

# OFFICIAL COUNCIL PROCEEDINGS

January 17, 2012  
7:00 p.m.

## ROLL CALL

**Present:** Council Members Hark, Draper, Mayor Pro Tem Knickerbocker,  
Council Members Dobson, Barta, Mayor Hark and Council Member  
Louderman – 7

**Absent:** -0-

## CALL TO ORDER

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

## INVOCATION

Council Member Draper gave the invocation.

## PLEDGE OF ALLEGIANCE

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

## APPROVAL OF MINUTES

### Regularly Scheduled Council Meeting – January 3, 2012

Motion was made by Council Member Draper to approve the minutes of the last regular Council meeting that was held on January 3, 2012. Motion was seconded by Council Member Hark.

Motion carried.

## APPROVAL OF PAYROLL AND CLAIMS

### First Half – January, 2012

Motion was made by Council Member Dobson to approve the payroll and claims for the first half of January, 2012. Motion was seconded by Council Member Barta.

Motion carried.

**LOU BARTA – 3<sup>RD</sup> WARD COUNCIL MEMBER**

**Re: Bicentennial Commission Formation**

*(Resolution No. 1788-12, to follow)*

Third Ward Council Member Lou Barta presented the next item on the agenda, Resolution No. 1788-12, designed to form the Bicentennial Commission. Barta explained that in seven years, 2019, Hannibal will reach a milestone, the bicentennial of its founding, in 1819. He continued by proposing the creation of The Hannibal Bicentennial Celebration Commission, by resolution, because, in Barta's words, "Milestones of this nature deserve to be celebrated!"

Barta said that the "Commission" would be charged with the planning of a bicentennial event that would allow an opportunity to celebrate/commemorate the City's history, culture and people; and, if approved, would be co-chaired by the Visitor's Bureau Director, as well as, a member of Council. Barta agreed, at this time, to co-chair the commission, adding that, beside the co-chairmen, the commission would include:

- A rotation of two additional Council Members
- A variety of individuals with diverse backgrounds who have knowledge of Hannibal's history (such as library staff, museum staff, local history experts, high school teachers, and industry-specific people, like retired railroad employees, etc.)
- People from other entities and/or service clubs
- City staff members who might be available for various planning aspects

To begin this process, Barta proposed holding two or three public hearings at a school or a similar location to gather and discuss various ideas. He also advised those in attendance of the proposed location of the event, the future grounds of the Southside Ball Field, a sizeable piece of property that is centrally located. Proposed dates would be over the Labor Day Weekend, with possible attractions including a giant midway, circus, steam locomotives, games for children and adults, old-fashioned baseball games, concerts and other events at Clemens Field, such as live performances by the Hannibal Community Theater, memorabilia booths at the Admiral Coontz Armory and hot air balloon lift-offs. Tying in time, in history, he added the possibility of poetry and writing contests, antique agricultural exhibits, and/or vocal impersonation contest and contacting the Lear Jet Corporation to attempt to secure a visit or fly-over. Barta commented that these were only a few ideas that would be researched and said that he hoped there would be much more ideas and input discussed during the upcoming meetings, if Resolution 1788-12 was approved.

(Mayor Hark revised the Agenda, calling City Manager Jeff LaGarce to make his presentations prior to Police Chief Lyndell Davis.)

**JEFF LAGARCE – CITY MANAGER**  
**Re: Emergency Management Coordinator – Amendment**

*John S. Hark*  
(Resolution No. 1789-12, to follow)

City Manager LaGarce explained that it was necessary to present Resolution No. 1789-12, to follow, regarding approval of the contract with John Hark, the Emergency Management Coordinator, since he was also scheduled to attend a Regional Meeting following this presentation.

LaGarce explained that Hark had recently submitted a letter requesting an extension of his three-year agreement to serve in his current capacity as the Emergency Management Coordinator for the City of Hannibal, since the previous agreement has expired. He added that he would like to employ Hark, who has considerably advanced the City's cumulative emergency preparation plans. He said that emergency management and preparedness require a long-term outlook and Hark had coordinated and handled the numerous disaster declarations encountered in recent years, doing a fine job.

LaGarce advised that all terms and compensation are unchanged in the proposed new agreement and recommended approval of Resolution No. 1789-12, to follow, authorizing the Mayor Pro Tem to execute this agreement with John S. Hark in the amount of \$28,800, annually, to serve as Hannibal's Emergency Management Coordinator.

