

CITY OF HANNIBAL
OFFICIAL COUNCIL AGENDA

Mayors Reunion

WEDNESDAY, January 2, 2019
Council Chambers
6:00 p.m.



The City of Hannibal
cordially invites you and a guest to the

Mayors' Reunion

Honoring Mayors of Past & Present

on

Wednesday, January 2, 2019

at 6:00 p.m.

To kick off the
Bicentennial Celebration
City Hall, Council Chambers
320 Broadway, Hannibal, Missouri 63401

**Council meeting to follow at 7:00 p.m.

CITY OF HANNIBAL
OFFICIAL COUNCIL AGENDA

WEDNESDAY, January 2, 2019
Council Chambers
7:00 p.m.

ROLL CALL

CALL TO ORDER

INVOCATION

PRESENTATION OF COLORS – EMMETT J. SHEILDS POST 55

APPROVAL OF AGENDA

APPROVAL OF MINUTES
Regularly Scheduled Council Meeting – December 18, 2018

APPROVAL OF PAYROLL AND CLAIMS
Second Half – December, 2018

JAMES R. HARK – MAYOR
Re: Approval, Special Call Council Meeting
Tuesday, January 8, 2019 – 6:00 p.m.

Re: Recommendation of Appointment & Reappointment

POLICE & FIREMEN RETIREMENT FUND BOARD OF TRUSTEES

- **Pat Benson – reappointment for a term to expire December, 2021**
- **John Dean – appointment for an unexpired term to expire December, 2019**

JEFF LAGARCE – CITY MANAGER

Re: City Manager Recruitment Process – Executive Search Agreement

The Pace Group - \$28,000

(Resolution No. 2186-19, to follow)

Re: Lease of City Owned Riverfront Property – Agreement to Lease

Viking USA, LLC

(Resolution No. 2187-19, to follow)

HEATH HALL – BOARD OF PUBLIC WORKS GENERAL MANAGER

Re: April, 2019 Municipal Election – Proposition S

Stormwater Utility User Fee

(Bill No. 19-001, to follow)

EDIE PRICE – DPW MANAGEMENT ASSISTANT

Re: Request, Set Public Hearing – Rezone Property (213 S. 5th Street)

E-Commercial to A-One & Two Family

Tuesday, February 5, 2019 – 6:45 p.m.

Alex Jaxon Meininger

RESOLUTION NO. 2186-19

A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING THE MAYOR TO EXECUTE AN EXECUTIVE SEARCH AGREEMENT WITH *THE PACE GROUP* IN THE AMOUNT OF \$28,000 PLUS DIRECT OUT-OF-POCKET EXPENSES AS SET FORTH IN THE AGREEMENT, TO ASSIST IN THE CITY MANAGER SEARCH AND SELECTION PROCESS

RESOLUTION NO. 2187-19

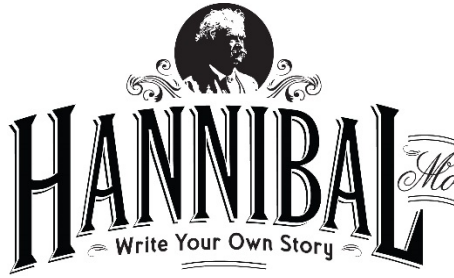
A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT TO LEASE WITH *VIKING USA, LLC* FOR VIKING CRUISE SHIP DOCKING AT THE HANNIBAL RIVERFRONT

BILL NO. 19-001

**AN ORDINANCE OF THE CITY OF HANNIBAL
CALLING A MUNICIPAL ELECTION TO BE
HELD TUESDAY, APRIL 2, 2019 TO ALLOW
HANNIBAL VOTERS TO CONSIDER THE
IMPLEMENTATION OF A FEE SCHEDULE
FOR THE PURPOSE OF FUNDING A UTILITY
TO ACQUIRE, CONSTRUCT, MAINTAIN AND
IMPROVE THE CITY'S STORMWATER
CONVEYANCE SYSTEM, *Proposition S***

