

*City of Hannibal*

**OFFICIAL COUNCIL PROCEEDINGS**

**Tuesday July 19, 2022  
Council Chambers  
7:00 p.m.**

**ROLL CALL**

**Present:** Council Members Welch, Veach, McCoy, Mayor Pro Tem Dobson, Council Member Franke, Mayor Hark, Council Member Phillips - 7

**Absent:** -0-

**CALL TO ORDER**

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

**INVOCATION**

The invocation was given by Mayor Pro Tem Dobson.

**PLEDGE OF ALLEGIANCE**

Mayor Hark then requested Hannibal Police Officer Lakenburger to lead the Pledge of Allegiance to the Flag.

Mayor Hark then asked for a motion to amend the agenda as presented to include the approval of the minutes from the July 5, 2022, regularly scheduled Council meeting.

Mayor Pro Tem Dobson made a motion to amend the agenda to include approval of the July 5, 2022, Council minutes. Council Member Veach seconded the motion.

Motion carried.

**APPROVAL OF AGENDA**

A motion was made by Council Member McCoy to approve the agenda, as amended. Council Member Welch seconded the motion.

Motion carried.

**APPROVAL OF MINUTES**  
**Regularly Scheduled Meeting – June 21, 2022**  
**Regularly Scheduled Meeting – July 5, 2022**

Council Member McCoy made a motion to approve the regularly scheduled Council minutes from the June 21, 2022, and July 5, 2022, meetings. Council Member Welch seconded the motion.

Motion carried.

**APPROVAL PAYROLL AND ACCOUNTS PAYABLE**  
**First Half – July 2022**

A motion was made by Council Member Veach to approve the payroll and claims for the first half of July 2022. The motion was seconded by Mayor Pro Tem Dobson.

Motion carried.

**JONATHAN ROBISON – Y MEN’S CLUB OF HANNIBAL**  
**Re: AMENDED DATE CHANGE Request, Street Closure – Down by the River**  
*(August 5, 2022, from previously approved date of August 19<sup>th</sup>)*

Mayor Hark then called Jonathan Robison forward. City Clerk Angel Zerbonia-Ramey advised Mayor Hark that the requested item was an amendment to change the event date of the August Y Men’s Down by the River from August 19, 2022, to August 5, 2022. Mr. Robison stated he would also need the regularly scheduled meeting date amended to August 4, 2022, to allow for set-up. Mayor Hark advised Council that the request had previously been approved and all paperwork is in order.

Council Member Veach made a motion to approve the amended dates for street closures from August 19<sup>th</sup> to August 5<sup>th</sup> for the Y Men’s Down by the River August event. Council Member McCoy seconded the motion.

Motion carried.

**SARA ANTON-NORTH – CITIZEN, 45 HOLIDAY DRIVE**  
**Re: Community Improvement District**

Mayor Hark called Sara Anton-North, citizen at 45 Holiday Drive forward. Ms. North advised she was before Council to speak about the Community Improvement District program, explaining she had distributed copies of the State Statutes regarding CID’s, just prior to the start of the meeting.

Ms. North began by sharing that special taxing districts have their place in a community and can have positive outcomes. Ms. North reminded the Council about the levee district and all the efforts to get built. She explained that at hearings held about the CID intended to inform and educate, all involved are stakeholders. Ms. North went on to say the term stakeholders is now frequently used to imply equal participation. Furthermore, she added that business owners included in the proposed CID are also risktakers, adding without those willing to self-impose there is no place for stakeholders. She informed the City she is here as a risktaker, as both a property and business owner.

Ms. North believes the local news coverage has covered the issue through the lens of unquestionable enthusiasm. She asked Council to be aware that fewer than one third of affected property owners have even attended the two previous hearings or meetings. Ms. North then informed Council that the first meeting was held during business hours and the second meeting was “in the books” before they were notified. She then requested Council attend the next meeting on Tuesday July 26, at 6:30p.m.

Ms. North advised that there are several potential discussions in consideration, “as Lisa mentioned after thirty years there is no line items in the City budget for maintenance of the levee pumps system, hence the possibility of a levee district seems back in play, added to the newly increased sales tax added to the potential increase of sales tax for CID. Your ears would be appreciated.”

Mayor Hark then thanked Ms. North for speaking.