**LYNDELL DAVIS – CHIEF OF POLICE**  
**Re: 2011 Statistics**

After these statistics had been recently presented to him, City Manager LaGarce had made the request for Police Chief Lyndell Davis to come before Council to present the 2011 Statistics on crime, accident, animal control and calls for service data. He made a Power Point presentation and highlighted the following areas:

➤ **Violent Crime & Peace Disturbances (Percentage based upon comparative year)**

1. Assault/Attempted Murder – decreased 67%
2. Assault with a weapon – decreased 59%
3. Domestic violence, fist fights, etc. – decreased 49%
4. Peace disturbance – decreased 39%
5. Homicide – decreased 100%
6. Robbery – decreased 60% (The enforceable rate is down, as well.)
7. Forcible Rape – decreased 38%

Contrary to what the media reports robberies in the City are continuously decreasing, according to the Chief.

➤ **Burglaries & Thefts (Percentages based upon comparative year)**

1. Burglaries – decreased 20%
2. Felony Theft – decreased 22%
3. Misdemeanor Thefts – decreased 41%
4. Identity Thefts – decreased 8%

He added that a major driving force regarding crime in the community is drug use/sales.

➤ **Property Damage, Tampering (Percentages based upon comparative year)**

1. Property Damage – decreased 30%
2. Tampering – decreased 31%

Chief Davis explained that tampering encompasses a wide range of offenses, from stealing cars to stealing services.

➤ **Traffic Related (Percentages based upon comparative year)**

1. Traffic Accidents – decreased 23%
2. Red-Light Camera at Intersection US61 & Highway 168 – decreased 86%
3. Red-Light Camera at Intersection US61 & West Ely Rd. – decreased 53%
4. Red-Light Camera at Intersection US61 & Market St. – decreased 50%

Since the Red-Light Camera had not installed at the intersection of US61 & Highway MM until recently, there was no data available.

➤ **Calls for Services (Percentages based upon comparative year)**

*(Everything that a Police Officer deals with, which includes custodial arrests, execution of search warrants, follow-up investigations, traffic stops, serving of arrest warrants and numerous other duties. It does NOT include Red-Light camera enforcement, Municipal Court work program supervision, other court duties such as bailiff security and transportation of prisoner for court, DARE classes, public information/education classes, parade duty, etc.)*

1. Calls for Service – increased 52% (Despite a reduction in staff from 40 Officers to 37 Officers.)

➤ **Animal Control**

622 Citations issued in 2011. Violations included:

1. Animal abuse – 19 citations
2. Animal neglect – 55 citations
3. Animal prohibited – 2 citations
4. Barking dogs – 2 citations
5. Cruelty to animals – 6 citations
6. Dogs at large – 128 citations
7. Failure to vaccinate – 202 citations
8. Failure to license – 208 citations

Only One dangerous dog declaration was issued in 2011, according to the Chief.

Chief Davis went on to report that in 2011, there were:

1. 659 dogs were seized – of those 111 were pit bulls and 55 were neglected animals
2. 287 cats were seized – of those 5 were neglected animals
3. 16 other animals were seized – including birds, ducks, goats, rabbits and snakes
4. 369 animals surrendered – 170 dogs (30 pit bulls) and 199 cats

He explained that, in 2011, the department received a total of 2,512 animal control calls.

➤ **Prisoner Work Program**

Of the 100 participants in the prisoner work program in 2011:

1. 55 graduated
2. 13 still active in program
3. 12 in pay plan (decided to pay the fine)
4. 20 opted for jail time

This program resulted in 5,275.5 total work hours for the City, according to Davis. During this time only two injuries were reported. One participant fell in a hole, twisting his ankle. This individual refused treatment. The second participant was stung by a bee and taken to Hannibal Regional Hospital for treatment.

Davis stressed that much of the public's opinion regarding the reduction crime is their perception of the world, since they view crime in relation to their personal experiences; however, statistically, crime has improved and the community is much safer than it has been in the past decade. Davis added that, earlier in the day, a release to the media had been issued regarding recent thefts from vehicles in the community. He explained that, in each case, the vehicle was unlocked.

