

City of Hannibal

OFFICIAL COUNCIL MINUTES

**Tuesday December 21, 2021
Council Chambers
7:00 p.m.**

ROLL CALL

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

Absent: Council Member Bowen – 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 Chief Lyndell Davis to lead the Pledge of Allegiance to the Flag.

A motion was made by Mayor Hark to excuse Council Member Bowen from the meeting. The motion was seconded by Mayor Pro Tem Dobson.

Motion carried.

APPROVAL OF AGENDA

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

Motion carried.

APPROVAL OF MINUTES
Regularly Scheduled Council Meeting – December 7, 2021

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

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS
First Half – December 2021

A motion was made by Council Member Veach to approve the regularly scheduled Council meeting minutes held December 21, 2021. The motion was seconded by Council Member Welch.

Motion carried.

JAMES R. HARK, MAYOR
Re: Oath of Office
Debbie White – Deputy City Clerk

Mayor Hark administered the oath of office to the newly appointed Deputy City Clerk, Debbie White. Mayor Hark presented her with the oath certificate the Council and audience congratulated her for her new position with the City.

JR DERKSEN – LIBERTY UTILITIES
DARREN GORDON – HANNIBAL BOARD OF PUBLIC WORKS
Re: Rising Energy Costs Impact on Consumer Rates

JR Derksen with Liberty Utilities and Darren Gordon of the Hannibal Board of Public Works then addressed Council about natural gas cost.

Board of Public Works General Manger Darren Gordon began by discussing the effect of the rising cost of natural gas. The average cost of electric, which there are two tranches for the base load that comes from Prairie State, a coal fire plant by St. Louis and that number is very consistent. Power was being purchased consistently at \$23.88, with a 25-year contract that will serve very well. The other half of the power comes from day ahead LMP contract which is the exact cost of the power when it is being generated and 90% of this comes from natural gas. Gordon estimated a 6% increase in costs for the purchase of the City's power. They have reviewed, comparing to December, the month of the ice storm, with the average cost of \$63.87, now the price has doubled. Gordon then turned it over to JR Derksen to speak on the natural gas portion who advised they are doing what they can to mitigate costs. Mayor Pro Tem Dobson then questioned the big spike if the Hannibal Board of Public Works no interest loan, was factored in

the increase in which Gordon advised the costs were not included in his depiction. Derksen advised this evening is presenting information to clarify the process.

On December 1, 2021, a press release from the Missouri Service Commission, which is done each year, was released advising what the PGA (purchase gas adjustment) would be. There are three major components in a gas bill. The meter fee, the commodity charge, and the PGA. The meter fee and the commodity charge has not changed. The commodity charge is what Liberty Utilities is paid to distribute the gas, from Liberty's take point to panhandle the meters. The PGA has changed, and is a straight pass through, Liberty Utilities charges the customer the amount they are charged. The press prelease advised the cost is going from nineteen cents to just under sixty cents per therm.

Derksen wanted to be able to explain to the Council and public this a pass-through adjustment and no benefit to Liberty Utilities This is not a Liberty Utility margin change; it is straight pass through.

Council Member Franke then asked Derksen what the increased costs were and why in which he advised COVID had somewhat of an impact, as well as hurricane Ida, The natural gas industry is producing about seven billion cubic feet less than two years ago. Projections are they will return to those levels until the end of the decade. It will probably be 2024 before the numbers starts to go back up. It will reconcile, as it always does, noting fifteen years ago, the price was \$1.01.

Franke then questioned if customers should not think this is a "flip" and should budget for the increase over the long term, in which Derksen advised that is indeed an accurate statement.

Mayor Pro Tem Dobson advised, yesterday the 20th of December, the cost was \$3.88 and in July it was \$5.70. Derksen stated that in February the price was \$266.00, for three days.

JAMES LEMON, CITY ATTORNEY

**Re: Code Amendment, Chapter 20 *Parks & Recreation*, Article II, *Park Rules*,
Section 20-29 *Camping*
(Bill No. 21-036, to follow)**

City Attorney James Lemon then addressed Council relating to a code amendment, Chapter 20, Article II, *Park Rules*, Section 20-29 *Camping*. This amendment relates to restricting overnight camping in the parks to areas where designated, however, at this time there are no designated areas.

