

**BILL NO. 23-034**

**ORDINANCE NO. 4943**

**FIRST READING: 12.05.2023**

**SECOND READING: 12.19.23**

**AN ORDINANCE OF THE CITY OF HANNIBAL CALLING A MUNICIPAL ELECTION TO BE HELD TUESDAY, APRIL 2, 2024, TO ALLOW HANNIBAL VOTERS TO CONSIDER THE IMPLEMENTATION OF A FEE FOR THE PURPOSE OF MAINTAINING AND IMPROVING THE CITY'S UNDERGROUND STORMWATER CONVEYANCE SYSTEM, *PROPOSITION S***

**WHEREAS**, the City of Hannibal, Missouri (the "City"), is responsible for the management of the City's stormwater infrastructure, the operations and maintenance of the stormwater system, regulatory compliance associated with its Municipal Separate Storm Sewer System permit, and applicable State and Federal laws associated with the Clean Water Act, and stormwater program administration (collectively referred to herein as "stormwater services"), and

**WHEREAS**, the management and operation of the stormwater system serve a vital public purpose, and provide for the health, safety, and welfare of the citizens of the City, and

**WHEREAS**, the City has authorized the Hannibal Board of Public Works to provide underground stormwater services, and

**WHEREAS**, the Hannibal Board of Public Works needs funding adequacy to meet its underground stormwater management and service obligations, including investing in the acquisition, renewal, and rehabilitation of the underground stormwater infrastructure necessary to address underground stormwater management needs across the City, and maintaining adequate reserves, and

**WHEREAS**, the City Council of the City of Hannibal and Hannibal Board of Public Works have determined that they do not have sufficient funding from current sources for the City of Hannibal's Board of Public Works to meet its underground stormwater management and service obligations, and

**WHEREAS**, the City finds it necessary and hereby declares its intent to implement a fee structure for the purpose of obtaining revenue sufficient for maintaining and improving the City's underground stormwater system, and

**WHEREAS**, the Hannibal Board of Public Works established a Stormwater Advisory Committee in February of 2023, composed of a diverse membership from the Hannibal community, to determine the most fair, equitable, and appropriate manner to establish a fee structure sufficient to maintain and improve the City's underground stormwater system, and

**WHEREAS**, the Stormwater Advisory Committee held numerous meetings and discussions and concluded the most fair, equitable, and appropriate manner to establish such a fee structure is to implement a flat fee per parcel of land with the amount of the fee due based on a

property's electric meter classification and kilowatt hour usage per average annual month ("kWh"), on the following schedule:

### **Residential**

Properties with an active residential meter utilizing 0 kWh to 715 kWh per average annual monthly usage shall be assessed a fee of \$12 per month (\$144 per year).

Properties with an active residential meter utilizing 716 kWh to 1,260 kWh per average annual monthly usage shall be assessed a fee of \$16 per month (\$192 per year).

Properties with an active residential meter utilizing 1,261 kWh or more per average annual monthly usage shall be assessed a fee of \$20 per month (\$240 per year).

### **Commercial**

Properties with an active commercial meter utilizing 0 kWh to 1,015 kWh per average annual monthly usage shall be assessed a fee of \$110 per month (\$1,320 per year).

Properties with an active commercial meter utilizing 1,016 kWh to 6,000 kWh per average annual monthly usage shall be assessed a fee of \$150 per month (\$1,800 per year).

Properties with an active commercial meter utilizing 6,001 kWh to 21,600 kWh per average annual monthly usage shall be assessed a fee of \$190 per month (\$2,280 per year).

Properties with an active commercial meter utilizing 21,601 kWh or more per average annual monthly usage shall be assessed a fee of \$230 per month (\$2,760 per year).

### **Industrial**

Properties with an active industrial meter utilizing 0 kWh to 720,000 kWh per average annual monthly usage shall be assessed a fee of \$420 per month (\$5,040 per year).

Properties with an active industrial meter utilizing 720,001 kWh or more per average annual monthly usage shall be assessed a fee of \$570 per month (\$6,840 per year).

### **Non-Metered**

Non-metered properties shall be assessed a fee of \$8 per month (\$96 per year).

A fee shall not be levied on tax-exempt properties as identified under Missouri law including §137.100 RSMo.

The annual assessment of kWh usage will occur on July 1<sup>st</sup> of each year. The fee will be collected annually, beginning in 2025, by the county of jurisdiction during its customary property taxing schedule.