In response to a question regarding comparison of Hannibal to the rest of the world, Davis explained that comparing Hannibal to a large metropolitan area, it was like comparing apples to oranges; and in comparison to Kirksville, MO, again it was like comparing apples to oranges, because of Hannibal's transient commerce. "[Hannibal]", he explained, "is intersected by two major highways. Those two major highways...bring very positive commerce; but, they also bring in criminal commerce."

**JEFF LAGARCE – CITY MANAGER**

**Re: Commercial Property Appraisal, 1107 Carr Street – Standard Form of Agreement**

*Rubison Appraisal*

*(Resolution No. 1787-12, to follow)*

City Manager LaGarce explained that bids had recently been let for a commercial property appraisal of 1107 Carr Street. He added that Requests for Proposals (RFPs) were issued to seven (7) firms; however, only one was returned. This proposal was from Rubison Appraisal Services in

the amount of \$1,599.00. Rubison Appraisal Services meets all criterion, and the CDBG office has approved this “sole bidder”, which is always required in this circumstance.

LaGarce said that staff recommends the approval/adoption of Resolution No. 1787-12, to follow, that would authorize the Mayor to execute this contract with Rubison Appraisal Services.

**ANGELICA N. VANCE – CITY CLERK**

**Re: Police & Fire Retirement 2011/12 Actuarial Funding Status and 2012/13 Fiscal Year Recommended Employer Contributions**

City Clerk Angelica Vance presented the next item on the agenda, a recommendation from the 2011-12 Actuarial Valuation. She explained that it is the actuarial recommendation that the Police and Fire Retirement Plan-EmployER contribution remain at 24.6% for the 2012-13 fiscal year. Vance commented that 2012 would be the first year in a very long time that the contribution percentage was not increasing.

She stated that for the first time since 2007, the plan had seen an increase in the funding status – from 39.8% in 2010 to 48.1% in 2011; and, added that even though the plan is still not considered to be in “Safe Mode”, it is a step in the right direction. (80% would be a good fund ratio; which, according to the actuary, would be reached by the plan in 8 – 10 years.)

The P&F Board, with the City’s cooperation, should be commended, according to Vance, since the increase can be partially attributed to the strict fiduciary actions taken over the past several years. Those actions, recapped, include:

- Members hired after July 1, 2005 are not eligible to receive a refund of contributions upon retirement
- Members hired after July 1, 2007 attain normal retirement age at 55 versus 25 years of service
- Employee contributions were increased from 9.5% to 12% of gross pay, last year.

She concluded by saying that the information was being provided as set forth in the Hannibal City Code, Section 21-74. Annual Report of Condition of Funds, and assured Council that the Board continues to explore additional measures to assist in rectifying the funding status of the P&F Retirement Fund.

**MARK REES – CITY ENGINEER**

**Re: Bear Creek Sediment Removal, Phase II – Contract Agreement**

*Bill Sullivan Excavating*

*(Resolution No. 1786-12, to follow)*

City Engineer Mark Rees presented the next agenda item, Resolution No. 1786-12 regarding a contract agreement with Bill Sullivan Excavating for the Bear Creek Sediment Removal Project, Phase II. Rees explained that a request for bids was advertised; and, as a result, four bids were received. The apparent low bid was submitted by Sullivan in the amount of \$29,600 for the sediment removal from creek structures in six different locations.

Rees added the only \$26,000 was budgeted; therefore, his recommendation was to delete one of the six sites, for a \$4,000 reduction, thus bringing the project within the budgeted amount. The total of the amended agreement would be \$25,600, if approved.

Rees requested Council adoption and approval of Resolution No. 1786-12, to follow, that would approve the agreement with Bill Sullivan Excavating to complete Phase II of the Bear Creek Sediment Removal Project.

**Re: Landfill Leachate Management Plan – Engineering/Architectural Services Agreement**  
*Poepping, Stone, Bach & Associates*  
*(Resolution No. 1790-12, to follow)*

Rees' second item on the agenda regarded an engineering/architectural services agreement with Poepping, Stone, Bach & Associates for the landfill leachate management plan. He explained that DPW had recently been working with the Department of Natural Resources who had required that the City update this plan.