**BIANCA QUINN – HPD MGMT ASSIST/FINANCE DIRECTOR**

**Re: Payroll Amendment No. 1**

*(Bill No. 22-020, to follow)*

Bianca Quinn Police Management Assistant and Finance Director approached Council advising there were some errors found on the payroll ordinance that require correction.

The first was for the salary for the Finance Director/Police Management Assistant which was budgeted correctly, however on the ordinance the amount was incorrect at \$63,000.00. She advised with the three percent raise; the correct amount should be \$63,807.84.

Additionally, seven firefighters were left off the payroll ordinance at \$36,640.57 each, per year that need to be added. Ms. Quinn advised that the salaries were included in the budget, just not on the payroll ordinance so no budget adjustment is needed.

Ms. Quinn then informed Council that the City’s normal checks and balances were not in place prior to the submission of the payroll “the staff did the best they could with the information they had at the time” stated Quinn. She then assured Council that processes will be implemented in the future to help prevent this from occurring again.

Ms. Quinn’s third item with the payroll amendment is the approval of using auxiliary police officers to help alleviate shift shortages and overtime cost as provided for in Section 23-1-*Auxiliary Police*. Ms. Quinn advised three auxiliary officers’ salaries totaling \$10,815.00 were added to this amendment. Additionally, Police Chief Nacke would like to convert the Police Custodian- Part-time position with a salary of \$11,652.00 to an additional Office Assistant 1- part-time position with a salary of \$17,470.00 to better serve the department. This also would be of no additional cost as the Police Department as the budget is able to absorb the additional \$5,818.00.

Council Member Phillips then questioned Quinn about the conversion of the police custodian to a part time Office Assistant and if that were the same person, in which Quinn advised it was not. Council Member Franke then questioned if the auxiliary officers “were retired folks” that were coming back in. Chief Nacke advised that the positions have not been addressed as they were not originally placed into the budget. Chief Nacke explained this practice has been happening for quite some time as it was approved back in the 1980’s and they would use auxiliary officers to offset the need for overtime for parades, etc. They are currently short five officers and asking them to work an extra eight hours can be detrimental to moral. Council Member Franke then questioned if they were to be “full” police officers without the same training as current officers, in which Chief Nacke advised all prospects must meet all the requirements in the job description and participate in all annual training.

Council Phillips then asked if they carried the full authority as the current full-time officers, in which Chief Nacke insured they would be required to retain the same training, requirements and to be post certified. The only thing different is they would be part-time employees versus full time.

Mayor Hark advised that in 1988 there were reserve officers and in 88-89 there was a change in the state statute that required additional training for the officers and the program was abolished. He feels what Chief Nacke is doing is a significant effort to help with the staff shortages occurring and there are people that may not be able to commit themselves to full time employment but will be willing to serve part time. Chief Nacke advised if there are retired officers from the department, he would be willing to consider them.

Mayor Hark advised Bill No. 22-020 is to follow for a first reading.

**ANDY DORIAN, DIRECTOR – CENTRAL SERVICES**

**Re: Purchase Approval, Parks Administrative Vehicles – Two (2), 2022 1500 Tradesman Regular Cab 4x4 Trucks**

*Lou Fusz Chrysler, Jeep, Dodge Ram, Fiat - \$35,074 each/\$70,148*

Mayor Hark then called Andy Dorian Director of Central Services forward. Mr. Dorian stated he was seeking approval to purchase two Parks and Recreation Administrative vehicles. Mr. Dorian advised that the City had been trying to buy these vehicles for a year, reminding Council that in April they had approved a half ton truck for the Parks Department, and one week later the truck was no longer unavailable.

Mr. Doran advised that last week he was made aware of three vehicles available at Lou Fusz. And he immediately asked the business to hold two vehicles. Since that time the purchase price of the vehicles have gone up and that the new purchase price is now \$75,088.00 total for both vehicles.

Dorian explained that Council had previously approved the purchase of a snowplow truck, which is now also not available, and now on a waiting list. He would like to purchase the two Dodge 1500 Tradesmans, as stated in his memo, which will be used for Parks Administration. Council Member Dobson then asked if it would be advantageous to set an amount where Dorian could purchase vehicles when they become available? Dorian stated is planning to bring a “blanket memo” to the next Council meeting requesting just that, in hopes that if a dealer contacts them with an available vehicle not having to wait three weeks to obtain Council approval, they will not miss out on an opportunity to purchase.

