

**CITY OF CAMERON  
MINUTES  
DECEMBER 7, 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 7<sup>th</sup> day of December 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.

Mayor Ice welcomed all to the Council Session and recognized Pearl Harbor Day.

Minutes of the November 16, 2009, meeting were approved as submitted with a unanimous voice vote on motion made by Councilmember Buck and seconded by Councilmember Carr.

**PUBLIC PARTICIPATION**

Airport Height and Hazard Overlay Zone Presentation – Scott Michie, (Bucher, Willis and Ratliff). Mr. Michie stated work has been ongoing for the last eight (8) weeks with the FAA regarding Height and Hazard Regulations for Cameron Memorial Airport. The Airport shares five (5) miles of airspace with two (2) counties. Clinton and DeKalb Counties, along with the City of Cameron, need to jointly adopt regulations regarding towers and trees. No land use restrictions are involved in the regulations. All three (3) entities are ready to move forward and will be holding public hearings in January 2010.

**CITY MANAGER'S REPORT**

1. Recycling Drop-off Center at Clinco. City Manager Watson reported Staff is continuing work toward moving the drop off center closer to Clinco Sheltered Workshop. Transporting materials from the site at Sutherland's is costly and time consuming. The operation will continue at Sutherland's until a new location is found. Clinco staff will start picking up recycling two (2) days per week at

- Sutherland's. The change to daily recycling has necessitated using Clinco to transport items.
2. Council Visioning Process. Council will hold a Visioning Session in late January. The Session could be scheduled on an "off" Monday at 4:00 p.m. or 5:00 p.m. City Manager Watson will notify Council of the date.
  3. Enhanced Enterprise Zone. City Manager Watson said Development Director Shellby Hendee will provide information on the Zone during his Development Director's Report.
  4. Cell Phone Policy. A policy regarding cell phone compensation and use went into effect this week. City Manager Watson is also working on a policy to allow employees to use four (4) hours of paid time for volunteer work once a quarter to assist certain groups in the community.
  5. MoDOT. City Manager Watson met with Don Wichern, District Engineer for MoDOT. Work will continue with the local MoDOT office on a design that will protect pedestrians on the US 36 bridge. A safe zone will be created with a rail possibly being placed on the side of the bridge to discourage individuals from sitting on the edge. Walnut Street and A Highway improvements were also discussed. A drainage agreement between the City and MoDOT in 1957 has been reviewed. Several other issues are being considered: improved signal system to include pedestrian buttons; curb and gutter; and sidewalk replacements. A final report will be forthcoming. MoDOT has said they will keep the surface of Walnut Street under their domain.
  6. Mary Jo Eiberger, Cameron Regional YMCA, is continuing to pursue legislation that will allow the ability to create a recreation district in the four (4) county area. Senator Brad Lager's office is working on Senate Bill 700 for this issue and hopes to have action on the Bill early in the legislative session.

## **DEVELOPMENT DIRECTOR'S REPORT**

1. Planning and Zoning. The Commission will meet December 14, 2009 and discuss zoning language clarifications.
2. Enhanced Enterprise Zone. Clinton and DeKalb Counties are both moving forward with the Zone creation. DeKalb County has sent a draft ordinance for consideration. Staff will present a Bill at the next Council Session which will provide City support and participation in the DeKalb County Zone. There are regulations that must be followed which will restrict some uses and authorize other uses. The EEZ will be similar to a Tax Increment Financing District as far as business incentives are concerned. The Zone only abates real property which is unlike the TIF and Chapter 100 Bonds used by the City. The wind power project will have turbines that will be considered real property. Taxing entities will be able to determine how the percentage of taxes received is distributed. This is a very complex process.
3. TIF Annual Reports. Development Director Hendee stated the TIF reports in the Council packets contained similar information that was presented at the public hearing a few weeks ago.
4. Communications. The new website is up and running. City Manager Watson and Development Director Hendee are working to refine a Communications Plan.
5. Great Northwest Day. Development Director Hendee reported there are 15 counties involved in the event. Focus issues are: water/waste water infrastructure

development; regional development involving tourism; roadway and highway maintenance; and, local taxation.

City Manager Watson reported we are able to track the number of hits on our website. Discussion was held on adding a regional activity calendar. Development Director Hendee noted the NW Roundtable group has also discussed such a calendar.