City Engineer Rees said that in November, a letter had been received from DNR regarding a fine that had been imposed on the City, in which the original amount of the fine had been reduced from \$17,600 to \$10,000. It included a number of options to reduce amount of the fine to \$1,500. These included:

- Soil testing – suspension of fine by \$500
- Construction of gravel road to leachate ponds – suspension of fine by \$3,000
- Revision of leachate management plan – suspension of fine by \$1,000 (Required)
- Repair of erosion on the east leachate pond – suspension of fine by \$3,000
- Construction of erosion controls on the east leachate pond – suspension of fine by \$1,000

Rees believed that the City would get value from this undertaking, since DPW would be able to focus and coordinate with DNR. He was hopeful that they would be happy with the City's efforts; and added that the upgrade would help him to manage the City's closed landfill.

**ROBERT STEVENSON – BPW GENERAL MANAGER**  
**Re: 2012 Municipal Election – Proposition 3**  
*BPW Meeting Locations*  
*(Bill No. 12-003, to follow – Emergency Reading)*

BPW General Manager Robert Stevenson requested Council approval of an emergency reading for Bill No. 12-003, to follow, regarding a proposed ballot issue. If approved, Council would give an emergency reading of this bill, designed to place Proposition 3 on the April 2012 Municipal Election. He noted that the reason for requesting the emergency reading was to meet the deadline of January, 2012 for placing this on the April 2012 ballot.

Proposition 3, if passed, would modify the City Charter in a way that would allow the Board to meet in other public buildings in addition to City Hall. Stevenson added that this modification would allow them to accommodate large crowds or have access to newer communication technologies, such as web-based video training or multi-party conference calls.

He explained that, currently, the Board is operating in a “shady area of Charter language with respect to where [the Board] has been meeting for the past year”. It was recently brought to their attention, that the latest version of the City Charter is very clear in stating City Hall as the acceptable place of meeting. The Board was violating the City Charter by meeting at the BPW Office. He said that the Board would like some “freedom of movement” in regard to meeting location.

**Re: 2012 Municipal Election – Proposition 4**  
*BPW Meeting Attendance via Electronic Methods*  
*(Bill No. 12-004, to follow – Emergency Reading)*

Stevenson explained that a related item was next on the agenda, also a bill. Bill No. 12-004, to follow, would also be given an emergency reading, with Council approval, later during the meeting. This bill designed to place Proposition 4 on the April 2012 Municipal Election would also need an emergency reading to meet the deadline of January, 2012 and allow for its inclusion on the April 2012 ballot.

Proposition 4, if passed, would modify the City Charter in a way that would allow the four-member board to deal with unplanned absences of members by the use of conference calls to maintain a business quorum. He explained that this four-person board required three members in order to have a quorum. Stevenson added that certain restrictions are built in to avoid any possible abuse by future boards. It limits electronic participation to only one member per meeting and that participation must be continuous for the entire meeting, from “Call to Order” to “Adjournment” or their votes do not count. The current Charter, according to Stevenson, is silent regarding attendance via electronic measures; however, his desire it to have this stated specifically in the Charter.

He noted that this ordinance which could stand alone, legally, cannot be supported with the communications technology not existing in City Hall.

Council Member Dobson questioned if the Board’s records are digitalized. Stevenson responded that some were and some were not. He added that the agenda packets are sent by mail and electronically, so these members would still have access to the packet.

Mayor Pro Tem Knickerbocker spoke in support of both Proposition 3 and Proposition 4. He believed that these needed to be updated. He also advised that Proposition 3 should be revised, since the Board of Public Works office has not been in City Hall since 1981. City Attorney Lemon commented that the current Charter states, “The meetings of the Board of Public Works will be held at their offices in City Hall.”

**BILL MADORE – FIRE CHIEF**  
**Re: Purchase Approval – 2008 Dodge Durango**  
*Missouri State Surplus Property*

Fire Chief Bill Madore presented the final agenda item, a request for approval to purchase a 2008 Dodge Durango from the Missouri State Surplus Property. He reminded Council that one of the Department’s support vehicles was recently involved in an accident and declared a total loss. The funds received were not sufficient to purchase a replacement vehicle, according to the Chief. Two

support vehicles are needed; however, Madore said that one was crucial. In examining the current budget, Madore and City Manager LaGarce failed to find enough funds to purchase the needed equipment.