Council Member Welch indicated that as he understands all the parks, except the riverfront, close at 10:00 p.m. in which Lemon concurred and advised park hours could be changed at some point, where areas could become designed camping areas.

Council Member Franke then addressed Council stating it being December 21st, "away in a manger, no crib for a bed", the little Lord Jesus lays down his sweet head". Four days from tonight a lot of people celebrate the birth of someone who was born in a barn, because no one

would offer him refuge. He feels Council is voting on an ordinance that will keep people without a home from seeking refuge in our parks. The result of this is people in need will be forced to look elsewhere for refuge, likely in our neighborhoods, which will create another set of problems. When he looks at the agenda, he does not see a solution to this problem and without a solution, he questioned why create another problem and requested Council reconsider and go back to the drawing board.

STEPHAN FRANKE, COUNCIL MEMBER – 3RD WARD
Re: Proposal, Leadership 360 Surveys

Re: Proposal, Exit Interview Process – HR Counsel, Jackson, Lewis

Mayor Hark then addressed the proposals to be presented by Council Member Franke.

Council Member McCoy then requested to first speak; advising there are few things that lead to outside Counsel relating to these proposals. He then made a motion to table the Leadership 360 Surveys, and Exit Interview Processes, until a later date. The motion was seconded by Mayor Pro Tem Dobson.

Motion carried.

ANDY DORIAN – DIRECTOR, CENTRAL SERVICES
Re: Traffic Committee Recommendation

- *“No Semi Traffic” – Intersections of Grand Avenue & Pleasant Street*

Director of Central Services Andy Dorian advised the Traffic Committee met to discuss a “No Semi” sign being placed at the intersection of Grand Avenue and Pleasant Street. The Board of Public Works requested this “No Semi” sign be posted on Pleasant Street towards Country Club Drive. Dorian advised the sign will be placed by the pool on Pleasant Street. The Board of Public Works has had to respond to multiple incidents where semi-trucks tried to make a right turn from Pleasant Street onto Country Club Drive and hit the low hanging power lines, ripping the service off residents’ homes. Mayor Hark then asked Dorian if there was a “No Semi” sign at the intersection of St. Mary’s and Pleasant Street, in which Dorian advised he would look into this. The Traffic Committee had no objections, and approved request.

Re: Purchase Approval, Street & Parks
Re: Purchase Approval, Street & Parks Departments – Two (2) Truck beds, Hydraulics and Snowplows

Woody’s Municipal Supply Company - \$69,770.50

Dorian then informed Council the Streets and Parks departments recently solicited quotes for new truck beds, hydraulics, and snowplows for two one-ton Chevrolets that were approved for

purchase a few months ago. Two quotes were received, with Woody's Municipal Supply Company submitting the lowest quote in the amount \$69,770.50 for two equipment packages.

Council Member Franke then questioned Dorian if this was a part of his ongoing effort to universalize the fleet; in which Dorian concurred stating all snowplows are outfitted exactly the same.

A motion was made by Council Member McCoy to purchase two trucks beds, hydraulics, and snowplows from Woody's Municipal Supply Company in the amount of \$69,770.50. The motion was seconded by Council Member Franke.

Motion carried.

**Re: Municipal Refuse Collection of Dumpsters – Three-Year
Contract Agreement**
Republic Services - \$7,000 - 2022; \$7,350 – 2023; \$7,717.50 - 2024
(Resolution No. 2389-21, to follow)

Dorian then advised the City recently let bids for a three-year Municipal Refuse Collection of trash dumpsters for various City departments. Republic Services was the sole bid received. Dorian recommends awarding the three-year contract to Republic Services for the Municipal Refuse Collection of trash dumpsters for various City departments in the amounts of \$7,000 for 2022; \$7,350 for 2023; and \$7,717.50 for 2024. Dorian advised there would be a Resolution to follow, for approval.

Re: Riverfront Southern Dock Modification – Short Form Agreement
Klingner & Associates - \$8,600
(Resolution No. 2390-21, to follow)

Dorian's last item, he advised Council recent discussions were held with Viking Cruise Lines and they have made a request for the City to make modifications to the southern dock, to better accommodate their cruise ship. The need for the modification is due to Viking ships having an entrance further from the bow than the other cruise ships.