First Reading

ADJOURNMENT



MEMORANDUM

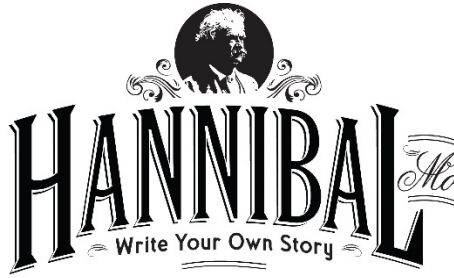
To: Angelica Zerbonia - City Clerk

From: James Hark - Mayor

Re: Police and Fire Retirement Board of Trustees

Date: December 19, 2018

Please submit Pat Benson's name to the next Council agenda for reappointment to the Police and Fire Retirement Board of Trustees. The term will expire December 2021.



MEMORANDUM

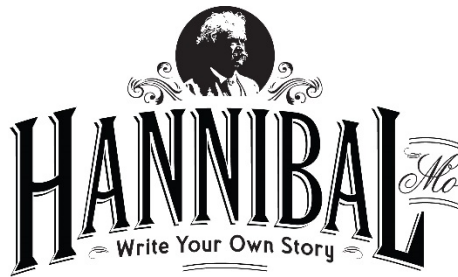
To: Angelica Zerbonia - City Clerk

From: James Hark - Mayor

Re: Police and Fire Retirement Board of Trustees

Date: December 18, 2018

Please submit John Dean's name to the next Council agenda for appointment to complete an unexpired term on the Police and Fire Retirement Board of Trustees. The term will expire December 2019.



MEMORANDUM

To: Mayor James Hark and Members of the City Council

From: Jeff LaGarce, City Manager

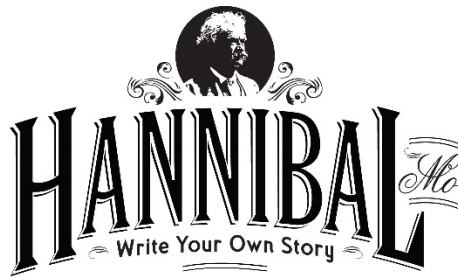
Re: Resolution authorizing the Mayor to execute an Agreement with the Pace Group to assist in the City Manager search and selection process

Date: December 21, 2018

The Pace Group has provided a proposal to assist the Mayor and Council with its city manager search. The Pace Group's approach not only markets this position nationwide, but identifies, seeks, and attracts qualified candidates, evaluates and screens them, and includes background and other reference checks.

The Pace Group will present the city with the top candidates for interviews and selection, and are willing to assist in both those processes as well.

The contractual fee is \$28,000 plus out-of-pocket expenses. The Pace Group recently completed an executive search for the NEMD Executive Director, and did an excellent job.



MEMORANDUM

To: Mayor James Hark and Members of the City Council

From: Jeff LaGarce, City Manager

Re: Resolution authorizing the Mayor to execute a Ground Lease Agreement with Viking USA, LLC

Date: December 21, 2018

Viking Cruises will begin offering river cruises on the Mississippi River, with Hannibal being designated as one of Viking's port stops (there are only 2 in Missouri). We are told the duration of Hannibal port stops while heading "upstream" will be 11 hours, and the duration of port stops heading "downstream" will be 5 hours. The best estimate for Viking's maiden voyage is 2021 or 2022; they must still build their ships.

Viking's initial forecast for incorporating their ship fleet onto the river was:

- Year 1: 2 initial ships
- Year 3: 2 additional ships
- Year 5: 2 final ships, for a total of 6.

More updated information suggests the following schedule:

- Year 1: 2 ships
- 9 months later: 2 additional ships
- 9 months later: 2 final ships, for a total of 6

If this latter occurs, Viking could have its full complement of ships on the river by Year 3.

In-anticipation of Viking's impending enterprise, they propose Ground Lease Agreements with each port city. The Agreement covers several things, though primary substance involves some guarantee of port availability for Viking dockings. In-exchange for this guarantee, Viking will compensate the city. In April 2015, the Mayor and City Council voted to provide Viking with exclusive docking rights, and a letter stating that commitment was sent accordingly.