Madore explained that, as the result of a meeting with the Homeland Security Response Team, funds from the 2009 Homeland Security Grant have now become available. He added that, since these grant funds must be expended prior to the June 2012 deadline, or they will be lost; a budget modification was requested with the Office of Homeland Security and they have approved the purchase of a replacement support vehicle for the Hannibal Fire Department in the amount of \$15,000. The funding will cover the cost of the vehicle, in addition to the cost for installation of emergency lights and siren. This item is not being placed for bids because of the immediate need and the grant funding requires no price match from the City of Hannibal. Madore added that the radio that is to be installed is obtained with funding from another Homeland Security grant.

Madore recommended a bid waiver and purchase approval to Missouri State Surplus Property in the amount of \$12,700 for a 2008 Dodge Durango. Motion was made by Council Member Louderman to approve Madore's request. Motion was seconded by Council Member Hark.

Motion carried.

#### **RESOLUTION NO. 1786-12**

### **A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF HANNIBAL AND SULLIVAN CONSTRUCTION FOR THE REMOVAL OF SEDIMENT IN BEAR CREEK (PHASE II) IN THE AMOUNT OF \$25,600**

Motion was made by Council Member Draper to have the City Clerk read Resolution No. 1786-12 and call the roll for adoption. Motion was seconded by Council Member Hark.

Motion carried.

#### **Roll Call**

**Yes:** Council Members Hark, Draper, Mayor Pro Tem Knickerbocker, Council Members Dobson, Barta, Mayor Hark and Council Member Louderman – 7

**No:** -0-

Mayor Hark declared Resolution No. 1786-12 duly approved and adopted on this date.

#### **RESOLUTION NO. 1787-12**

### **A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH RUBISON APPRAISAL SERVICE IN THE AMOUNT OF \$1,599 FOR A**

**COMMERCIAL PROPERTY APPRAISAL OF 1107 CARR STREET RELATIVE TO  
THE FLOOD BUYOUT PROGRAM**

Motion was made by Council Member Louderman to have the City Clerk read Resolution No. 1787-12 and call the roll for adoption. Motion was seconded by Council Member Barta.

Motion carried.

**Roll Call**

**Yes:** Council Members Hark, Draper, Mayor Pro Tem Knickerbocker,  
Council Members Dobson, Barta, Mayor Hark and Council Member  
Louderman – 7

**No:** -0-

Mayor Hark declared Resolution No. 1787-12 duly approved and adopted on this date.

**RESOLUTION NO. 1788-12**

**A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A BICENTENNIAL  
COMMISSION TO PLAN A HANNIBAL BICENTENNIAL CELEBRATION IN 2019**

Motion was made by Council Member Draper to have the City Clerk read Resolution No. 1788-12 and call the roll for adoption. Motion was seconded by Council Member Barta.

Motion carried.

**Roll Call**

**Yes:** Council Members Hark, Draper, Mayor Pro Tem Knickerbocker,  
Council Members Dobson, Barta, Mayor Hark and Council Member  
Louderman – 7

**No:** -0-

Mayor Hark declared Resolution No. 1788-12 duly approved and adopted on this date.

**RESOLUTION NO. 1789-12**

**A RESOLUTION AUTHORIZING THE MAYOR PRO TEM TO EXECUTE A SERVICE  
AGREEMENT WITH JOHN S. HARK TO SERVE AS THE CITY'S EMERGENCY  
MANAGEMENT COORDINATOR IN THE AMOUNT OF \$28,800 PER YEAR**

Motion was made by Council Member Draper to have the City Clerk read Resolution No. 1789-12 and call the roll for adoption. Motion was seconded by Council Member Louderman.

**Roll Call**

**Yes:** Council Members Draper, Mayor Pro Tem Knickerbocker, Council Members Dobson, Barta, and Louderman – 5

**Abstain:** Mayor Hark and Council Member Hark - 2

**No:** -0-

Motion to read carried.

**Roll Call**

**Yes:** Council Members Draper, Mayor Pro Tem Knickerbocker, Council Members Dobson, Barta, and Louderman – 5

**Abstain:** Mayor Hark and Council Member Hark - 2

**No:** -0-

Mayor Hark declared Resolution No. 1789-12 duly approved and adopted on this date.

