

**CITY OF CAMERON
MINUTES
OCTOBER 19, 2009
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REGULAR SESSION

Frank A. Buck	P
Mark L. Carr	P
Dennis M. Clark	P
Everett W. Ice	P
Ronnie Jack	P

The City Council of the City of Cameron, Missouri met in Regular Session on Monday, the 19th day of October 2009, at six o'clock p.m. at City Hall. Mayor Everett W. Ice presided with the following Councilmembers present: Frank A. Buck, Mark L. Carr, Dennis M. Clark and Ronnie Jack. Absent: none.

Present were City Manager David Watson, Attorney for the City Mitch Elliott and City Clerk Barbara J. O'Connor.

Minutes of the September 21, 2009, meeting were approved as submitted with a unanimous voice vote on motion made by Councilmember Buck and seconded by Councilmember Carr.

PUBLIC PARTICIPATION

Presentation of Loss Control Credit Program Check. Todd Foster, Midwest Public Risk (MPR), explained that MPR is a not-for-profit organization that returns extra funds to their membership. Mr. Foster presented a check for Loss Control Recognition to the City of Cameron in the amount of \$4,140. The City has been in compliance for the last several years and Mr. Foster commended Building Inspector Clyde Han and other Staff members for their diligent loss control efforts. Over the years, the City of Cameron has received \$111,659 in connection with the loss control program through MPR.

Proclamation – Eagle Scout Eric Wallace. Mayor Ice read a proclamation reflecting on Eric Wallace's efforts which demonstrated initiative, competence and success in his recent Community Service Project. Eagle Scout Wallace completed a lower window replacement at the Old School. Mayor Ice presented the proclamation to Wallace and congratulated him on his achievement.

Russell Newby, 706 North Orange, asked about the possibility of getting larger drain tubes in the driveways on North Orange. City Manager Watson said he would talk with Mr.

Russell about the tubes. Mr. Russell also said that when the City bought the Newman property on North Orange that residents were told the City would open an entrance to the Electric Pole Yard from the north off of Grand Avenue and truck traffic on North Orange would be greatly reduced. City Manager Watson informed Mr. Russell that Staff is looking at relocating the Electric Pole Yard. Staff will look at the location to see what can be done with the entrance and also with the newer building before winter arrives.

CITY MANAGER'S REPORT

1. City Manager Watson informed Council he is unable to attend the Lagers Retirement annual meeting in Springfield, Missouri scheduled for the end of October and asked Council to appoint someone else as the Employer representative. Councilmember Clark moved to appoint Councilmember Buck as the Employer representative. Councilmember Jack seconded the motion which passed with a unanimous voice vote.
2. Roofs and the Library. Staff continues to work on securing a roofing specialist to evaluate City roofs for repairs and maintenance. The Library roof has experienced some issues and will be one of the first roofs looked at by the specialist. Director of Utilities/Assistant City Manager Mark Gaugh as been assigned this project.
3. Airport Layout Plan. City Manager Watson reported the Plan is now at the Federal Aviation Administration for review.
4. Mead Street between Fourth and Fifth Streets Storm Water Project. City Manager Watson reminded Council that a storm drain had collapsed at this location. The Public Works Department has worked diligently sealing the line and replacing part of the line north on Mead Street to Fifth Street and east of Fifth Street to Lathrop Street which then flows into the concrete ditch at Lathrop and Sixth Street. Staff has also installed new drop boxes; and, new curb and guttering in an effort to address storm water issues in the alley. Three residents have chosen to participate in the side walk replacement program at this location. City Manager Watson stated the City has hired two (2) seasonal workers to help complete this project. MPR has agreed to a settlement with Dennis Pulliam, the property owner whose home was damaged by the sink hole. City Manager Watson informed Council he will be sending a report to them regarding storm water issues at various locations around the City.
5. Staff will be taking a comprehensive look at City liquor license regulations and changes that have been made by the Missouri Legislators to ensure that the City Code is in compliance with State laws.
6. There will be a Community Meeting October 28, 2009 at 5:00 p.m. regarding South West Street concerns. Citizens have been invited to attend.
7. Director of Utilities Gaugh discussed a map depicting the parallel water main project that is about to get underway. Gaugh has issued notices to proceed on both the water main project and the elevated storage tank. Mobilization on both projects will begin soon with the work to be done in the spring. Bids on the main replacement came in low and according to Director of Utilities Gaugh there could be enough funding to add to the old line replacement in various locations in the City. Contractors will be on site in approximately two (2) weeks. The estimated time for completion is one (1) year for the tank and nine (9) months for the parallel mains, weather permitting.

