CITY OF CAMERON
MINUTES
JANUARY 3, 2011

REGULAR SESSION

Frank A. Buck	P
Mark L. Carr	P
Dennis M. Clark	P
David Fry	P
Ronnie Jack	P

The City Council of the City of Cameron, Missouri met in Regular Session on Monday, the 3rd day of January 2011, at six o'clock p.m. at City Hall. Mayor Dennis M. Clark presided with the following Councilmembers present: Frank A. Buck, Mark L. Carr, David Fry 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 December 20, 2010, meeting were approved as submitted with a unanimous voice vote on motion made by Councilmember Buck and seconded by Councilmember Carr.

PUBLIC PARTICIPATION

Julie Becker, 424 East Third Street, expressed concern about growing debt and increasing taxes from the Federal government down to City government. Ms. Becker said she is not in favor of raising taxes such as a storm water sales tax and will be watching how City funds are spent.

CITY MANAGER'S REPORT

1. City Manager Watson stated the State of Missouri establishes the maximum amount local authorities can issue for taxes. The Council cannot exceed the amount which is under the authority of the State of Missouri.
2. Director of Utilities Mark Gaugh has applied for a fuel tax rebate in the amount of $6,673.99.
3. The City has received a letter from the Missouri Department of Natural Resources stating the City is in compliance with peak shaving regulations at the generating plant. The City does not operate the generating plant at this time and notification of such meets the regulations for MoDNR.

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4. City Manager Watson reminded Council the next Regular Session for Council has been moved from January 17, 2011 to January 18, 2011 because of the Martin Luther King, Jr. Holiday.
5. Council filing for the April 5, 2011 General Election closes at 5:00 p.m. on January 18, 2011.
6. Caldwell County approached the City to discuss joint use of our dispatch center. Following discussion, Caldwell County has determined it would be cost prohibitive for them to do so at this time.
7. The City has installed the fence and signage is in place around the contaminated soil on the Sukup property. Debris clean up has also been completed. The only remaining action is for the City to file the consent order with the County.
8. Staff will be holding a meeting soon regarding McElwain Drive issues.
9. A letter was received today from Jim Cline's attorney outlining what Mr. Cline wants to have done with repairs to his property related to the City easement. There will be more information at the January 18, 2011 Council Session.

DEVELOPMENT DIRECTOR'S REPORT

1. Planning and Zoning. The Commission will meet January 10, 2011 and continue a public hearing regarding conditional uses such as bed and breakfast establishments, photo studios, professional offices and field crops. Sign regulation discussion will continue at the meeting also.
2. Tax Increment Financing. The annual TIF meeting will be held January 20, 2011 at 4:00 p.m. The annual TIF report has been published indicating $2,862,700 in assessed value has been added to the district since 1994 with an estimated $28 million in new taxes generated by 13 businesses. Development Director Shellby Hendee noted that an estimated 350 new jobs have been created.
3. Tourism Commission. A workshop will be held January 21, 2011 from 10:00 a.m. until 3:00 p.m. The workshop will have presenters from Springfield and St. Joseph Convention and Visitors Bureaus.

UNFINISHED BUSINESS

Bill 2010-65, **AN ORDINANCE AUTHORIZING THE CITY MANAGER OF THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI TO ENTER INTO AGREEMENT WITH NUTRI-JECT SYSTEMS, INC. FOR RESIDUALS REMOVAL AND LAND APPLICATION AT THE CAMERON WATER TREATMENT PLANT,** was read by title by City Clerk O'Connor. Copies of said Bill 2010-65 were available for the public. Motion was made by Councilmember Carr and seconded by Councilmember Fry to pass said bill on third and final reading. Bill 2010-65 passed by the following roll call vote: "Aye": Councilmembers: Buck, Carr, Clark, Fry and Jack. "Nay" none. The Mayor thereupon declared said bill duly adopted and said bill was numbered **ORDINANCE 5633**, was thereupon signed by the Mayor and attested by the City Clerk.

Bill 2010-73, **AN ORDINANCE FOR THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI FOR CHANGE IN ZONING CLASSIFICATION**

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FROM "R-4" MOBILE HOME RESIDENTIAL DISTRICT TO "C-2" GENERAL COMMERCIAL DISTRICT AS REQUESTED BY ROSS WORTH FOR 718 EAST GRAND AVENUE, was read on second reading by title by City Clerk O'Connor. Copies of said Bill 2010-73 were available for the public. Motion was made by Councilmember Carr and seconded by Councilmember Buck to pass said bill on second reading. Discussion. Ross Worth, the applicant, addressed Council and requested Bill 2010-73 be passed in full at the Council Session tonight. Mr. Worth said the lengthy process of the zoning change is delaying his ability to obtain financing for his project. City Attorney Elliott noted the agenda was published with only a second reading listed. Discussion. Council had no objections to passing the bill in its entirety. Motion carried unanimously.