## **UNFINISHED BUSINESS**

Parking in the Parkway. City Manager Watson reviewed the history of the parking issue referencing Section 7-436 of the Code of the City of Cameron. Parking falls under the general offense code and dates back before 1970. This code has been randomly used with only one (1) ticket being issued in the last three (3) years. Parking in the parkways is a safety concern. General Code offenses and Zoning Code offenses are different issues. Residential and commercial property owners were actually encouraged to park in the parkways in the past. The City graveled and put tubes in the parkways in some incidences. In 2005, with a change in Staff, this practice was stopped. According to Code, parking can only be authorized in the parkways by the City Council. An Access Management Ordinance was adopted adding to the regulations in place. Changes in Zoning Code issues can be grandfathered while general offense issues can not. City Manager Watson used speed limit changes as example of why general offense issues are not grandfathered.

Since Council has the authority to grant permission to park in the parkway, they would need to identify where such parking would be permitted. This is an important issue to both residential and commercial property owners.

City Manager Watson presented solutions for Council consideration. Attorney Brian Hall advised that it should not be the intention of the City to eliminate parking in areas where parking is limited. Mr. Hall suggested guidelines be placed in an ordinance. One solution would be to keep the legislative Council process in place with an amendment of the current code that would have staff look at each request and then bring the request before Council for consideration. A second solution could be for the Council to make the process into an Administrative process by designating the City Manager to review the request and have the authority to grant parking permits. The City Manager could grant the permit with review from the Safety Committee. This would allow immediate action for the requester alleviating the wait on a Council Session to be held before a decision could be rendered.

If the process remains a legislative one, the Council would adopt an ordinance establishing the law, and then Council would have to continue reviewing and redefining the ordinance. City Manager Watson stated the process needs to be open and transparent within the guidelines that are established. Safety issues need to be strongly considered within the Code. More work needs to be done on each solution, but either one would work. City Manager Watson likes the Administrative process, but noted the Council has the ultimate authority. The community is looking for better solutions and this process can help to build community trust.

The Administrative process could utilize the Council as the means of appeal process if the City Manager is granted the authority to make decisions on parking. Councilmember Clark stated with this process the City Manger would need to be given a lot of latitude in making

parking decisions. Councilmember Carr stated Administrative involvement would be vital to the success of the Administrative process. Future Managers would have to be involved or the City could be back in the current position. Councilmember Buck said Council does not need to micromanage and the City Manager should be the administrator of the process.

Councilmember Clark stated Council should direct the City Manager to use a liberal amount of latitude in making parking decisions and expressed his confidence in City Manager Watson and the use of his judgment. The Safety Committee does need to be involved.

Discussion was held on how to document the parking permits. City Manager Watson stated the permit would be addressed to the property. City Attorney Elliott said the permit could be attached to the title policy of the property. Councilmember Clark said the language should allow for approval down the road if someone should happen to be missed on the initial permit process.

City Attorney Elliott addressed the other side of the coin. With 200 plus properties technically in violation of the Code now, 190 could petition and be granted parking and ten (10) not exempted and could be prosecuted in violation of the Code. City Attorney Elliott stated it is not the intention of the City to have violators.

Council instructed Staff to pursue the Administrative policy.

Resolution 2009-23, **A RESOLUTION OF THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI, TO ACCEPT A BID FROM KRIZ-DAVIS AND GRAYBAR FOR ELECTRICAL DISTRIBUTION SYSTEM CAPACITORS AND EQUIPMENT** was read by title by City Clerk O'Connor. Copies of Resolution 2009-23 were available for the public. Councilmember Buck moved to pass Resolution 2009-23. Councilmember Carr seconded the motion. Discussion. Director of Utilities Mark Gaugh explained the bid is for four (4) three (3) bank capacitors for the electric distribution system. The capacitors will help maintain a power factor of 97 percent or higher. City Manager Watson noted this will also help with power system loss prevention. Staff recommended approval of the purchase of capacitors from Kriz-Davis and Graybar. Resolution 2009-23 passed with a unanimous voice vote.