Signs will be erected at various locations to keep citizens informed of progress on these projects.

DEVELOPMENT DIRECTOR'S REPORT

City Manager Watson informed Council that Development Director Shellby Hendee is absent from the Session and is attending the Missouri Community Betterment Conference in Jefferson City. City Manager Watson reviewed the written Development Director's Report that was included in Council packets.

1. The Planning and Zoning Commission did not meet in October. The Commission will meet November 9, 2009 and discuss revising zoning definitions.
2. US 36 Marketing. A meeting will be held in Chillicothe, Missouri October 27, 2009 to kick off promotional plans for US 36. Staff is working on filling the membership of the inactive Tourism Commission for the City.

UNFINISHED BUSINESS

Bill 2009-74, **AN ORDINANCE CHANGING THE REFERENCE TO THE "INTERNATIONAL BUILDING CODE 2009" IN SECTION 3-16(A), 81, 101 AND 121 AND 141 OF THE CITY CODE AND DELETING REFERENCE TO PRIOR BUILDING CODES**, was read on second reading by title by City Clerk O'Connor. Copies of said Bill 2009-74 were available for the public. Motion was made by Councilmember Carr and seconded by Councilmember Buck to pass said bill on first reading. Discussion. City Manager Watson said the Code requires that all new residential dwellings have fire suppression systems installed starting January 2011. Inspector Han said it is not unusual to modify the Code and this requirement could be removed. Councilmember Carr expressed concern that neither Council nor the public knew about this requirement before it was presented for approval at the last Council Session. Councilmember Carr asked if there were any other major changes to the Building Code. Inspector Han responded this was the only major change. The cost for a fire suppression system for a \$150,000 home would be approximately \$3,000. Following more discussion, Inspector Han suggested that the bill adopting the International Building Code 2009 be rewritten. Bill 2009-74 failed on the following roll call vote: "Aye" none. "Nay": Councilmembers Buck, Carr, Clark, Ice and Jack.

6:30 p.m. Council took a five minutes recess and reconvened at 6:35 p.m.

Bill 2009-81, **AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI, TO ACCEPT A QUIT CLAIM DEED FOR REAL PROPERTY FROM OPAL PORTER AND DENA UTT; AND TO DECLARE ANOTHER SECTION OF REAL PROPERTY SURPLUS ALONG THE EAST SIDE OF McDANIEL CEMETERY LOCATED IN CALDWELL COUNTY, MISSOURI AND CONVEY SAID PROPERTY TO OPAL PORTER AND DENA UTT**, was read by title by City Clerk O'Connor. Copies of said Bill 2009-81 were available for the public. Motion was made by Councilmember Buck and seconded by Councilmember Clark to pass said bill on first reading. Discussion. City Manager Watson explained a survey of

McDaniel Cemetery revealed that the property line and the fence line are not the same. This Bill authorizes the transfer of land to Opal Porter and Dena Utt; and, the acceptance of land from Ms. Porter and Ms. Utt thereby making the assumed property lines the actual property lines. Staff recommends approval. Motion carried unanimously.

Motion was made by Councilmember Clark and seconded by Councilmember Jack to suspend the rules and place said bill on second reading. Discussion. None. Motion carried unanimously.

On motion made by Councilmember Buck and seconded by Councilmember Clark said bill was placed on second reading, was read by title and passed by the following roll call vote: "Aye": Councilmembers: Buck, Carr, Clark, Ice and Jack. "Nay" none. The Mayor thereupon declared said bill duly adopted and said bill was numbered **ORDINANCE 5548**, was thereupon signed by the Mayor and attested by the City Clerk.