This Ground Lease Agreement adheres to that same spirit, but modifies the concept of "exclusive docking rights". Instead of exclusive docking rights, the city will provide "available docking

rights”; that is, a port will be reserved/available to Viking any day they are scheduled for docking. On days Viking is not scheduled, others can use the port (which will be the southernmost port, incidentally). So the port is not “exclusive” to Viking, but will be “available” to them on days needed – consistent with their request. This arrangement provides more flexibility for other users when Viking is absent, yet still guarantees a port for Viking to dock.

On its surface, the \$1.00 docking fee (per passenger, paid by Viking) appears nominal. Yet between July 1 and October 31 of each year, 6 Viking ships will make 19 excursions each, totaling some 114 port stops in Hannibal. Viking ships will carry 338 passengers each; therefore, some 38,500 new tourists (or passengers) will enter Hannibal by water each Summer. Over this 20 year Agreement, total docking fees would exceed \$750,000. Note also, this agreement provides for 20 *additional* years (beyond the first 20), and allows for renegotiation of the \$1.00 fee at the 21-year mark.

The largest beneficiary(ies) of the Viking initiative will be Hannibal businesses. These passengers are tourists, and tourists are inclined to make purchases during their travels. Hannibal currently hosts some 330,000 tourists each year. New Viking passengers/tourists represent an 11.6% increase; however, this statistic understates the experience that will be felt. While the increase is indeed 11.6%, Viking will only operate 4 months of the year. The impact during the cruise season will feel much greater, because this increase will all occur during a short 120 day period each summer. Between the 28-30 cruise ship landings that already occur, plus those Viking will add, there will – statistically - always be at-least one (1) ship-in-port.

Staff recommends approval of the Resolution authorizing the Ground Lease Agreement.



HANNIBAL BOARD OF PUBLIC WORKS

ELECTRIC, WATER AND WASTEWATER

3 INDUSTRIAL LOOP DRIVE
PO BOX 1589
HANNIBAL, MISSOURI 63401-1589
573-221-8050
www.hannibalbpw.org



DATE: December 27, 2018
TO: Mayor Hark and Members of the City Council
FROM: Heath N. Hall, Board of Public Works General Manager

Stormwater Utility User Fee Ordinance

Background

In 1962 the City Council transferred the responsibility to maintain the sanitary sewer and storm sewer systems to the Hannibal Board of Public Works (HBPW). According to the newspaper articles, the transfer even included employees and equipment from the Public Works Department to the HBPW. During this time the systems were very much intertwined. As environmental awareness increased, regulations were developed to protect streams and waterways from pollution. One of the most famous regulations is the Clean Water Act (CWA), developed in 1972. The CWA first focused on point source pollution and required discharge permits for facilities that discharge into waterways. The Hannibal WWTP is an example of one of these facilities.

In 1999, the CWA issued regulations on stormwater for all small municipal separate storm sewer systems (MS4s). This led to The Missouri Department of Natural Resources (MDNR) issuing a statewide permit for all small MS4s in 2003, titled Municipal Separate Storm Sewer System (MS4) that regulates the stormwater system. The City of Hannibal has had the required written stormwater management plan for compliance, but due to lack of funding, little action was taken as laid out in the plan. In 2016, a federal mandate was passed obligating MS4s to submit annual progress reports to their regulating agency (MDNR for Hannibal); as well as develop an auditing process to prove compliance.

The HBPW has been maintaining underground stormwater systems (storm sewers) and the Public Works Department of the City has been maintaining the above ground stormwater infrastructure since 1962, to the best of my knowledge. For years, both systems have been dealing with funding issues causing much of the system to be untouched, or overlooked. The City funded any repairs from the General Fund and the HBPW used sanitary sewer funds to make any essential infrastructure repairs. Neither funding mechanism provides enough dollars to maintain the system adequately or to meet existing regulations, which will likely continue to get more stringent. The engineering firm, Burns and McDonnell conducted a drainage/stormwater study in about 2005, and identified the need for a reliable stormwater funding source at that time. One recommendation of the study was to adopt a stormwater user fee program or create a stormwater utility. Fearing the financial impact on the community, nothing was done at that time.