On motion made by Councilmember Buck and seconded by Councilmember Carr rules were suspended and said bill was placed on third reading, was read by title and passed by the following roll call vote: "Aye": Councilmembers: Buck, Carr, Clark, Fry and Jack. "Nay" none. The Mayor thereupon declared said bill duly adopted and said bill was numbered **ORDINANCE 5634**, was thereupon signed by the Mayor and attested by the City Clerk.

NEW BUSINESS

Bill 2011-1, **AN ORDINANCE FOR THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI CREATING A NEW SECTION IN ARTICLE II. BUILDING CODE, OF CHAPTER 3 BUILDINGS, OF THE CAMERON CITY CODE BY CREATING Sec. 3-16.1. ADOPTED – RESIDENTIAL CODE,** was read by title by City Clerk O'Connor. Copies of said Bill 2011-1 were available for the public. Motion was made by Councilmember Buck and seconded by Councilmember Carr to pass said bill on first reading. Discussion. Inspector Clyde Han informed Council that Ordinance 5553 adopted the 2009 International Building "Codes" on November 16, 2009. The intent and understanding was that by adopting the 2009 International Building "Codes", we by reference, adopted all the individual codes. Our ISO (Insurance Services Office) review this year determined that we did not adopt the complete set of "Codes". Each code needs to be specifically listed to be adopted. We have adopted the "2009 International Building Code" covering "Commercial" structures. We have also adopted the 2009 Fire, Plumbing, and Existing Structures codes where they were specifically listed in other ordinances and locations in our City Codes. ISO recommends individual adoption of the Residential Code, Mechanical Code, Fuel Gas Code and the Energy Conservation Code. Adoption will help retain our ISO rating that affects individual's insurance rates. This also standardizes our code. The requirement for sprinklers in residential construction has been deleted as it was most recently passed by Council. Bill 2011-1 passed on first reading only with a unanimous voice vote.

Bill 2011-2, **AN ORDINANCE FOR THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI CREATING A NEW SECTION IN ARTICLE II. BUILDING CODE, OF CHAPTER 3 BUILDINGS, OF THE CAMERON CITY CODE BY CREATING Sec. 3-16.2. ADOPTED – MECHANICAL CODE,** was read by title by City Clerk O'Connor. Copies of said Bill 2011-2 were available for the public. Motion was made by Councilmember Carr and seconded by Councilmember Buck to pass said bill on first reading. Discussion. Inspector Han informed Council the Mechanical Code does not apply to residential

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construction, only to commercial construction. Bill 2011-2 passed on first reading only with a unanimous voice vote.

Bill 2011-3, **AN ORDINANCE FOR THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI CREATING A NEW SECTION IN ARTICLE II. BUILDING CODE, OF CHAPTER 3 BUILDINGS, OF THE CAMERON CITY CODE BY CREATING Sec. 3-16.3. ADOPTED – FUEL GAS CODE,** was read by title by City Clerk O'Connor. Copies of said Bill 2011-3 were available for the public. Motion was made by Councilmember Fry and seconded by Councilmember Carr to pass said bill on first reading. Discussion. Inspector Han said this also is only for commercial construction, not residential construction. Bill 2011-3 passed on first reading only with a unanimous voice vote.

Bill 2011-4, **AN ORDINANCE FOR THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI CREATING A NEW SECTION IN ARTICLE II. BUILDING CODE, OF CHAPTER 3 BUILDINGS, OF THE CAMERON CITY CODE BY CREATING Sec. 3-16.4. ADOPTED – ENERGY CONSERVATION CODE,** was read by title by City Clerk O'Connor. Copies of said Bill 2011-4 were available for the public. Motion was made by Councilmember Carr and seconded by Councilmember Buck to pass said bill on first reading. Discussion. This Code applies to both residential and commercial construction. Bill 2011-4 passed on first reading only with a unanimous voice vote.

Bill 2011-5, **AN ORDINANCE AUTHORIZING THE CITY MANAGER OF THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI TO ENTER INTO AGREEMENT WITH UTILITY SERVICE COMPANY, INC. FOR TANK MAINTENANCE AT THE NEW SOUTH TOWER,** was read by title by City Clerk O'Connor. Copies of said Bill 2011-5 were available for the public. Motion was made by Councilmember Buck and seconded by Councilmember Carr to pass said bill on first reading. Discussion. Director of Utilities Mark Gaugh stated the new south tower will need a maintenance plan in a comprehensive program. The City currently uses Utility Serve Company, Inc. for maintenance of all other towers. Staff recommends approval. Bill 2011-5 passed on first reading only with a unanimous voice vote.

6:35 p.m. Mayor Clark recused himself from the Council Chamber citing a potential conflict of interest, noting that he owns self-service storage facilities. Mayor Pro-Tem Jack presided over the Session.