NEW BUSINESS

Liquor License Application – Big Creek Promotions, LLC. City Manager Watson explained that Cory Teel has applied for a permanent liquor license for Big Creek Promotions LLC at 1903 North Walnut Street. This is where the skate center is located and Mr. Teel is leasing the property. In the past, Mr. Teel has used a Caterers Permit for his promotions. City Attorney Elliott noted the lease is for so many times per year. Chief of Police Corey Sloan said the license is to be used only when Big Creek has a scheduled event. Chief Sloan said any event scheduled would have to go through the Special Events Committee for their recommendation which is currently required for Fourth of July events and any other special event held in Cameron. Discussion was held on who has responsibility for the event. City Attorney Elliott stated the application complies with the current Code for liquor licenses. Discussion was held on Caterers Permit regulations in the Code. City Attorney Elliott said the Caterers Permit being issued only to a business having a current liquor license within the City of Cameron was not intended to prohibit people from doing business, but rather to require a local connection for the Permit. City Attorney Elliott said he did not want to see the facility be for alcohol only because it is needed as a venue of entertainment for 14 to 21 year old patrons. Further discussion was held regarding the movie theater located adjacent to the skate center. Concern was expressed about having children that could be unattended at the movies and having alcohol being served in such a close proximity. City Attorney Elliott said the application is legal under the current Code. Councilmember Buck moved to approve the liquor license application from Big Creek Promotions, LLC. Councilmember Jack seconded the motion. Following further discussion Councilmember Buck called for the question. A roll call vote was requested. "Aye" Councilmembers: Buck, Clark and Jack. "Nay" Councilmembers: Carr and Ice. Motion passed and the liquor license approved.

Bill 2009-82, AN ORDINANCE AUTHORIZING THE CITY MANAGER OF THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH TRANSYSTEMS CORPORATION TO FURNISH CONSTRUCTION OBSERVATION & RELATED SERVICES FOR THE GRAND AVE & GRIFFIN ROAD PROJECT, was read by title by

City Clerk O'Connor. Copies of said Bill 2009-82 were available for the public. Motion was made by Councilmember Jack and seconded by Councilmember Clark to pass said bill on first reading. Discussion. City Manager Watson informed Council this agreement for observation of the Grand Avenue and Griffin Road project complies with State of Missouri requirements to have a third party make sure of compliance in order to receive state funding for the project. The cost is five (5) percent of the total project. City Manager Watson noted the bids did come in higher than expected and the project would be scaled back accordingly. Staff recommended approval. Discussion was held on the work that City Staff is scheduled to perform. This affects minority business enterprises (MBE) and women's business enterprises (WBE) requirements for state funding. The state funds total \$300,000 and bids came in at \$400,000. Following further discussion, Councilmember Jack withdrew his motion to pass Bill 2009-82 on first reading. Councilmember Clark withdrew his second to the motion. The bill will be presented again at the next Council Session with more information available for Council.

Bill 2009-83, AN ORDINANCE APPROVING A TRANSMISSION EASEMENT AGREEMENT BETWEEN THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI AND BOULEVARD ASSOCIATES, LLC TO BUILD AND MAINTAIN TRANSMISSION LINES ON PROPERTY FOUND IN SECTION 7, TOWNSHIP 57 N, RANGE 30 WEST AND SECTION 18, TOWNSHIP 57 N, RANGE 30 WEST, DeKALB COUNTY, MISSOURI, was read by title by City Clerk O'Connor. Copies of said Bill 2009-83 were available for the public. Motion was made by Councilmember Buck and seconded by Councilmember Clark to pass said bill on first reading. Discussion. City Manager Watson told Council the easement is for a wind farm transmission line in DeKalb County that will connect with an NW Electric substation. There are no restrictions on the land where the easement is requested. The contract terms are \$3.00 per linear foot. Boulevard Associates, LLC will also pay a \$1,000 signing bonus to the City as well as \$1,000 per year for three (3) years. Boulevard has also agreed to pay the City \$3,000 for firing range improvements while crossing the property. The Electric Committee met and recommends approval of the easement agreement. Motion carried unanimously.

Motion was made by Councilmember Jack and seconded by Councilmember Clark to suspend the rules and place said bill on second reading. Discussion. None. Motion carried unanimously.

On motion made by Councilmember Buck and seconded by Councilmember Clark said bill was placed on second reading, was read by title and passed by the following roll call vote: "Aye": Councilmembers: Buck, Carr, Clark, Ice and Jack. "Nay" none. The Mayor thereupon declared said bill duly adopted and said bill was numbered **ORDINANCE 5549**, was thereupon signed by the Mayor and attested by the City Clerk.

