers out of business. (It was mentioned that Mr. Campbell's business was one that had consistently cooperated by providing a list of customers.) Campbell continued, that free enterprise is not always and only about efficiency, it's also about service and choice. He concluded by saying trash haulers could make necessary changes without going into a contract with the City.

City Building Inspector, John Wealer was called to the podium at this time. A meeting was held 3 ½ or 4 years ago. At this time haulers were asked to submit lists of customers. These lists were submitted at that time and it was requested that these lists be kept up with new customers added and inactive ones deleted. This continued for a time, but eventually the haulers quit providing these updates.

The possibility of making the lists a requirement of retaining the haulers license was suggested. If this were done, Curtis stated that he did not think this would be construed

as “entering into the business” by the City; however, there was also a question of enforceability. Mr. Wealer estimated that, out of 6,500 households within the City of Hannibal, 8-10% don’t have trash pickup this is approximately 650 homes. Wealer concluded by stating that approximately 2,400 letters are sent out each year. In the last three years about 294 cases have been prosecuted in court. Unfortunately the fine for these offenses is generally \$10.00. Many times, these cases are dismissed with only court costs being paid.

**MARY HOPKE – ENVIRONMENTAL SPECIALIST WITH DNR  
Re: Trash Issue**

Ms. Hopke is an environmental specialist with DNR and has spent the last nine involved with solid waste in and around the Marion/Ralls County area. The foremost problem that concerns the Department is the illegal dumping, not only within the City but in the surrounding areas. She approximated 90% of this dumping is being done by Hannibal residents who do not subscribe to trash hauling service. This is a big deal for the Department who has had a 65% reduction in their budget and also a big deal for the County residents. Hannibal, along with every other city in the State submitted a solid waste plan to the Department several years ago. The plans were approved; however, the provision of the law states that any time a city does not have a sound waste plan in place or the current plan is failing, DNR has the right to revoke that plan. Ms. Hopke said that the Department would like very much to see some type of resolution worked out and they fully support the direction the City of Hannibal is now heading in.

Hopke asked Ms. Irene Crawford, the attorney for DNR, to add her opinion concerning the notice required by law. Knickerbocker asked if the City would be entering into the business if they mandated something the haulers had to do or if they required anything from the haulers. If you were going to make changes in requirements, she thought you would not be considered “in the business”.

**JULIE ROLSEN – OWNER, GARTH WOODSIDE MANSION  
Re: Trash Issue**

Julie Rolsen told Council she was tired of having to explain to visitors why the community looks so “trashy”. She added that she felt a system could be worked out that would benefit the City, allow residents to keep the hauler of their choice and provide economic benefits to haulers. This would be a “win-win” situation, according to Rolsen.

**RESOLUTION 1109**

**A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, PROVIDING NOTICE REQUIRED BY SECTION 260-247 OF THE REVISED STATUTES OF MISSOURI THAT AFTER MARCH 2006, THE CITY INTENDS TO ENTER**

**INTO THE BUSINESS OF SOLID WASTE COLLECTION IN A MANNER TO  
BE DETERMINED BY COUNCIL**

Council Member Hull made motion to have the Clerk read Resolution 1109 and call the roll for adoption. Council Member Knickerbocker seconded the motion.

**Roll Call**

**Yes:** Council Members Hull and Knickerbocker – 2

**No:** Council Members Janes, Wilson, Mayor Hark, Council Members Dexheimer and Hatton – 5

Motion failed.

**RESOLUTION 1110**

**A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, APPROVING AN  
INTERNET DOMAIN NAME SALES AGREEMENT WITH BRIAN CALDWELL  
AND AUTHORIZING THE MAYOR TO SIGN THE SAME**

Motion was made by Council Member Janes to have the Clerk read Resolution 1110 and call the roll for adoption. Mayor Hark seconded the motion.

Motion carried.

**Roll Call**

**Yes:** Council Members Knickerbocker, Janes, Wilson, Mayor Hark, Council Members Dexheimer, Hatton and Hull – 7

**No:** -0-

Mayor Hark declared Resolution 1110 duly approved and adopted as of this date.

**RESOLUTION 1111**

**A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING  
THE MAYOR TO SIGN A CONTRACT AGREEMENT WITH BLEIGH  
CONSTRUCTION COMPANY FOR THE CONSTRUCTION OF THE  
RIVERFRONT TRAILHEAD MARK TWAIN AREA RESTORATION PROJECT  
– PHASE 5, PART 1**

Motion was made by Council Member Janes to have the Clerk read Resolution 1111 and call the roll for adoption. Council Member Wilson seconded the motion.

Motion carried.

**Roll Call**

**Yes:** Council Members Knickerbocker, Janes, Wilson, Mayor Hark, Council Members Dexheimer, Hatton and Hull – 7

**No:** -0-

Mayor Hark declared Resolution 1111 duly approved and adopted as of this date.

**RESOLUTION 1112**

**A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING THE MAYOR TO SIGN A MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION STATE BLOCK GRANT AGREEMENT FOR THE PURPOSE OF TREE CLEARING, UPDATE OF ALP AND DESIGN OF T-HANGER TAXIWAYS AT THE HANNIBAL MUNICIPAL AIRPORT**

Motion was made by Council Member Dexheimer to have the Clerk read Resolution 1112 and call the roll for adoption. Mayor Hark seconded the motion.

Motion carried.

**Roll Call**

**Yes:** Council Members Knickerbocker, Janes, Wilson, Mayor Hark, Council Members Dexheimer, Hatton and Hull – 7

**No:** -0-

Mayor Hark declared Resolution 1112 duly approved and adopted as of this date.

**RESOLUTION 1113**

**A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT WITH MECO ENGINEERING CO., INC. FOR ADDITIONAL ENGINEERING SERVICES FOR THE MARK TWAIN HISTORICAL AREA RESTORATION PROJECT, PHASE 5, PART 1, FOR THE RIVERFRONT TRAILHEAD PEDESTRIAN AND BICYCLE FACILITY**

Motion was made by Council Member Wilson to have the Clerk read Resolution 1113 and call the roll for adoption. Mayor Hark seconded the motion.

Motion carried.

**Roll Call**

**Yes:** Council Members Knickerbocker, Janes, Wilson, Mayor Hark, Council Members Dexheimer, Hatton and Hull – 7

**No:** -0-

Mayor Hark declared Resolution 1113 duly approved and adopted as of this date.

**ADJOURNMENT**

Council Member Dexheimer made motion to adjourn. Council Member Janes seconded the motion.

Motion carried.