In 2016, the HBPW and City began receiving and influx of storm sewer issues. Temporary steel plates were installed on holes in City roadways directly above failed portions of the storm sewers. Other roadways were completely barricaded off because they could not be driven on safely. The repairs costs estimates were in the hundreds of thousands of dollars. The HBPW and City coordinated efforts, but even together could not afford the necessary repairs. The HBPW installed more steel plates on roadways while continuing to access the repair costs. Eventually there were about a dozen of these plates installed throughout the City covering the failed storm sewers below.

Therefore, the City Council passed a resolution in June of 2017, authorizing the HBPW to implement a stormwater utility and comprehensive stormwater repair program. Within the resolution, section 1 reads:

“The Hannibal Board of Public Works is hereby authorized and directed to establish a stormwater utility pursuant to the existing Home Rule Charter provisions, and a comprehensive stormwater repair program and initiative thereof to repair structurally-unsound stormwater infrastructure and address stormwater problems throughout the Hannibal community”.

There are approximately 1,500 stormwater utilities across the United States, and more communities are turning to stormwater utilities as their sole funding mechanism to meet their needs. Although it is a widely accepted funding source throughout the country, there was a case in Missouri (Zweig v. Metropolitan St. Louis Sewer District) in which a judge ruled a stormwater fee unconstitutional, because it was not first approved by voters through a ballot measure, as suggested by the Hancock Amendment in the Missouri Constitution. Although the resolution was approved by City Council for HBPW to implement a stormwater utility, it is our recommendation to have citizens vote to approve or reject the HBPW moving forward with implementing and collecting of a stormwater utility fee at this time.

Stormwater Utility Development

Matt Munzlinger (HBPW Utility and Planning Engineer) will be at the meeting to give an update on what we have been working on since the resolution was issued in June of 2017.

User Fee Ordinance

During the development of the stormwater utility, there was a budget workshop with the City, HBPW, and Black & Veach. One of the goals of the meeting was to define responsibilities (City, HBPW, and property owners). Stormwater utilities fees will be based upon where the lines of responsibilities are drawn. Also since the issuance of the resolution by Council in June of 2017, we have received dozens of calls with stormwater issues. None of them are easy fixes, and most are outside of City right of ways or easements. We need a policy to define areas of responsibility. We are in the development stages of the policy that we would like to be in place prior to the April vote.

Defining City, HBPW, and property owners' responsibilities is a challenge, but it is imperative for us to eliminate some of the gray areas and to define responsibility levels for funding and customer service purposes. To remain conscientious, we plan to be as conservative as possible, in order to minimize the financial impact on our citizens. This responsibility breakdown can be defined in the policy and communicated to customers clearly.

If the ballot issue passes:

- Initially focus on Infrastructure repairs (Martin Street, South 7th Street near Street Department, Webb Street, failures near the old St. Elizabeth Hospital building)
- Develop a comprehensive stormwater management program that focuses both on the quantity (infrastructure) and quality of stormwater in our waterways
- MS4 permit requirements (street sweeping documentation is one example)

If the ballot issue does not pass:

- Primary focus would be on MS4 permit compliance (which is solely water quality related, it does not address our infrastructure failures)
- Address only the worst of problems that warrant immediate action



CITY OF HANNIBAL

DEPARTMENT OF PUBLIC WORKS

INTEROFFICE MEMORANDUM

TO: PLANNING AND ZONING COMMISSIONERS
FROM: EDIE PRICE MANAGEMENT ASSISTANT
SUBJECT: REZONING OF 213 SOUTH 5TH STREET
DATE: DECEMBER 21, 2018
CC:

An application has been received from Alex Jaxon Meininger to rezone the property at 213 South 5th Street. Also known as All of Lot Number Two (2) and the South Three (3) feet of Lot Number Three (3) in Block Number Twenty-Seven (27) in the City of Hannibal, Marion County, Missouri. Subject to easements, conditions, and restrictions of record. His request is to re-zone from E-Commercial to A-One & Two Family.

The Planning and Zoning Commission public hearing for this request has been set for January 17, 2019 at 4:00 P.M. The Department of Public Works has requested that Council set their public hearing date for February 5, 2019 at 6:45 P.M.