**RESOLUTION NO. 1790-12**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF HANNIBAL AND POEPPING, STONE, BACH AND ASSOCIATES, INC IN THE AMOUNT OF \$7,000.00 FOR THE REVISION OF THE LEACHATE MANAGEMENT PLAN AT THE LANDFILL**

Motion was made by Council Member Dobson to have the City Clerk read Resolution No. 1790-12 and call the roll for adoption. Motion was seconded by Council Member Barta.

Motion carried.

**Roll Call**

**Yes:** Council Members Hark, Draper, Mayor Pro Tem Knickerbocker, Council Members Dobson, Barta, Mayor Hark and Council Member Louderman – 7

**No:** -0-

Mayor Hark declared Resolution No. 1790-12 duly approved and adopted on this date.

**BILL NO. 12-001**

**AN ORDINANCE AMENDING CHAPTER 17, ARTICLE IV, DIVISION 3, SECTION 193  
OF THE HANNIBAL CITY CODE RELATIVE TO SCHOOL ZONES**

**SECOND AND FINAL READING**

Motion was made by Council Member Louderman to give Bill No. 12-001 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Barta.

Motion carried.

**Roll Call**

**Yes:** Council Members Hark, Draper, Mayor Pro Tem Knickerbocker,  
Council Members Dobson, Barta, Mayor Hark and Council Member  
Louderman – 7

**No:** -0-

Mayor Hark declared Bill No. 12-001 duly approved and adopted on this date.

**BILL NO. 12-002**

**AN ORDINANCE AMENDING CHAPTER 15, BY ADDING SECTION 15-31,  
PENALTIES FOR SUSPENSION OF BUSINESS LICENSE OR FAILURE TO OBTAIN A  
BUSINESS LICENSE, AND BY AMENDING Section 15-47**

**SECOND AND FINAL READING**

Motion was made by Council Member Louderman to give Bill No. 12-002 a second and final reading and call the roll for adoption. Motion was seconded by Council Member Hark.

Motion carried.

**Roll Call**

**Yes:** Council Members Hark, Draper, Mayor Pro Tem Knickerbocker,  
Council Members Dobson, Barta, Mayor Hark and Council Member  
Louderman – 7

**No:** -0-

Mayor Hark declared Bill No. 12-002 duly approved and adopted on this date.

**BILL NO. 12-003**

**AN ORDINANCE PROVIDING FOR A MUNICIPAL ELECTION TO BE HELD ON  
TUESDAY, APRIL 3, 2012 TO DETERMINE WHETHER THE CHARTER OF THE CITY**

## **OF HANNIBAL SHOULD BE AMENDED TO ALLOW THE BOARD OF PUBLIC WORKS TO HOLD IT'S MEETINGS AT PUBLIC FACILITIES OTHER THAN CITY HALL**

### **EMERGENCY READING**

City Attorney Lemon advised that, since this was an emergency ready it would require a two-thirds approval vote for passage. Motion was made by Council Member Dobson to give Bill No. 12-003 an emergency reading and call the roll for adoption. Motion was seconded by Mayor Pro Tem Knickerbocker.

Council Member Draper questioned why there was an emergency to put this item on the ballot when it had been occurring for twenty years. BPW General Manager Stevenson responded by saying that the Board's desire was that their meetings could be re-convened at the Board offices, legally. The current month's meeting was held at City Hall and they would continue to do this until the Charter is changed. He reminded Council of the January 24, 2012 deadline for placing items on the April ballot. If this is postponed until the August election, the Board will incur a substantial fee for placement on that ballot.

Draper questioned the impact this change would potentially have on other City Boards and Commissions in City government. He was concerned about increasing the fractionation and separation of all the different Boards within the City. He commented that, in his opinion this request seems to separate the Board more than it already is separated from the City. Mayor Hark agreed; stating that even though there is nothing wrong with this request it would not be perceived in a good way by the public. He concluded by stating that he understood the reasoning behind this request. Draper said that, even though he was not in favor of Proposition 3, he was in favor of Proposition 4.

Council Member Louderman commented that, after speaking with Mr. Stevenson, he believes their intent is only to clean-up past mistakes and make things right. He agreed that the meeting should be a the location where they have access to records, but also should be at a location that is easiest for the public to attend, since there is no stairway at the Board offices, making it more accessible.

Council Member Barta began by declaring that he was in support of both propositions as presented and stated that the other boards are simply advisory boards, unlike the Board of Public Works. He believes this is a pro-active measure. Council Member Barta commented that Council needed to remember that they were merely voting to place these Propositions on the April ballot; because ultimately, the public would make the decision.