**WHEREAS**, pursuant to Missouri law, including Article X section 22(a) of the Missouri Constitution, the City wishes to submit this matter to the voters of the City for approval of the imposition of such fee pursuant to this ordinance.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HANNIBAL, MISSOURI, AS FOLLOWS:**

**SECTION ONE:** Pursuant to Missouri law, including Article X, section 22(a) of the Missouri Constitution, the City has prepared a proposition for the imposition of a flat fee per parcel of land with the amount of the fee due based on a property's electric meter classification and kWh usage per average annual monthly usage, the proceeds of which are to be used for the sole purpose of paying costs associated with maintaining and improving the City's underground stormwater system. The fees shall be assessed as follows:

**Residential**

Properties with an active residential meter utilizing 0 kWh to 715 kWh per average annual monthly usage shall be assessed a fee of \$12 per month (\$144 per year).

Properties with an active residential meter utilizing 716 kWh to 1,260 kWh per average annual monthly usage shall be assessed a fee of \$16 per month (\$192 per year).

Properties with an active residential meter utilizing 1,261 kWh or more per average annual monthly usage shall be assessed a fee of \$20 per month (\$240 per year).

**Commercial**

Properties with an active commercial meter utilizing 0 kWh to 1,015 kWh per average annual monthly usage shall be assessed a fee of \$110 per month (\$1,320 per year).

Properties with an active commercial meter utilizing 1,016 kWh to 6,000 kWh per average annual monthly usage shall be assessed a fee of \$150 per month (\$1,800 per year).

Properties with an active commercial meter utilizing 6,001 kWh to 21,600 kWh per average annual monthly usage shall be assessed a fee of \$190 per month (\$2,280 per year).

Properties with an active commercial meter utilizing 21,601 kWh or more per average annual monthly usage shall be assessed a fee of \$230 per month (\$2,760 per year).

**Industrial**

Properties with an active industrial meter utilizing 0 kWh to 720,000 kWh per average annual monthly usage shall be assessed a fee of \$420 per month (\$5,040 per year).

Properties with an active industrial meter utilizing 720,001 kWh or more per average annual monthly usage shall be assessed a fee of \$570 per month (\$6,840 per year).

**Non-Metered**

Non-metered properties shall be assessed a fee of \$8 per month (\$96 per year).

A fee shall not be levied on tax-exempt properties as identified under Missouri law including §137.100 RSMo.

The annual assessment of kWh usage will occur on July 1<sup>st</sup> of each year. The fee will be collected annually, beginning in 2025, by the county of jurisdiction during its customary property taxing schedule.

**SECTION TWO:** This proposition shall be submitted to the qualified voters of the City of Hannibal, Missouri, for their approval, at the election hereby called and to be held in the City of Hannibal on Tuesday, April 2, 2024. The ballot of submission shall contain substantially the following language:

**NOTICE OF  
MUNICIPAL ELECTION  
CITY OF HANNIBAL,  
MISSOURI**

Notice is hereby given that there will be a Municipal Election to be held in the City of Hannibal Missouri, on:

**TUESDAY, APRIL 2, 2024**

**PROPOSITION S**

**To pay costs associated with maintaining and improving the City of Hannibal's underground stormwater conveyance system, shall the City of Hannibal implement a flat fee of \$12 to \$20 per month for properties with residential electric meters, \$110 to \$230 per month for properties with commercial electric meters, \$420 to \$570 per month for properties with industrial electric meters, and \$8 per month for non-metered properties, with the amount due determined by average annual monthly kilowatt hour usage?**

YES   
NO

**INSTRUCTIONS TO VOTERS:**

If you are in favor of the question, place an X in the box opposite "YES"

If you are opposed to the question, place an X in the box opposite "NO"

**SECTION THREE:** If the ballot question set forth in Section (2) of this ordinance receives a majority of the votes cast in favor of the proposal, there shall thereafter be imposed within the confines of the corporate limits of the City of Hannibal, a flat fee per parcel of land with the amount of the fee due based on a property's electric meter classification and kWh usage per annual monthly average, the proceeds of which are to be used for the sole purpose of paying costs associated with maintaining and improving the City's underground stormwater system. The fees shall be assessed as follows:

**Residential**

Properties with an active residential meter utilizing 0 kWh to 715 kWh per average annual monthly usage shall be assessed a fee of \$12 per month (\$144 per year).

Properties with an active residential meter utilizing 716 kWh to 1,260 kWh per average annual monthly usage shall be assessed a fee of \$16 per month (\$192 per year).

