

City of Hannibal

OFFICIAL COUNCIL MINUTES

**Tuesday January 17, 2023
Council Chambers
7:00 p.m.**

ROLL CALL

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

Absent: -0-

CALL TO ORDER

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

INVOCATION

The invocation was then given by Mayor Pro Tem Dobson.

PLEDGE OF ALLEGIANCE

Mayor Hark then requested Council member Veach to lead the Pledge of Allegiance to the Flag.

APPROVAL OF AGENDA

A motion was made by Mayor Pro Tem Dobson to approve the agenda, as presented, and posted. The motion was seconded by Council Member Veach.

Motion carried.

**APPROVAL OF PAYROLL AND CLAIMS
First Half- January 2023**

A motion was made by Council Member Phillips to approve the payroll and claims for the first half of January 2023. The motion was seconded by Council Member Veach.

Motion carried.

**JAMES LEMON – CITY ATTORNEY
Re: Council Rules Regarding Public Speaking**

Mayor Hark advised Council he would be presenting the agenda out of order and would like to start with City Attorney James Lemon this evening. Mr. Lemon advised Council an Ordinance was approved to allow public speaking during regular scheduled City Council meetings. Mr. Lemon stated that he was tasked with presenting Council with some rules of order for the public speaking portion of the meeting and tonight he is presenting the Council with a proposed set of rules regarding the newly added public speaking portion.

Council Member Veach made a motion to approve the proposed set of rules of order for the public speaking portion of the meeting. Mayor Pro Tem Dobson seconded the motion.

ROLL CALL

Yes: Council Members Welch, Veach, McCoy, and Mayor Pro Tem Dobson - 4

No: Council Member Franke and Mayor Hark - 2

Abstain: Council Member Phillips - 1

Motion carried.

**JOHN BUCKMAN – LOAFERS CAR CLUB
Re: Request, Street Closures – Loafers 27th Annual Car Show
*Saturday, May 13, 2023 – 6:00 a.m. – 5:00 p.m.***

Re: Request, Street Closures – Monthly Car Cruise Show
Saturday, April 1, 2023 – 5:00 p.m. – 9:00 p.m.
Saturday, May 6, 2023 – 5:00 p.m. – 9:00 p.m.
Saturday, June 3, 2023 – 5:00 p.m. – 9:00 p.m.
Saturday, August 5, 2023 – 5:00 p.m. – 9:00 p.m.
Saturday, September 2, 2023 – 5:00 p.m. – 9:00 p.m.
Saturday, October 7, 2023 – 5:00 p.m. – 9:00 p.m.

John Buckman, representing Loafers Car Club, approached Council requesting street closures and no parking signs for the upcoming Loafer's 27th Annual Car Show to be held on Saturday, May 13, 2023. Mr. Buckman requested additionally the approval for street closures for their monthly car show to be held on various dates on Church Street by Karlock Cars. Mayor Hark advised all documents are on file for the requested events.

Council Member Veach made the motion to approve street closures for the 27th Annual Car Show in addition to the six requested dates for the monthly events. Council Member McCoy seconded the motion.

Motion carried.

DARRIN GORDON – GENERAL MANAGER, BOPW
Re: Bill No. 23-001 – Stormwater Ballot Proposal

Darrin Gordon, General Manager of the Hannibal Board of Public Works advised Council he is addressing them this evening regarding Bill number 23-001 which proposed a vote of the people to be held on the upcoming April municipal election to ask voters to approve a tax rate increase to acquire, construct, and maintain a stormwater utility. Mr. Gordon explained earlier today the Board of Public Works held their regularly scheduled board meeting. He explained during that meeting many residents of the City of Hannibal attended with concerns regarding the tax increase and the impact it would have on the community. Mr. Gordon advised that the Board Members in addition to himself would like to request a withdraw of the Bill at this time to allow more research as well as form a committee consisting of community members.

Mayor Hark then sought a motion to elect one speaker on the issue of the proposed tax for stormwater utility. Mr. Hark did not receive a motion. Mayor Hark then called the first speaker to the podium.

