

OFFICIAL COUNCIL PROCEEDINGS

**Tuesday, March 1, 2016
Council Chambers
7:00 p.m.**

ROLL CALL

Present: Council Members Dobson, Lionberger, Mayor Hark, Council Member Van Hoose, Hark, Locke, and Mayor Pro Tem Knickerbocker - 7

Absent: -0-

CALL TO ORDER

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

INVOCATION

The invocation was given, at this time, by Council Member Van Hoose.

PLEDGE OF ALLEGIANCE

Council Member Lionberger led the Pledge of Allegiance to the Flag

APPROVAL OF MINUTES

**Closed Session Meeting – December 15, 2015
Regularly Scheduled Council Meeting – February 16, 2016**

Motion was made by Council Member Locke to approve the minutes of the Closed Session, held on December 15, 2015 and the last regular Council meeting that was held on February 16, 2016. Motion was seconded by Council Member Hark.

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS

Second Half – February, 2016

Motion was made by Council Member Van Hoose to approve the payroll and claims for the second half of February, 2016. Motion was seconded by Council Member Dobson.

Motion carried.

O.C. LATTA – MARK TWAIN FEDERATED DEMOCRAT CLUB
Re: Grain Belt Express Transmission Project

Dave Klassen spoke on behalf O.C. Latta, as he had a conflict with his wife having surgery. The following speech was given:

Thank you for your attention. O. C. Latta arranged to be on the agenda tonight, before he realized that it would conflict with surgery that his wife is undergoing. Tonight he is with her in St. Louis. I am sure we will all be thinking of Roxy.

I have been volunteered to speak in his stead. I am here to speak on behalf of a group of concerned Hannibal citizens who overwhelmingly oppose participation by Hannibal in the Clean Line Energy transmission line project.

I am David Klassen, a resident of Hannibal since my retirement in 2003. I have tried to find ways to contribute to this community, my wife's home town and my retirement home, ever since. My interest in energy issues led me to being a member of the Hannibal Citizen's Energy Conservation Committee, a group formed by Don Willis, the manager of BPW prior to the current manager, Bob Stevenson. While that committee was active, I attended many BPW board meetings. At that time, the board was not as much in the public eye as it is today. Often reporter Danny Henley and I were the only two audience members.

Today, various actions of the board have gotten much larger public attention and scrutiny. There are citizens of Hannibal who are deeply frustrated over the huge amounts of money that Hannibal has been required to pay as a result of their participation in the Prairie State Power Plant, from which we have yet to receive one single electron of electricity. Public frustration has greatly increased in the months since BPW implemented the change from using chlorine as a disinfectant to using chloramine in our water. Now, when public confidence in this arm of government is regrettably at an historic low, we must address yet another issue that has generated huge public reaction and resistance, not only in Hannibal, but across the State of Missouri.

This is the topic that is officially on the agenda tonight, the proposed Clean Line Energy electricity transmission line. The facts and issues here are many and complex, and could consume the remainder of the evening. I will do my best to be brief. O. C. and I are both members of a citizen advocacy group that has examined the proposed participation of Hannibal in this project. Members of this group are overwhelmingly opposed to Hannibal participating. We were relieved and pleased when the HBPW moved, in a recent meeting; to table further action on this issue. However, subsequent to that meeting, the BPW manager, Bob Stevenson, has indicated in our newspaper his continued advocacy for such participation. I acknowledge that at the broadest possible view, from 50,000 feet, as they say, it is necessary and probably inevitable that some transmission method be established to get energy from wind farms in western Kansas to customers that need electricity in Illinois, Ohio, and points east. But it is also said that the devil is in the details, and here we have many details and many signs of the devil. I am doing my best to present the facts accurately. If anyone knows of a factual error that I make, please correct me. I have heard concerned individuals talk of issues of unsightliness, of restrictions on farming directly under or near the lines, and of the threat of the use of eminent domain to establish a corridor for this power line. The immediate pressing issue for the company Clean Line Energy is that their initial application to construct this line was denied by the Missouri Public Service Commission. A

major reason given to justify this denial is that the commission did not see any customers in Missouri or any benefit to Missouri residents. I acknowledge that the accuracy of that conclusion is hotly debated by various advocates of the line. Nevertheless, Clean Line Energy is very eager to approach the Public Service Commission again with a customer in hand. We could become Hannibal the hamster, or guinea pig, or exhibit A.