The modification would include pulling the dock spud poles and re-locating the current dock approximately fifty feet south of where it is now. Contractors would then set the poles back in place, with the addition of a new "deadman" and landing pad for the gangway.

Klingner & Associates has provided an hourly contract in an amount up to \$8,600 for the engineering design, bidding, and construction administration for this project.

In discussions with Viking, they have agreed to cover the cost of the project, with the City utilizing the \$50,000 Viking previously paid the City for dock work, as part of the original contract agreement. The City has not used this money, as it was specifically set aside for any future dock repairs or modifications such as this.

Mayor Pro Tem Dobson then questioned how this would affect the other docks. Dorian advised that the American Queen Company could use either or dock and this would work out better, giving an additional fifty feet.

Dorian advised there would be a Resolution to follow, for approval.

RESOLUTION NO. 2389-21

A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING THE MAYOR TO EXECUTE A THREE-YEAR CONTRACT AGREEMENT BETWEEN THE CITY AND REPUBLIC SERVICES FOR MUNICIPAL REFUSE COLLECTION OF DUMPSTERS IN THE AMOUNTS OF \$7,000 FOR 2022, \$7,350 FOR 2023 AND \$7,717.50 FOR 2024

A motion was made by Council Member McCoy to have the City Clerk read Resolution No. 2389-21 and call the roll for adoption. The motion was seconded by Council Member Welch.

ROLL CALL

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

No: - 0 -

Absent: Council Member Bowen - 1

Motion carried.

Mayor Hark declared Resolution No. 2389-21 duly approved and adopted on this date.

RESOLUTION NO. 2390-21

A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING THE MAYOR TO EXECUTE AN HOURLY, SHORT FORM AGREEMENT FOR ENGINEER SERVICES BETWEEN THE CITY AND KLINGNER & ASSOCIATES IN AN AMOUNT UP TO \$8,600 FOR MODIFICATIONS TO THE SOUTHERN RIVERFRONT DOCK

A motion was made by Mayor Pro Dobson to have the City Clerk read Resolution No. 2390-21 and call the roll for adoption. The motion was seconded by Council Member Veach.

ROLL CALL

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

No: - 0 -

Absent: Council Member Bowen - 1

Motion carried.

Mayor Hark declared Resolution No. 2390-21 duly approved and adopted on this date.

BILL NO. 21-036

**AN ORDINANCE OF THE CITY OF HANNIBAL AMENDING
CHAPTER 20 - PARKS AND RECREATION, ARTICLE II - PARK
RULES, OF THE ORDINANCES OF THE CITY OF HANNIBAL BY
ADDING A NEW SECTION 20-29 – CAMPING**

First Reading

A motion was made by Mayor Pro Tem Dobson to give Bill No. 21-036 a first reading. The motion was seconded by Council Member Veach.

Motion carried.

Council Member McCoy advised that he does not feel anyone on Council has any ill intent to tackle the homeless community and everyone recognizes this is a problem. He also feels they have a duty to act, as elected officials, to protect the City's assets and the citizens of which includes those who are not as fortunate as others.

Mayor Hark then advised that he did not believe this would put the City in any conflict with any Supreme Court decision and feels the City is on solid legal ground. City Attorney Lemon advised that "solid legal ground" is not one he is willing to take on. He is aware of the concept and that the City would not want to ban camping. Lemon believes this ordinance will pass constitutional scrutiny.

CLOSED SESSION
In Accordance with RSMo. 610.021 (1) (12)

Mayor Hark then entertained a motion to enter into closed session in accordance with RSMo. 610-021, sub-paragraphs (1) and (12). He is requesting to admit himself, City Council Members, City Attorney James Lemon, City Manager Lisa Peck, City Clerk Angel Zerbonia, Deputy City Clerk Debbie White, and JR Derksen with Liberty Utilities.

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

ROLL CALL

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

No: - 0 -

Absent: Council Member Bowen - 1

Motion carried.

A motion was made by Mayor Pro Tem Dobson 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 Franke.

Motion carried.

James R. Hark, Mayor

Angelica N. Zerbonia, MRCC, CMO - City Clerk