Properties with an active residential meter utilizing 1,261 kWh or more per average annual monthly usage shall be assessed a fee of \$20 per month (\$240 per year).

**Commercial**

Properties with an active commercial meter utilizing 0 kWh to 1,015 kWh per average annual monthly usage shall be assessed a fee of \$110 per month (\$1,320 per year).

Properties with an active commercial meter utilizing 1,016 kWh to 6,000 kWh per average annual monthly usage shall be assessed a fee of \$150 per month (\$1,800 per year).

Properties with an active commercial meter utilizing 6,001 kWh to 21,600 kWh per average annual monthly usage shall be assessed a fee of \$190 per month (\$2,280 per year).

Properties with an active commercial meter utilizing 21,601 kWh or more per average annual monthly usage shall be assessed a fee of \$230 per month (\$2,760 per year).

**Industrial**

Properties with an active industrial meter utilizing 0 kWh to 720,000 kWh per average annual monthly usage shall be assessed a fee of \$420 per month (\$5,040 per year).

Properties with an active industrial meter utilizing 720,001 kWh or more per average annual monthly usage shall be assessed a fee of \$570 per month (\$6,840 per year).

**Non-Metered**

Non-metered properties shall be assessed a fee of \$8 per month (\$96 per year).

A fee shall not be levied on tax-exempt properties as identified under Missouri law including §137.100 RSMo.

The annual assessment of kWh usage will occur on July 1<sup>st</sup> of each year. The fee will be collected annually, beginning in 2025, by the county of jurisdiction during its customary property taxing schedule.

The fees received shall be utilized solely to fund the City's underground stormwater system as operated and maintained by the Hannibal Board of Public Works and all moneys from the stormwater fee shall be conveyed to the Hannibal Board of Public Works. The Hannibal Board of Public Works will thereafter deposit as received all moneys from the stormwater fee into a special trust fund which will be used for the sole purpose of paying costs associated with maintaining and improving the City of Hannibal's underground stormwater conveyance system.

**SECTION FOUR:** Within ten (10) days after the approval or disapproval of the proposition by the qualified voters of the City of Hannibal, Missouri, the City Clerk shall forward to the Director of Revenue of the State of Missouri by United States registered mail or certified mail, a certified copy of this ordinance together with certifications of the election returns and accompanied by a map of the City clearly showing the boundaries thereof.

**SECTION FIVE: JUDGES.** The Election shall be conducted by several judges appointed to serve at the Election.

**SECTION SIX: POLLING PLACES.** The said polling places shall be open on the day of the Election at the hour of six o'clock a.m. and shall remain open until the hour of seven o'clock p.m. on said date. That said Election shall be held and conducted and the results thereof shall be certified, canvassed and declared in all respects in conformity with the Constitution and laws of the State of Missouri governing elections in the City of Hannibal and in accordance with the Home Rule Charter of the City of Hannibal.

**SECTION SEVEN:** The County Clerk is hereby authorized and directed to furnish the judges and clerks of said Election with all poll books, tally sheets, ballots, ballot boxes, and other supplies necessary for the conduct of said Election.

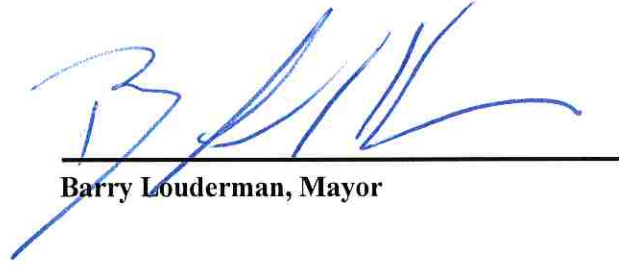
**SECTION EIGHT:** That the City Clerk shall be and is hereby directed to transmit a certified copy of this Ordinance to the Registrars of the City of Hannibal and that said Registrars are hereby requested to take such action as may be required of them by law in the premises.

**SECTION NINE:** The Mayor, the City Clerk and other officers and representatives of the City are hereby authorized and directed to take such other action as may be necessary to carry out the purpose and intent of this Ordinance.

**SECTION TEN:** That this ordinance shall be in full force and effect immediately upon its adoption and approval.

ADOPTED THIS 19 DAY OF December, 2023.

APPROVED THIS 19 DAY OF December, 2023.



Barry Louderman, Mayor

ATTEST:



Melissa Cogdal, City Clerk