For reasons that I do not fully comprehend, both the president and the manager of BPW have chosen to call me and discuss at length on the telephone their reasons to advocate that Hannibal participate. They both suggested that Clean Line Energy is so eager to have a customer, that we could probably close a deal guaranteeing Hannibal electricity at an extraordinarily low rate for a long time into the future. As I understand their conversations, there are two proposals that were on the table. One involves purchasing electricity from Clean Line Energy. A minor complication here is the fact that Clean Line Energy does not own any electricity. A second proposal envisions Hannibal purchasing some fraction of the transmission lines themselves. A minor complication here is the fact that the Missouri Constitution prohibits any unit of government from purchasing a portion of a private company. It is my understanding that BPW has hired an attorney, practicing in Columbia Missouri, to assist them in possible negotiations. The minor complication here is that the Hannibal City charter specifies that the city attorney be the only attorney hired under normal circumstances, only you, the City Council, are authorized to hire another attorney to assist. We seem to have one complication piled on top of another, piled on top of another. Another issue that has been raised is speculation that Clean Line Energy may not be the appropriate partner. They have never built a power transmission line before. They may be the target of a takeover by some other corporation. We have laws 'designed to protect the public from harm that specify that various studies of impact be completed but apparently such studies are not yet complete for this project. I could go on and on, but let me just say that, in summary, our group opposes this initiative.

A very astute and politically seasoned observer in our group suggested to me that we should also emphasize the absolute necessity for open meetings on this topic. As circumstances change, and we are approached again, you do not know, BPW does not know, and the public does not know what conditions might evolve. But we should all find that out and consider new proposals together, in open meetings.

O. C. also specifically asked me to address the issue that brought our group together, the decision to change the method of disinfecting Hannibal's water by switching to the use of chloramine. There are people in the audience here tonight who feel deeply about this issue, and question whether our water is safe.

Mayor Pro Tem Knickerbocker interjected and made a motion to cease the discussion on chloramines, as it was not on the agenda. Motion was seconded by Council Member Dobson. Motion carried.

Mr. Klassen continued, we hope to get on your agenda on another night and devote our entire conversation to the water issue. I know I have exceeded my allotted time and I will just note in closing that O. C. also hoped I would address two other issues: how has the Board of Public Works evolved to become so out of control of the City Council, and why are there some elected members of this Council who support the actions of the board that are angering so many of their constituents?

Bob Stevenson then addressed Council at the request of the Mayor on how the BPW became so out of control from the Council. Stevenson clarified that the people voted the BPW Board to be autonomous of the City, however, all their actions are in accordance with the law and the City Charter. Stevenson indicated that debt issues involving the Board are brought to the City Council even though legally the City Charter does not require this.

Christine Stolte addressed Council, she lives in Hannibal, and indicated she was the one to bring up the venture of Ralls County with water.

Attorney Lemon indicated the charter states there is one City attorney, however, it does not state that the City or BPW cannot hire an attorney for some special representation should they chose. 10.04 of the charter was then referenced by Lemon, where it grants permission for either entity to hire other attorneys. The BPW is a wholly owned subsidiary of the City, and there is nothing that states that they have to use City Attorney Lemon, as their attorney. The charter does state that Lemon is to be present at their meetings, however, not necessarily to represent them.

LaGarce stated that the Board members operate autonomously and they are a separate company within our organizational structure. BPW's budget isn't even approved by the City. LaGarce indicated it is not unusual for him to receive phone calls about a water line or utility rates, however, he refers them to the BPW. Klassen then questioned impeachment of the BPW members. LaGarce clarified the Council could, via resolution, impeach BPW Board members.

KRISTIN DOYLE – CLASS OF 2016 PROJECT GRADUATION

Re: Request, Street Use – Color Run

(Saturday, April 2, 2016 – 7:00 a.m. – 12:00 p.m.)