## NEW BUSINESS

Bill 2009-91, **AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI, TO ENTER INTO AN AMENDED 2008 "EQUITABLE SHARING AGREEMENT AND CERTIFICATION" WITH THE DEPARTMENT OF JUSTICE FOR FORFEITED MONEY TO THE CITY OF CAMERON**, was read by title by City Clerk O'Connor. Copies of said Bill 2009-91 were available for the public. Motion was made by Councilmember Jack and seconded by Councilmember Clark to pass said bill on first reading. Discussion. Chief of Police Corey Sloan explained this Bill amends the action taken by Council at the last Council Session. The Department of Justice now requires the funds received from forfeited money from the Nitro Task Force operations must be maintained by the City of Cameron as the authorizing agency. Bill 2009-91 will bring the City into compliance with the latest Department of Justice ruling. 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 Clark and seconded by Councilmember Buck 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 5557**, was thereupon signed by the Mayor and attested by the City Clerk.

**Bill 2009-92, AN ORDINANCE APPROVING A SERVICE AGREEMENT BETWEEN THE CAMERON FIRE PROTECTION DISTRICT AND THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI, TO PROVIDE FIRE PROTECTION OUTSIDE THE CAMERON CITY LIMITS,** was read by title by City Clerk O'Connor. Copies of said Bill 2009-92 were available for the public. Motion was made by Councilmember Buck and seconded by Councilmember Jack to pass said bill on first reading. Discussion. Fire Chief Mike O'Donnell reported this agreement has worked well for both the City of Cameron and the Rural Fire District. The District gives the City 60 percent of the tax money collected on an annual basis. A majority of the remaining 40 percent is used to purchase fire fighting equipment which becomes property of the City of Cameron. The District plans to purchase a new pump unit costing \$52,000 this agreement year. Chief O'Donnell noted one change to the agreement from previous agreements. When the City Manager declares a burn ban, now the Rural Fire Board will also have the ability to declare burn ban as well. 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 5558**, was thereupon signed by the Mayor and attested by the City Clerk.

Library Board Appointments. The terms of Karon Ray, Ann Fletchall and Karen Byers expire January 2010. Ms. Fletchall and Ms. Byers are eligible to serve another three year term and have expressed an interest in doing so. The Library Board recommends the reappointment of Ms. Fletchall and Ms. Byers. Karon Ray has served the maximum of nine (9) years allowed by State Statutes and is no longer eligible to serve on the Board. Barbara Barnes has stated her interest in serving on the Library Board and the Board recommends her appointment. Councilmember Buck moved to reappoint Ann Fletchall and Karen Byers to another three (3) year term each; and, to appoint Barbara Barnes to serve on the Library Board also for a three (3) year term. Councilmember Carr seconded the motion which passed with unanimous voice vote.

## **PUBLIC PARTICIPATION**

Dennis Ebersold, Winners Circle, expressed his appreciation to Council and Staff for their concern and efforts regarding the parkway issues.

## MISCELLANEOUS

City Clerk O'Connor:

- Reminded Council of the December Safety meeting being held Saturday.
- Informed Council Development Director Hendee would be representing the City at an Enhanced Enterprise Zone meeting in Clinton County December 10, 2009.

Councilmember Clark:

- Stated the importance of City Manger input and latitude in decision making circumstances and asked Council to grant that latitude to City Manager Watson on the parkway permits.
- Commended Staff for the forward thinking by putting in place a volunteer program for employees.

Councilmember Carr:

- Discussed the 12 inch water main project on Chestnut Street. Councilmember Carr suggested that before such work on any project begins, that the property owner be notified two (2) weeks in advance in writing. He also suggested that the written notice include what work would be done, where the work would be done and when the project would begin and end. The condition of the property following the work should also be addressed in the letter as well as informing the owner of the proper City contact and telephone number. City Manager Watson responded that Director of Utilities Gaugh is drafting a letter to be sent to the residents on South Chestnut Street.

Councilmember Buck:

- Asked to have consideration given by the Missouri Department of Transportation and the City to lowering the speed limit on US Highway 36 at Ensign Trace and McElwain Drive.
- Inquired about the status of speakers for the Council Chamber.

Chief Sloan:

- Told Council a group of Emergency Service workers are raising funds for the Adopt a Family Program. Anyone is welcome to make a donation.
- Informed all in attendance of inclement weather coming that will make travel hazardous.

Mayor Ice:

- Restated the importance of communication between Council, Staff and the citizens of Cameron.

There being no further business, the meeting was adjourned with a unanimous voice vote at 7:55 p.m. on motion made by Councilmember Clark and seconded by Councilmember Buck.

APPROVED:

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Mayor Everett W. Ice

ATTEST:

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City Clerk