JIM MULHERN – 9298 CO RD 416
Re: Stormwater Ballot Proposal

Mayor Hark called Jim Mulhern forward. Mr. Mulhern advised he is speaking with Council regarding his concerns regarding the proposed implementation of a tax to fund the new stormwater utility. Mr. Mulhern advised his concern is the use of the gross property area being used to determine the rate of tax to each citizen, additionally he advised he supports the development of a committee of business owners, citizens, and city officials to research and development a stormwater plan. Mayor Hark thanked Mr. Mulhern for attending.

JOHN LYNG – HANNIBAL MO
Re: Stormwater Ballot Proposal

Mayor Hark called John Lyng forward to address the Council. Mr. Lyng advised he would like to share some brief remarks regarding the proposed tax to fund the stormwater utility. Mr. Lyng advised he is concerned as an owner of the Hannibal Board of Public Works, as well as 17,000 others. Mr. Lyng continued and stated his concerns lie within the legality and assessed value requirements. Mr. Lyng advised he would like to attend the meetings of the committee formed. Mayor Hark thanked Mr. Lyng for attending this evening.

ROBERT CHRISCINSKE – 14 OAK RIDGE POND RD
Re: Stormwater Ballot Proposal

Mayor Hark asked Robert Chriscinske forward. Mr. Chriscinske advised Council he is attending this evening due to his concerns about the second reading of Bill number 23-000. Mr. Chriscinske advised his concern as a neighborhood property owner in the City of Hannibal, and the hardship this tax rate would place on the average size property owner in the community. Mr. Chriscinske ended with sharing with Council that the issue should be a group effort by Council, Board of Public Works, and the citizens of Hannibal. Mayor Hark thanked Mr. Chriscinske for attending.

CARL BALL – 8954 CR 422
Re: Stormwater Ballot Proposal

Mayor Hark called the next speaker Carl Ball to the podium. Mr. Ball thanked Council for the opportunity to speak this evening. Mr. Ball explained his concerns are on two levels which are as a developer and a farmer and the potential impact the tax would have. Mr. Ball advised his concern with the proposed tax are the high tax rates and the effects it would have on the farmers and developers. Mayor Hark thanked Mr. Ball for attending.

BENJAMIN HICKMAN – 9608 HWY 168
Re: Stormwater Ballot Proposal

Mayor Hark called Benjamin Hickman forward. Mr. Hickman advised he is speaking with Council regarding his concerns with the stormwater ballot issue and the high tax rate proposed with the passing of this Bill. Mr. Hickman advised he is glad the Council is allowing more time to consider this decision and the impact it will have. Mayor Hark and the Council thanked Mr. Hickman for attending.

APRIL AZOTEA – 323 N MAIN STREET
Re: Multiple Subjects regarding Hannibal

Mayor Hark called April Azotea forward. Ms. Azotea advised Council she would like to present Council with binders of information and will drop them by the Clerk's office in the following days. Ms. Azotea stated she would like to discuss several issues this evening including the rules regarding public speaking, the proper way to place a citizen complaint, and proper chain of command. Council Member Franke thanked Ms. Azotea for attending.

JAMES R. HARK – MAYOR

Re: Oath of Office

Emergency Management Director – Jacob Nacke

Mayor Hark then administered the Oath of Office to newly appointed Director of Emergency Management Chief Jacob Nacke.

Re: Recommendation of Appointment

INDUSTRIAL DEVELOPMENT AUTHORITY

- **Jeff Evans – reappointment for a term to expire January 2029**

A motion was made by Council Member McCoy to approve the re-appointment of Jeff Evans for a term to expire January 2029, to the Industrial Development Authority. The motion was seconded by Mayor Pro Tem Dobson.

Motion carried.

Re: Recommendation of Appointment

HANNIBAL TREE BOARD

- **Harry Graves – reappointment for a term to expire September 2026**

A motion was made by Council Member Franke to approve the re-appointment of Harry Graves for a term to expire September 2026, to the Hannibal Tree Board. The motion was seconded by Council Member Welch.