Ms. Kristin Doyle came before Council, representing HHS Project Graduation. She was seeking Council approval to use city streets to host a special event, known as the 5K Fun Run/Walk – Color Run on Saturday, April 2, 2016. They would also need a few officers to help. With Council approval this event will begin at Delaney Park, and continue along Colfax to South 6th, then along the bike trail to South Main, through the flood zone area and, finally, returning on the same route to Delaney Park. Motion was made by Council Member Locke to approve Ms. Doyle's request. Motion was seconded by Mayor Pro Tem Knickerbocker.

Motion carried.

ROY G. HARK – MAYOR

Re: Approval of Appointment

Mayor Hark reminded Council of a candidate presented at the last meeting for the following Board:

INDUSTRIAL DEVELOPMENT AUTHORITY

- Stewart McIntyre – reappointment for a term to expire January, 2022

He asked Council for their approval of this recommendation. Motion was made by Council Member Locke to approve Mayor Hark's recommendation for reappointment of Stewart McIntyre to the Industrial Development Authority for a term to expire January, 2022. Motion was seconded by Council Member Dobson.

Motion carried.

JEFF LAGARCE – CITY MANAGER
Re: Approval of Appointment – Finance Director

Jeff LaGarce, City Manager, stated that Finance Director Doug Warren is due to retire on April 1, 2016. However, that deadline may be extended so that Mr. Warren can help train his replacement. LaGarce then requested the confirmation of appointment for the new finance director, Karen Burditt. Motion was made by Mayor Pro Tem Knickerbocker to approve Jeff LaGarce's appointment of Karen Burditt as the new Finance Director. Motion was seconded by Council Member Dobson.

Motion carried.

DOUG WARREN – FINANCE DIRECTOR
Re: Amendment 2016/17 Annual Bid Limits
(Bill No. 16-006, to follow)

Doug Warren, Finance Director, informed Council that The City Charter states that every March the Finance Director comes before Council to adjust the bid limits. The bid limit is adjusted based on the CPI, which was .73 in December. The bid limit will be raised by .73, which does not have a big impact on the levels. Bill No.016-006 to follow.

Re: Other Post-Employment Benefits (OPEB) Actuarial Study – Engagement Agreement
Lewis & Ellis, Inc.
(Resolution No. 2028-16, to follow)

Per the Government Accounting Standards Board statement number 45, all government entities are obligated to have an actuarial study done for the expected cost of all benefits other than pension benefits that are promised to employees to extend past the retirement of the employee. Specifically, this is intended to capture promised continued health insurance coverage costs.

GASB-45 does not go so far as to require the expense to be recorded today but the liability must be placed on the books and it must be the best estimate of a third party certified actuary. It is time again to engage an actuary to determine the extent of liability for both the City and BPW.

Lewis and Ellis (L&E) Actuaries & Consultants have completed the GASB-45 study in the past. The combined appropriate actuarial study to determine cost estimate for the City and the BPW have been offered by L&E for a combined cost of \$9,000.00 (City \$5,000.00 and BPW \$4,000.00). This is less than what we paid in 2014 for the same study, paid in March of

2014. L&E have done excellent work in the past for both the GASB-45 and they have done work for the Police and Fire Pension plan. We recommend that the Council move forward with an exception to regular bidding procedure in light of the fact that the cost of this study is being quoted at less than what we paid in both 2012 and 2014. Resolution No. 2028-16, to follow.

BRIAN CHAPLIN – DPW SUPERINTENDENT
Re: FAA State Block Grant Agreement – Amendment #2
Missouri Highways and Transportation Commission
(Bill No. 16-007, to follow)

Brian Chaplin, DPW Superintendent, informed Council that the City of Hannibal and MoDot Aviation entered into a previous agreement to sponsor and assist with Terminal Area Plan; Design and Construct Taxi-lanes at the Hannibal Regional Airport. The Council had previously approved the funds necessary for the Airport Taxi-lane but when the project was completed there was insufficient funds to cover the costs associated the construction terminal expenses as we went over the allotted time frame and cost amount for the project. MoDot is going to increase the grant amount given to the city to cover the additional costs involved in the Airport Taxi-lane project with the additional sum coverage of \$84,598.00. The city however has to provide a matching fund of \$9,400.00 toward the project as part of the 90/10 percentage agreement. This grant will cover the construction phase of the project. Per MoDot the City will have to request a third amendment request once our 2016 NPE funding is available. Bill No. 16-007, to follow.