Council Member Dobson advised that Dorian has used his personal vehicle for many years for the City’s advantage and it is important that Dorian has a vehicle to use for City business. Council Member Phillips questioned if they were gas or diesel. Mr. Dorian advised they typically do not purchase diesel due to issues during the winter.

Mayor Pro Tem Dobson made the motion to approve the purchase of two 2022 Dodge 1500 Tradesman Regular Cab 4x4 trucks from Lou Fusz in the amount of \$75,088.00. Council Member Phillips seconded the motion.

Motion carried.

**Re: Bid Award Approval, Mud Cat MC 115D Dredge and Accessories**

*Ellicott Dredge Technologies - \$296,742*

Mr. Dorian’s next order of business is bid award approval for the purchase of a Mud Cat MC 115D Dredge and accessories from Ellicott Dredge Technologies. Dorian explained that during the Marina renovation project there had been talk about the best way to keep the Marina dredged. He explained that hiring a dredge company can be expensive, and just moving a dredge to a location can cost anywhere from \$50,000.00 to \$100,000.00 each time.

Because of this the City let bids for the purchase of a new dredge. There was one responsive bid from Ellicott Dredge Technologies in the amount of \$296,742.00. He advised that Parks and Recreation department has budgeted this expense.

The purchase price also covers the dredge, with a 15-foot digging depth, 125 HP motor, eight-inch hose and pipes the reach the dredge containment site, quick floats for the pipes, and five days of onsite training.

Council Member Franke asked if we had to dredge any additional area besides the marina such as the areas where the cruise ships come in? Dorian advised they do not, those areas are very deep sometime around thirty feet. Dorian explained what happens to the marina is, the water back flows and silt builds up in the entrance way. While the back of the marina maybe fine the entrance is where all the silt deposit builds up to creates the issue. Additionally, he added we must pump it, 1,800 feet, which is an added cost that the Corps of Engineers mandates, thus an additional cost to endure.

Mayor Hark then asked if this would be mobile, in which Andy Dorian advised it could be hauled in or kept at the marina, however, the trailer for this dredge was over \$32,000, alone. Therefore, once they got the dredge to Hannibal and received training, it would then be decided on the best way to store and transport the machine.

Council Member Phillips advised he was looking over the sale contract and it shows a one-year warranty and while he does not like extended warranties, questioned if they have any longer terms. Dorian advised they did ask; however, it is not offered but they do have on-site technicians and a diesel mechanic that will be able to fix most things. Council Member Philips advised he is quite familiar with a dredger and spent many years as a salvage diver up and down the Pacific Coast asking Dorian if he would allow Council to be dredge operators? Dorian advised he would gladly allow Council to help with the endeavor. Mayor Pro Tem Dobson then advised that there a couple private lakes and ponds and questioned if this would be for City use only and not for private property in which Mr. Dorian concurred, it was not allowed.

Mayor Pro Tem Mike Dobson made the motion to approve the purchase of a Mud Cat MC 115D Dredge with accessories from Ellicott Dredge Technologies in the amount of \$296,742.00. Council Member Phillips seconded the motion.

Motion carried.

**Re: Traffic Committee Recommendations**

- *No parking - west side of Hazel Street from Grand Avenue to Rock Street*
- *No parking - south side of Ann Street from Booker Street to the end of Ann Street*
- *No parking - Hill Street from Stillwell, heading east, for 100 feet from 7:00 a.m. to 7:00 p.m. from June 1<sup>st</sup> to November 1<sup>st</sup>*

Mr. Dorian's next order of business were traffic Committee recommendations. He explained the Traffic Committee met to discuss several issues, the first being no parking on the west side of Hazel Street to Rock Street. He advised what is happening is traffic is having a tough time getting through that small section of roadway, due to it being so narrow. He advised that the same issue effects the south side of Ann Street from Booker Street to the end of Ann. Mr. Dorian explained a resident at the very back of the street could not access his home, adding the day he personally went to check on the issue, in which he was not able to pass through. If he was not able to get his jeep through, a firetruck would not make it. The last item Traffic Committee issues was a request from the riverboat charter, where it was shared that when the charter buses travel to Rockcliffe Mansion up the Hill, turning on to Rock Street, if cars are parked along the street the buses cannot make the turn. He continued that the busses have no other options but to turn right. Mr. Dorian stated that the no parking would only be in effect June 1<sup>st</sup> through November 1<sup>st</sup> from 7:00 a.m. to 7:00 p.m. Mayor Hark stated if there were no objections to the recommendations no action was needed by Council.