Stevenson explained that the current technology at City Hall was inferior to the available technology at the Board; however, Draper countered that he was not against progress, but he believes the City needs an equal system working across the board in all the City agencies and not just the Board of Public Works. In his opinion, this will set precedence and create the perception of greater separation in City government.

Mayor Pro Tem Knickerbocker said that he had no problem with meeting held in other locations as long as meetings are posted. People have easy access to the Board of Public Works building, they have a good facility and the technology is a good thing to work towards in the future.

Draper suggested that Council make the decision to allow Boards, with proper publication notice of events, to meet where it is best or most appropriate and not subject something that is within Council's capabilities to placement on the ballot. He believes that would be a waste of time. The change could be made applicable to all Boards/Commissions.

City Attorney Lemon interjected that, in this particular instance, the Charter, when modified actually requires ONLY the Board of Public Works meeting to be held at City Hall. He went on to say that Draper was correct for all the other Boards. This could be accomplished by ordinance or resolution. The Board of Public Works meeting will require a Charter change which is done by a vote of the people.

Mayor Hark questioned why this was done. Lemon responded the he did not know for sure; but he suggested that when the City converted to a "City Manager form of government" they attempted to clean-up the Charter and, at that time the BPW had their offices in City Hall. At that time, he said the Charter wording said something like, "The Board of Public Works shall meet at their offices in City Hall". Since some may have felt that, if they did not have offices in City Hall they were violating the Charter and the easiest way to clean that up was to remove the part that said, "at their offices", so the amended Charter was left with the part, "at City Hall". Lemon said that he did not think they even met in Council Chambers at that time, but met in their offices and invited people in.

Randy Park, a Board Member, stated that the majority of people that attend are Board employees; and it is much easier for them to get involved in the meetings and more convenient on their part. Mayor Hark responded that City Hall is more convenient for the public, especially in the event that the Board moves their facility farther away.

With the flexibility of the proposed ordinance, if this were to happen, Knickerbocker suggested that this could be "tightened-down" by ordinance and another public facility could be named. City Attorney Lemon agreed, adding that once it is opened up, Council then has the power to restrict it.

City Manager stated that, at the current time, all Boards, except the Library Board meets at City Hall and he was unsure of the global effect that a change would make.

Council Member Draper stated that he had concerns, adding that there is a basic statement of statistics that says, "The more increase there is in variability, the more drop in equality." He concluded by saying that this would add more variability on how one agency of the City is being addressed.

Mayor Hark called the question

### **Roll Call**

**Yes:** Council Member Hark, Mayor Pro Tem Knickerbocker, Council Members Dobson, Barta, Mayor Hark and Council Member Louderman  
- 6

**Abstain:** Council Member Draper - 1

**No:** -0-

Motion to read carried.

**Roll Call**

**Yes:** Council Members Hark, Draper, Mayor Pro Tem Knickerbocker,  
Council Members Dobson, Barta, Mayor Hark and Council Member  
Louderman – 7

**No:** -0-

Mayor Hark declared Bill No. 12-003 duly approved and adopted on this date.

**BILL NO. 12-004**

**AN ORDINANCE PROVIDING FOR A MUNICIPAL ELECTION TO BE HELD ON  
TUESDAY, APRIL 3, 2012 TO DETERMINE WHETHER THE CHARTER OF THE CITY  
OF HANNIBAL SHOULD BE AMENDED TO ALLOW MEETING ATTENDANCE BY  
ELECTRONIC METHODS**

**EMERGENCY READING**

Motion was made by Council Member Dobson to give Bill No. 12-004 an emergency reading and call the roll for adoption. Motion was seconded by Mayor Pro Tem Knickerbocker.

**Roll Call**

**Yes:** Council Members Hark, Draper, Mayor Pro Tem Knickerbocker,  
Council Members Dobson, Barta, Mayor Hark and Council Member  
Louderman – 7

**No:** -0-

Mayor Hark declared Bill No. 12-004 duly approved and adopted on this date.

**ADJOURNMENT**

Motion was made by Council Member Louderman to adjourn the meeting. Motion was seconded by Mayor Pro Tem Knickerbocker.

Motion carried.