Re: Traffic Committee Recommendations

The Traffic Committee met on Thursday, February 25, 2016 at Council Chambers and have made a recommendation for the following items to go to Council.

- A handicap application at 205 North 10th Street for Mary Colliver. Mary has turned all of the necessary paperwork and meets all of the requirements for the handicap parking space.
- A handicap application at 219 Bird Street for Jimmy Latta. Jimmy has turned all of the necessary paperwork and meets all of the requirements for the handicap parking space.

BILL NO. 16-004

AN ORDINANCE OF THE CITY OF HANNIBAL AMENDING CERTAIN SECTIONS OF CHAPTER 9, ARTICLE III FLOOD DAMAGE PREVENTION, ADDING A NEW DEFINITION TO SECTION 9-58, AMENDING SECTION 9-60(c)(1), AND CREATING A NEW SECTION 9-69

Second and Final Reading

Motion was made by Council Member Locke to give Bill No. 16-004 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 Dobson, Lionberger, Mayor Hark, Council Member Van Hoose, Hark, Locke, and Mayor Pro Tem Knickerbocker - 7

No: -0-

Absent: -0-

Mayor Hark declared Bill No. 16-004 duly approved and adopted on this date.

BILL NO. 16-005

AN ORDINANCE RESTRUCTURING THE STREET DEPARTMENT TO ELIMINATE THREE STREET MAINTENANCE WORKER POSITIONS AND SIMULTANEOUSLY CREATE THREE LEAD MAINTENANCE WORKER POSITIONS

Second and Final Reading

Motion was made by Council Member Dobson to give Bill No. 16-005 a second and final reading and call the roll for adoption. Motion was seconded by Mayor Pro Tem Knickerbocker.

Motion carried.

Roll Call

Yes: Council Members Dobson, Lionberger, Mayor Hark, Council Member Van Hoose, Hark, Locke, and Mayor Pro Tem Knickerbocker - 7

No: -0-

Absent: -0-

Mayor Hark declared Bill No. 16-005 duly approved and adopted on this date.

Mayor Pro Tem Knickerbocker interjected and made a motion to waive the bid limit for Resolution No. 2028-16 for the actuarial study. Motion was seconded by Council Member Hark.

Motion carried

RESOLUTION NO. 2028-16

**A RESOLUTION AUTHORIZING AND APPROVING AN
ENGAGEMENT AGREEMENT WITH LEWIS & ELLIS, INC. FOR
ACTUARIAL SERVICES FOR THE CITY OF HANNIBAL INCLUDING
THE CITY, LIBRARY, PARKS, TOURISM AND BOARD OF PUBLIC
WORKS IN THE COMBINED AMOUNT OF \$9,000**

Motion was made by Mayor Pro Tem Knickerbocker to have the City Clerk read Resolution No. 2028-16 and call the roll for adoption. Motion was seconded by Council Member Hark.

Motion carried.

Roll Call

Yes: Council Members Dobson, Lionberger, Mayor Hark, Council Member Van Hoose, Hark, Locke, and Mayor Pro Tem Knickerbocker - 7

No: -0-

Absent: -0-

Mayor Hark declared Resolution No. 2028-16 duly approved and adopted on this date.

BILL NO. 16-006

**AN ORDINANCE AMENDING THE ANNUAL BID LIMITS IN ACCORDANCE
TO SECTION 9.13 (b) OF THE CITY OF HANNIBAL CHARTER**

First Reading

Motion was made by Council Member Locke to give Bill No. 16-006 a first reading. Motion was seconded by Mayor Pro Tem Knickerbocker.

Motion carried.

BILL NO. 16-007

**AN ORDINANCE TO AUTHORIZE THE MAYOR TO EXECUTE AMENDMENT #2
BETWEEN THE CITY OF HANNIBAL AND THE MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION AMENDMENT TO STATE
BLOCK GRANT AGREEMENT**

First Reading

Motion was made by Council Member Van Hoose to give Bill No. 16-007 a first reading. Motion was seconded by Mayor Pro Tem Knickerbocker.

Motion carried.

ADJOURNMENT

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

Motion carried.