**Re: Union Street Stone Archway Stormwater Conveyance – Construction Contract**

*T&B Trucking & Excavating - \$705,634*

*(Resolution No. 2423-22, to follow)*

Mr. Dorian then advised Council his last item, is exciting and a long awaited one. The City recently open bids for the Union Street Stormwater repair project. He reminded Council that the stormwater drain failed quite a long time ago. They have been working through the process with CDBG which has been quite a lengthy one, he added that this has been an endeavor between HBPW and City. They received the low bid from T & B Trucking & Excavating in the amount of \$705,634.00. The City has been awarded \$616,350.00 for the construction side of the project with additional funding going towards the engineering portion. Dorian added the new infrastructure sales tax will cover the rest of the amount and the Street Department will be required to replace the road. Mayor Pro Tem Dobson asked if the project had a start date, Dorian advised they did not, furthermore it must go back to CDBG after Council approval. Mayor Hark questioned if the contract would be honored until it goes through, in which Dorian concurred, adding it's a federal contract.

Mayor Hark advised Resolution No. 2423-22, is to follow for approval.

**MIKE MURPHY – BUILDING INSPECTOR**

**Re: Request, Set Public Hearing – Rezone 100 Lone Cedar Drive**

*B-Multiple Family to PDR-Planned Density Residential*

*(Tuesday, August 16, 2022 – 6:45 p.m.)*

Mayor Hark then called Mike Murphy Building Inspector forward. Mr. Murphy advised he is requesting to set a public hearing for Tuesday, August 16, 2022, at 6:45 p.m. for the rezoning of 100 Lone Cedar Drive.

Mayor Pro Tem Dobson made a motion to set a public hearing for Tuesday, August 16, 2022, at 6:45 p.m. for the rezoning of 100 Lone Cedar Drive. Council Member McCoy seconded motion.

Motion carried.

**DARRIN GORDON – HBPW GENERAL MANAGER**

**Re: Policy Approval, Maintenance Responsibility of Stormwater Systems**

Darrin Gordon, General Manager with the HBPW then addressed Council, advising that three years ago in May 2019 the BPW passed a policy on what is the public responsibility and what is private citizens responsibility relating to the stormwater system. Mr. Gordon and staff members have met to define what are the City's and what are the BPW's responsibilities. With specific details of repair and maintenance responsibilities being blurred, Lisa Peck, Andy Dorian, Matthew Munzlinger, and Gordon helped bring the definition to date and with adequate attention to all areas. With great attention given to what City departments would best serve area needs, the team divided responsibilities with the focus being on where the City could best cover the needs such as culverts and most above-ground work, and the BPW focusing on the pumps, storm basins, underground storm ways, and culverts.

The final issued being addressed being the City had culverts under roadways only adding that there is a definition to what defines a culvert and what is a bridge. He explained that a culvert is less than twenty feet long and a bridge is twenty feet long or greater and with a roadway the culvert is supported by dirt over the top. They went to MODOT to obtain the definition and it is included in the new policy. This helps in any situation such as if a road was washed out and based upon length who would be responsible for the repairs. Mr. Gordon stated the BPW Board had approved the policy at their last board meeting on May 20, 2022.

Mr. Gordon then requested City Attorney Lemon to provide insight on what should occur next. City Attorney Lemon advised that this policy can be approved by voice vote and an ordinance would not be needed. City Manager Lisa Peck then asked if they should receive a copy of the clean copy, Mayor Pro Tem Dobson then advised that there is a clean copy in the agenda packet with Mr. Lemon explaining what she had before her is a marked-up version of the original. Mr. Lemon continued advising that he does not feel Council needs to have a resolution to approve the policy, in which Mayor Hark advised he is inclined to agree, especially when it involves a policy within City departments. Lemon advised that state statues state any agreement with the City needs to be in writing, however, with this being the City within the City the written policy would suffice.