Motion carried.

HANNIBAL HOUSING AUTHORITY

- **Patti Talbert – reappointment for a term to expire April 2026**
- **Jay Ghanti– reappointment for a term to expire April 2026**

Mayor Hark then made the following recommendations for re-appointment to the Hannibal Housing Authority.

Mayor Hark advised these nominations will be considered for approval at the next regular Council meeting, to be held February 7, 2023.

Re: Recommendation of Removal from Board

HANNIBAL HOUSING AUTHORITY
James Silvey – Removal from Board

Mayor Hark then made the following recommendation for the removal of James Silvey from the Hannibal Housing Authority Board. Mayor Hark advised Mr. Silvey was appointed to the board in May 2021 and is unable to fulfill the requirements of the board.

A motion was made by Council Member Welch for the removal of James Silvey from the Hannibal Housing authority Board. The motion was seconded by Council Member Veach.

Motion carried.

LISA PECK – CITY MANAGER
Re: Payroll Amendment #4
(Bill No. 23-003, to follow)

City Manager Lisa Peck advised an Ordinance will follow which will authorize a Payroll Amendment allowing the increase of salaries for the police chief, fire chief, and director of central services for assuming additional duties in the operation and management of Emergency Services.

Mayor Hark stated Bill No. 23-003 will follow, for a first reading.

ANDY DORIAN – DIRECTOR OF CENTRAL SERVICES
Re: Bid Award Airport Terminal Project

Andy Dorian, Director of Central Services first item this evening was requesting approval of the bid award to T&B Trucking and Excavation. Mr. Dorian advised the City had received 3 bids with the lowest bid of \$162,135 being T&B Trucking and Excavation. Mr. Dorian explained that rain and stormwater is infiltrating the building causing damage, T&B Trucking and Excavation will be digging new trenches for French drains, adjustments for downspouts, hard pipes to carry water away from the building and repairs to the water damaged foundation as well as insulating water lines inside the building.

Mr. Dorian reminded Council that the City applied for and received a BIL Terminal Grant earlier in the year which will pay for 95% of the project. The total cost for the City will be \$8,106.75.

A motion was made by Council Member McCoy for the approval of the bid award to T&B Trucking and Excavation for \$162,135 The motion was seconded by Council Member Veach.

Motion carried

Re: Change Order #1 Union Street
(Resolution No. 2436-23, to follow)

Andy Dorian, Director of Central Services second item tonight was to request approval of change order for the Union Street Stormwater Project. Mr. Dorian advised a portion of the sanitary sewer main had to be replaced due to its age. Mr Dorian reminded Council that the City and Board of Public Works have to match \$88,000 for this project with the majority of that being from the labor and materials for the re-construction of the roads, curbs, and gutter later this Spring. The \$3,676.53 for this Change Order would go towards that \$88,000 match.

Original Contract Amount	\$705,634
Change Order #1	\$3,676.53
Revised Contract Amount	\$709,310.53

Mayor Hark stated Resolution No. 2436-23 is to follow, for approval.

STEPHAN FRANKE – 3RD WARD COUNCILMEN
CHARLES PHILLIPS – 4TH WARD COUNCILMEN
Re: Exit Interview Policy

Council Member Franke advised Council he would like to recommend a policy proposal for how exit interviews are conducted by the City of Hannibal. Council Member Phillips made the motion to direct the City Clerk's office to distribute a written questionnaire to all exiting full time employees in addition, City Manager Lisa Peck will obtain an outside Human Resource Counsel to perform a follow-up interview, and ensuring all department directors exit interviews (or those deemed appropriate by independent Counsel be submitted to each member of Council. Council Member Franke seconded the motion.

Motion carried.