Bill 2009-84, AN ORDINANCE OF THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI, APPROVING EXECUTION OF MIDWEST PUBLIC RISK BYLAWS, was read by title by City Clerk O'Connor. Copies of said Bill 2009-84 were available for the public. Motion was made by Councilmember Buck and seconded by Councilmember Jack to pass said bill on first reading. Discussion. City Manager Watson stated this is a simple matter and has come about because of the name change from MARCIT to

Midwest Public Risk of Missouri. The bylaws are the same as before with the name change designated. Motion carried unanimously.

Motion was made by Councilmember Buck and seconded by Councilmember Clark to suspend the rules and place said bill on second reading. Discussion. None. Motion carried unanimously.

On motion made by Councilmember Jack and seconded by Councilmember Clark said bill was placed on second reading, was read by title and passed by the following roll call vote: "Aye": Councilmembers: Buck, Carr, Clark, Ice and Jack. "Nay" none. The Mayor thereupon declared said bill duly adopted and said bill was numbered **ORDINANCE 5550**, was thereupon signed by the Mayor and attested by the City Clerk.

Bill 2009-85, AUTHORIZING: NOT TO EXCEED \$1,390,500 COMBINED WATERWORKS AND SEWERAGE SYSTEM REFUNDING AND IMPROVEMENT REVENUE BONDS(STATE OF MISSOURI – DIRECT LOAN PROGRAM – ARRA) SERIES 2009B FOR THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI, was read by title by City Clerk O'Connor. Copies of said Bill 2009-85 were available for the public. Motion was made by Councilmember Buck and seconded by Councilmember Jack to pass said bill on first reading. Discussion. Director of Utilities Gaugh introduced Jack Dillingham of Piper and Jaffrey. Mr. Dillingham said this issue needs to close as soon as possible in order to lock in an interest rate estimated to be 1.8 percent next week. According to Mr. Dillingham, the annual debt service will be reduced from \$170,000 per year to \$87,000 per year. The City did receive a 50 percent grant for the project which totals approximately \$1.1 million. This will allow additional water mains to be put into service. Motion carried unanimously.

Motion was made by Councilmember Jack and seconded by Councilmember Clark to suspend the rules and place said bill on second reading. Discussion. None. Motion carried unanimously.

On motion made by Councilmember Buck and seconded by Councilmember Jack said bill was placed on second reading, was read by title and passed by the following roll call vote: "Aye": Councilmembers: Buck, Carr, Clark, Ice and Jack. "Nay" none. The Mayor thereupon declared said bill duly adopted and said bill was numbered **ORDINANCE 5551**, was thereupon signed by the Mayor and attested by the City Clerk.

Discussion was held on the water tower logo. There will be more information in the next Council packet regarding the logo.

PUBLIC PARTICIPATION

None.

MISCELLANEOUS

Councilmember Clark:

- Asked about the automatic calling system for utility billing. City Clerk O'Connor said Staff is continuing to research the best and most economical way to meet the need.

City Manager Watson:

- Informed Council that he was not elected to the MPR Board at the recent MPR annual meeting.

City Attorney Elliott:

- Stated he spoke with Cory Teel regarding his liquor license and the events Teel is planning. City Attorney Elliott suggested that Mr. Teel have police officers positioned by the movie theater to help assure the safety of all.

Motion was made at 8:20 p.m. to adjourn into Executive Session to discuss Executive Session: Personnel [RSMo 610.021 (3)] by Councilmember Buck. Seconding the motion was Councilmember Jack. Roll call vote: "Aye": Councilmembers Buck, Carr, Clark, Ice and Jack.

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Personnel evaluations were conducted for City Manager Watson and City Clerk O'Connor. Following a satisfactory evaluation for City Clerk O'Connor, Councilmember Buck made a motion to advance City Clerk O'Connor to Grade 12 Step 13 on the pay scale. Councilmember Carr seconded the motion, which passed with a unanimous voice vote. Following a satisfactory evaluation for City Manager Watson, Councilmember Clark made a motion to advance City Manager Watson to Grade 16 Step 6 on the pay scale. Councilmember Carr seconded the motion, which passed with a unanimous voice vote.

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There being no further business, the meeting was adjourned with a unanimous voice vote at 10:00 p.m. on motion made by Councilmember Buck and seconded by Councilmember Carr.

APPROVED:

Mayor Pro-Tem Ronnie Jack

City Clerk