Council Member Franke then questioned Mr. Lemon if it would be improper to pass as an Ordinance as he was concerned it would “get lost by word of mouth” and would like to have it written down somewhere. Lemon agreed sometimes things get lost, however, he does not feel an Ordinance is necessary as it is a little “clunky” to be an ordinance and is unsure as to where it would be the appropriate place to put one. Council Member Franke then questioned the pumps specifically, asking who would be paying for them, is it sewer, water as there is no current stormwater source? Mr. Gordon advised that in April 2023, they would be going back to the community to seek a stormwater funding source as they currently do not have funding and the repairs are falling onto the City to make. If the pump motors were to fail, the BPW does not have funding to make the repairs. The HBPW will be taking a proposition back to the voters of Hannibal in April 2023 and advised that Black & Veach has given them an accurate estimate on what funding is needed. Ms. Peck advised that the pumps have just been rebuilt and they should last a good 20 years, what is really being talked about is an annual maintenance schedule. Council Member Franke then asked if it would be illegal for water or sewer to pay for this? Mr. Lemon advised that the water and sewer are a beneficiary of the City of Hannibal. He explained that it would be a breach of fiduciary duties to not repay these funds. Mr. Lemon advised right now what is being accomplished is via a loan and if they did not secure a funding source it would be problematic for the City. We need to figure out a way to fund this as the EPA and DNR have created unfunded new mandates and “dumped” them on the City, explaining many cities across the nation are facing the same problems. Mr. Gordon then added that they have recently done a lease purchase for new electrical lines and the covenants state they must use those monies for what they were intended for. Council Member Franke then suggested that he would like to be a part of the task force that has been working on this policy.

Council Member Phillips inquired if the maintenance that is currently performed is documented and kept on file? Mr. Gordon advised that because of the Hancock rule, they cannot do any maintenance as they do not have funding to do so. Council Member Phillips then asked if BPW has done any maintenance on the pumps. Mr. Gordon relied no; they have not done any maintenance and if approved by the voters in April 2023, the first thing they will do is a cleaning and a survey, explaining that a previous bid for cleaning came back at a million dollars. Council Member Phillips then questioned if Mr. Gordon knew of any other kind of funding in the future. Gordon advised he hopes this April 2023 ballot is a continual funding source, explaining it would be a tax associated with property taxes and collected by the county, adding this will take some citizen groups and support to get passed.

Mayor Pro Tem Dobson then made the motion to approve the policy for Maintenance Responsibility of Stormwater Systems. Council Member Phillips seconded the motion.

### ROLL CALL

**Yes:** Council Members Welch, Veach, Mayor  
Pro-Tem Dobson, Council Member Franke and Mayor Hark -6

**No:** -0-

**Abstain:** Council Member McCoy -1

Motion carried.

**RESOLUTION NO. 2423-22**

**A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING THE MAYOR TO EXECUTE A \$705,634 CONSTRUCTION CONTRACT BETWEEN THE CITY AND T&B TRUCKING & EXCAVATING FOR THE REPLACEMENT OF 175' OF STONE ARCHWAY STORMWATER CONVEYANCE UNDERNEATH UNION STREET**

Mayor Pro Tem Dobson made a motion to have the City Clerk read Resolution No. 2423-22 and call the roll for adoption. Council Member Veach seconded the motion.

**ROLL CALL**

**Yes:** Mayor Hark, Council Members Welch, Veach, McCoy, Mayor Pro Tem Dobson, Council Member Franke and Mayor Hark -7

**No:** - 0 -

**Absent:** - 0 -

Motion carried.

Mayor Hark declared Resolution No. 2423-22 duly approved and adopted on this date.

**BILL NO. 22-020**

**AN ORDINANCE OF THE CITY OF HANNIBAL AMENDING THE FISCAL YEAR 2022/2023 PAYROLL ORDINANCE (NO. 1) RELATIVE TO THE CORRECTION TO THE FINANCE DIRECTOR/POLICE MANAGEMENT ASSISTANT SALARY, THE ADDITION OF CERTAIN FIRE DEPARTMENT SALARIES, AND THE ADDITION OF AUXILLARY POLICE OFFICER SALARIES**

***First Reading***

Council Member McCoy made a motion to give Bill No. 22-020 a first reading. Mayor Pro Tem Dobson seconded the motion.

**ADJOURNMENT**

A motion to adjourn the meeting was made by Mayor Pro-Tem Dobson and seconded by Council Member McCoy.

Motion carried.



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*James R. Hark, Mayor*

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*Angelia N. Zerbonia, MRCC, CMO – City Clerk*