BILL NO. 23-001

**AN ORDINANCE OF THE CITY OF HANNIBAL CALLING A
MUNICIPAL ELECTION TO BE HELD TUESDAY, APRIL 4, 2023,
TO ALLOW HANNIBAL VOTERS TO CONSIDER THE
IMPLEMENTATION OF A TAX RATE FOR THE PURPOSE OF
FUNDING A UTILITY TO ACQUIRE, CONSTRUCT, MAINTAIN
AND IMPROVE THE CITY'S STORMWATER
CONVEYANCE SYSTEM, *Proposition S***

Second and Final Reading

A motion was made by Mayor Pro Tem Dobson to have the City Clerk read Bill No. 23-001 and call the roll for adoption. The motion was seconded by Council Member Franke.

ROLL CALL

Yes: -0-

No: Council Members Phillips, Welch, Veach, McCoy,
Mayor Pro Tem Dobson, Council Member Franke, and Mayor Hark-7

Motion failed.

BILL NO. 23-002

**AN ORDINANCE PROVIDING FOR SUBMISSION OF A PROPOSAL
(PROPOSITION ONE) TO ALLOW THE CITY OF HANNIBAL TO
IMPOSE A CITYWIDE SALES TAX ON ALL TANGIBLE
PERSONAL PROPERTY RETAIL SALES OF ADULT USE
MARIJUANA TO THE QUALIFIED VOTERS OF THE CITY FOR
THEIR APPROVAL AT THE MUNICIPAL ELECTION TO BE HELD
ON TUESDAY, April 4, 2023**

Second and Final Reading

A motion was made by Council Member Veach to have the City Clerk read Bill No. 23-002 and call the roll for adoption. The motion was seconded by Mayor Pro Tem Dobson.

ROLL CALL

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

No: -0-

Motion carried.

Mayor Hark declared Bill No. 23-002 duly approved and adopted on this date

BILL NO. 23-003

**AN ORDINANCE OF THE CITY OF HANNIBAL AMENDING THE
FISCAL YEAR 2022/2023 PAYROLL ORDINANCE (NO. 4)
RELATIVE TO THE INCREASE OF THE SALARIES OF THE
POLICE CHIEF, THE FIRE CHIEF AND DIRECTOR OF CENTRAL
SERVICES DUE TO THE ADDITION OF DUTIES AS A RESULT OF
ASSUMING EMERGENCY MANAGEMENT RESPONSIBILITIES**

First Reading

A motion was made by Council Member Veach to give Bill No. 23-003 a first reading. The motion was seconded by Council Member Welch.

Motion carried.

RESOLUTION NO. 2436-23

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A
\$3,676.53 CHANGE ORDER #1 FOR THE UNION STREET
STORMWATER REPLACEMENT PROJECT.**

A motion was made by Council Member Veach to have the City Clerk read Resolution No. 2436-23 and call the roll for adoption. The motion was seconded by Council Member Welch.

ROLL CALL

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

No: - 0 -

Motion carried.

Mayor Hark declared Resolution No. 2436-23 duly approved and adopted on this date.

CLOSED SESSION

In Accordance with RSMo. 610.021 (1), (3), and (13)

Mayor Hark then entertained a motion to enter closed session in accordance with RSMo. 610-021, sub-paragraphs (2), (3), and (13) admitting himself, City Council Members, City Attorney James Lemon, City Manager Lisa Peck, Deputy City Clerk, Director Central Services Andy Dorian.

A motion was made by Mayor Pro Tem Dobson to enter closed session. The motion was seconded by Council Member McCoy.

Subsequently, John Tomko requested from the audience to speak. Council Member Franke made to motion to allow Mr. Tomko to address Council. Council Member Welch seconded the motion.

Motion carried.

Mr. Tomko advised Council he has concerns regarding the tax for stormwater that a large amount of citizens are on pensions as well as the cost-of-living increases do not match increasing living cost. Mr. Tomko supports a sales tax. Mr. Tomko encourages the spirit of public speaking.

Mayor Pro Tem made a second motion to enter closed session. Council Member Veach seconded the motion.

Motion carried.

OPEN SESSION

A motion was made by Council Member Veach to return to open session. The motion was seconded by Council Member Franke.

Motion carried.

ADJOURNMENT

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

Motion carried.

James Hark, Mayor

Melissa Cogdal – Deputy City Clerk