

# Official Proceedings of the Special Call Council Meeting

Tuesday, November 12, 2013  
5:15 P.M.  
Council Chambers

## ROLL CALL

**Present:** Mayor Pro Tem Knickerbocker, Council Members Dobson, Lionberger and Louderman - 4  
**Absent:** Mayor Hark, Council Members Hark and Locke - 3

## CALL TO ORDER

There being a quorum present, Mayor Pro Tem Knickerbocker called the meeting to order.

**BOB STEVENSON – BPW GENERAL MANAGER**  
**Re: Series 2013 Sewerage Revenue Bonds – Underwriting Services**  
*Stifel, Nicolaus & Company*  
*(Resolution No. 1934-13, to follow)*

Board of Public Works General Manager Bob Stevenson explained that the Board of Public Works was ready to move forward with the sale of their sewer bonds. He then proceeded to turn the meeting over to Joy Howard, the Board's financial advisor.

Ms. Howard began by advising Council that there would be two topics of discussion and possible approval. The first item to be discussed was approval of Resolution No. 1934-13, regarding the selection of an underwriter, Stifel, Nicolaus & Company. With Council approval, Resolution No. 1934-13, to follow, would authorize the Mayor to execute a contract with Stifel, Nicolaus & Company for these services.

**Re: BPW Issuance of Sewerage System Revenue Bonds, Series 2013**  
*(Bill No. 13-027, to follow)*

The second topic for discussion and approval was Bill No. 13-027, to follow. According to Howard, with Council approval, this bill, authorizing the BPW issuance of sewerage system revenue bonds Series 2013 would receive a first reading later, during the meeting. She requested that Council ask any questions on financing terms this evening in order that the underwriters could be prepared to present rates and not address finance questions when the final reading was given at the regular Council meeting on November 19, 2013.

Howard explained that the City of Hannibal is the issuer of the bonds, but through the Ordinance and the charter the City delegates all authority with regard to the revenue bonds to the Board of Public Works. She added that a contract from the underwriter, to be approved through the ordinance in particular, would be presented on the 19<sup>th</sup>. This contract will include firm interest rates.

In response to a question, posed by Council Member Dobson regarding the index of interest rates that would be used, Howard stated that the nationally used index, or the MMD, which is published daily, would be used for these bonds. Municipal Market Data, or the MMD, reflects the change and interest rates; however, it does not reflect actual rates. This is the most widely accepted national index which most firms use. Dobson asked if the bonds would be typical 30-year fixed-rate mortgage bonds. Ms. Howard replied that these would be 20-year bonds, adding that, since the BPW would be issuing more bonds in three years, they wanted to stay a little more conservative by issuing the current bonds on a fixed interest rate, as of November 19th. According to Howard, there would most-likely be a different rate issued on each maturity of the bonds; however, they would be fixed, however, not floating.

### **JAMES LEMON – CITY ATTORNEY**

#### **Re: Code Amendment, Chapter 17, Article IX – Automated Enforcement of Traffic Regulations**

*(Bill No. 13-028, to follow)*

*(As Amended)*

City Attorney James Lemon addressed a change in the red led camera ordinances. Lemon explained that the Eastern District court of appeals, a different panel, has decided that the decision made by the last panel is completely wrong. They have made the determination to require a point assessment on any red light violations. He indicated that our system has been set up to allow this with only minor changes; however, Bill No. 13-028, as amended, will allow the Police Department to enforce this under the normal red light ordinance, utilizing the camera as evidence in assessing points.

He assured Council that upon approval, he would insure that the City will be in full compliance with the law, with no allegation that this law is being violated. For that reason, an emergency reading was being requested, to ensure the City's compliance to this issue. Dobson questioned the possibility of previous citations being ruled unenforceable, in light of the current ruling. The City Attorney responded that anyone who paid voluntarily would be approved, since the City was working off of an existing court order. For those who have not yet paid, those have been set aside and will be assessed as points violations. Lemon did advise that anyone who had previously received notification indicating that if they paid by a certain date the offence would not be a points violation, these notifications would be honored. This determination would be based upon the belief that the City's ordinance was valid under the law, in light of the other Eastern District Court decision.

City Attorney Lemon stated that he had submitted an initial draft of his proposed ordinance; however, there is a problem since the Department of Revenue requires that the City report these violations under a Uniform Traffic Ticket, or UTT, for them to consider our violations to be valid, thus the *As Amended* designation.

Lemon then advised that since the total Council was not in attendance, the voting requirements for the emergency reading would be a unanimous vote to pass. The specific requirement being five of seven or four votes, whichever is the lesser of the two options.

**RESOLUTION NO. 1934-13**

**RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, ACCEPTING A PROPOSAL FOR UNDERWRITING; SELECTING AN UNDERWRITER IN CONNECTION WITH THE PROPOSED ISSUANCE BY THE CITY OF ITS SEWERAGE SYSTEM REVENUE BONDS, SERIES 2013; AND ACKNOWLEDGING CERTAIN DISCLOSURES PURSUANT TO MSRB RULE G-17**

Motion was made by Council Member Louderman to have the City Clerk read Resolution No. 1934-13, and call the roll for adoption. Motion was seconded by Council Member Dobson.

Motion carried.

**Roll Call**

**Yes:** Mayor Pro Tem Knickerbocker, Council Members Dobson, Lionberger and Louderman – 4

**No:** -0-

**Absent:** Mayor Hark, Council Members Hark and Locke - 3

Mayor Pro Tem Knickerbocker declared Resolution No. 1934-13, duly approved and adopted on this date.

**BILL NO. 13-027**

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF SEWERAGE SYSTEM REVENUE BONDS, SERIES 2013, OF THE CITY OF HANNIBAL, MISSOURI; PRESCRIBING THE FORM AND DETAILS OF THE BONDS AND THE COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING CERTAIN ACTIONS AND DOCUMENTS AND PRESCRIBING OTHER MATTERS RELATING THERETO**

**FIRST READING**

Motion was made by Council Member Dobson to give Bill No. 13-027 a first reading. Motion was seconded by Council Member Lionberger.

Motion carried.

**BILL NO. 13-028**  
*(as amended)*

**AN ORDINANCE REMOVING CHAPTER 17, ARTICLE IX. AUTOMATED ENFORCEMENT OF TRAFFIC REGULATIONS, OF THE ORDINANCES OF THE CITY OF HANNIBAL, AND REPLACING IT WITH A NEW ARTICLE IX AUTOMATED ENFORCEMENT OF TRAFFIC REGULATIONS**

**EMERGENCY READING**

Motion was made by Council Member Dobson to give Bill No. 13-028, as amended, an emergency reading and call the roll for adoption. Motion was seconded by Council Member Louderman.

Motion carried.

**Roll Call**

**Yes:** Mayor Pro Tem Knickerbocker, Council Members Dobson, Lionberger and Louderman – 4

**No:** -0-

**Absent:** Mayor Hark, Council Members Hark and Locke - 3

Mayor Pro Tem Knickerbocker declared Bill No. 13-028, as amended, duly approved and adopted on this date.

**ADJOURNMENT**

Motion was made by Council Member Dobson to adjourn the meeting. Motion was seconded by Council Member Louderman.

Motion carried.