

City of Hannibal

OFFICIAL COUNCIL OFFICIAL PROCEEDINGS

**Tuesday January 18, 2022
Council Chambers
7:00 p.m.**

ROLL CALL

Present: Council Member McCoy, Mayor Pro Tem Dobson,
Mayor Hark, and Council Members Bowen, Welch, and Veach - 6

Absent: Council Member Franke - 1

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 Police Corporal Brian Captain Allen to lead the Pledge of Allegiance to the Flag.

APPROVAL OF AGENDA

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

Motion carried.

APPROVAL OF MINUTES

Closed Session Minutes –

April 17, 2018 March 5, 2019
April 16, 2019 September 3, 2019
November 5, 2019 May 19, 2020
August 4, 2020

Regularly Scheduled Council Meeting – January 4, 2022

A motion was made by Council Member Veach to approve the closed session minutes from April 17, 2018, April 16th, March 19th, September 19th, and November 5, 2019, May 19th, August 4, 2021, and the regularly scheduled Council meeting minutes from January 4, 2022. The motion was seconded by Council Member Welch.

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS

First Half – January 2022

A motion was made by Mayor Pro Tem Dobson to approve the payroll and claims for the first half of January 2021. The motion was seconded by Council Member Veach.

Motion carried.

LISA PECK – CITY MANAGER

Re: Approval, Appointment of Fire Chief

Ryan Neisen

City Manager Lisa Peck, then addressed Council advising with the retirement of the current Fire Chief Mike Benjamin is to take effect on January 21, 2022. A five-person panel, comprised of the Director of Central Services Andy Dorian, City Clerk Angel Zerbonia, Police Chief Lyndell Davis, Finance Director Wesley Metz and herself, conducted interviews with two in-house candidates. Both candidates had their strengths, and the panel unanimously agreed that Assistant Chief Ryan Neisen had the necessary administrative experience for the position. Filling the Fire Chief position requires the consent of the City Council per the Charter; therefore, Peck is requesting approval from Council for the appointment of Ryan Neisen as the City of Hannibal, Fire Chief.

A motion was made by Mayor Pro Tem Dobson to approve the appointment of Ryan Neisen as Fire Chief. The motion was seconded by Council Member McCoy.

Motion carried.

Re: Request, Set Public Hearing – Community Development Block Grant
Union Street Storm Sewer Project
(Tuesday, February 1, 2022 – 6: 45 p.m.)

City Manager Lisa Peck, then requested to set a public hearing for Tuesday, February 1, 2022 at 6:45 p.m. The City obtained Emergency Community Development Block Grant funding through the Mark Twain Council of Governments to fix the storm sewer collapse on Union Street that occurred February 2020. In conjunction with the engineering for this project, both the Council of Governments and the City were given incorrect information regarding the procurement of the engineer. In order to receive the funds for this project, the City must ask the Community Development Block Grant program for an exception to allow for the same engineer who provided the initial engineering for the application process to continue as the engineer for the CDGB project itself. As a part of this process, the City will need to hold a public hearing. Peck therefore is requesting Council set a public hearing date for February 1, 2022.

A motion was made by Mayor Pro Tem Dobson to set a public hearing on Tuesday, February 1, 2022, at 6:45 p.m. regarding the Emergency Community Development Block Grant. Union Street storm sewer collapse potential conflict of interest with engineering services. The motion was seconded by Council Member Veach.

Motion carried.

JAMES R. HARK - MAYOR

Re: Oath of Office

Ryan Neisen – Fire Chief

Mayor Hark then requested newly appointed Fire Chief Ryan Neisen to come forward. Mayor Hark then administered the Oath of Office and presented him with an oath certificate. The Council and audience congratulated Neisen for his promotion to Fire Chief with the City.

Re: Articles of Impeachment – Hearing Notification

Mayor Hark then brought forth the subject of the articles of impeachment, which he advised was provided in the agenda packet, with a hearing notification date of March 1, 2022, which is the first Council meeting in March.

Mayor Hark then questioned City Attorney James Lemon if a vote was required to set the hearing at a regularly scheduled Council meeting. Lemon advised there is not a need for a vote to set the hearing, however, Council Member Franke has the right to have his counsel set a date. It is Lemon's understanding City Judge Bastian plans to be available if there is a hearing on that date and is prepared to move forward. He is also prepared to discuss with Council and Council Member Franke if the hearing needs to be passed to a different date.

Lemon advised he was contacted by an attorney and does not feel comfortable advising the Council who at this time, that Council Member Franke plans to have legal counsel. He does not know for certain, however, if the attorney has been officially hired.

Re: Approval, Appointment of Special Prosecutor – Impeachment Process

Mayor Hark then advised that his next item is the approval of the appointment of a special prosecutor to represent the City in the impeachment process. City Attorney Lemon advised that he has an existing case with Council Member Franke that would conflict with this cause of action, thus he is unable to represent the City.

Mayor Hark is requesting permission to seek a special prosecutor for the City of Hannibal.

A motion was made by Council Member Veach authorizing Mayor Hark to obtain a special prosecutor for the impeachment process, due to City Attorney Lemon's conflict. The motion was seconded by Council Member McCoy.

Motion carried.

Council Member Dobson then advised that on March 1st the date of the scheduled impeachment process, he would be out of town and unavailable. Council Member Welch then advised that he too would be unavailable on that date.

City Attorney Lemon advised that notice should be given to Council Member Franke.

City Attorney Lemon would recommend the Council provide any conflicts they have with dates on regular council meeting dates to allow Judge Bastain to pick a date when the entire Council can attend. Lemon feels the full Council would want to be heard and Council Member Franke probably would want a full Council present for the proceedings as well.

ADJOURNMENT

A motion was then made by Council Member Veach to adjourn the meeting. The motion was seconded by Council Member McCoy.

Motion carried.

James R. Hark, Mayor

Angelica N. Zerbonia, MRCC, CMO - City Clerk