Bill 2011-6, **AN ORDINANCE FOR THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI, AMENDING SECTION 2, PERMITTED USES, OF ARTICLE 18, "C-2" GENERAL COMMERCIAL DISTRICT, OF CHAPTER 13, ZONING, OF THE CAMERON CITY CODE AND ADDING SUBSECTION Z, SELF-SERVICE STORAGES FACILITIES, THEREIN.** Copies of said Bill 2011-6 were available for the public. Motion was made by Councilmember Carr and seconded by Councilmember Buck to pass said bill on first reading. Discussion. Development Director Hendee stated there are legal self-storage units in various locations within the City. Following a review of the permitted uses in C-2 Districts, it was discovered that self-service storage units were not

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included. Amending the Zoning Code allows the units in commercial districts. Bill 2011-6 passed on first reading only with a unanimous voice vote. Absent: Mayor Clark.

6:40 p.m. Mayor Clark returned to the Chamber and conducted the remainder of the meeting.

Bill 2011-7, **AN ORDINANCE FOR THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI, AMENDING ARTICLE 4, DEFINITIONS, OF CHAPTER 13, ZONING, OF THE CAMERON CITY CODE AND ADDING THE DEFINITION OF FIELD CROPS THERETO,** was read by title by City Clerk O'Connor. Copies of said Bill 2011-7 were available for the public. Motion was made by Councilmember Carr and seconded by Councilmember Buck to pass said bill on first reading. Discussion. Development Director Hendee explained the Planning and Zoning Commission discovered that the Zoning Code lacks a definition of field crops. Because adding the definition creates an amendment to the Zoning Ordinance, a public hearing was conducted. The Commission recommends approval of the definition and language provided. Bill 2011-7 passed on first reading only with a unanimous voice vote.

City Attorney Elliott read the title of Bill 2011-6 insuring Council understood the amendment adding self-service storage units to the Zoning Code.

Cameron Industrial Development Authority Appointments. The terms of Randall Relford and Kent Osborn on the Cameron Industrial Development Authority have expired. Both have agreed to serve another six (6) year term again if re-appointed. Councilmember Jack moved to re-appoint Randall Relford to the Industrial Development Authority. Councilmember Fry seconded the motion which passed with a unanimous voice vote. Councilmember Jack moved to reappoint Kent Osborn to the Authority. Councilmember Fry seconded the motion which passed with the following voice vote: "Aye": Councilmembers Carr, Clark, Fry and Jack. "Nay": Councilmember Buck.

PUBLIC PARTICIPATION

Bob Hart, 1004 East Second Street Terrace, informed Council that when changes are made to the number of dogs allowed per residence by way of conditional use permits, etc. there could be subdivision covenants that are registered and enforceable in place that would not allow more the two dogs.

Julie Becker, 424 East Third Street, inquired what started the sign regulation review. Development Director Hendee stated it started when the ACLU questioned the restrictions the City currently has in place. City Attorney Elliott noted the changes being considered allow more signs and is more content neutral. Ms. Becker expressed concern about allowing fireworks to be discharged during Fourth of July celebrations. Ms. Becker asked how the architect and attorney used were paid during the efforts to pass a sales tax for a recreation center. City Manager Watson said the work was done pro-bono. The City did pay for a Recreation Park survey. Information gained from the survey will be beneficial to Staff.

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MISCELLANEOUS

City Clerk O'Connor:

- Informed Council that former City Clerk Lucille Osborn passed away. Ms. Osborn worked for the City for 24 years, serving as City Clerk.
- Reported that 88 percent of the real estate taxes billed for 2010 has been collected; and, 80 percent of the personal property taxes billed has been collected.
- Stated the City has received over $16,000 from FEMA from wind damage that occurred last summer.
- Said the Missouri Municipal League Annual Legislative Conference will be held February 16 /17, 2011 in Jefferson City. Councilmembers interested in attending should contact City Clerk O'Connor.
- Gave a Council filing update. Jerri Ann Eddins, Dennis M. Clark, Ronnie Jack and Stephen Craig Scroggins have all filed for Council. The election will be held April 5, 2011.

Councilmember Carr:

- Asked what the purpose of annexation was in regard to the water line purchase on BB Highway. City Manager Watson said the annexation would be a Council decision. When Cameron Regional Medical Center was built, the Rural Water District moved their master meter and the customers were to become City customers. The City could do a separate master meter for the customers on Woodridge Lane and allow the residents to remain in the rural area or annex the area. City Manager Watson said Staff would be looking for direction at the January 18, 2011 Council Session.
- Stated he feels Council needs to pursue storm water drainage improvements. Councilmember Carr moved to present a storm water sales tax on the ballot at the earliest possible time. Councilmember Buck seconded the motion. City Attorney Elliott stated the issue needs to be placed on an agenda so the public is informed of the purposed action. City Attorney Elliott also said Bond Counsel would need to provide the ballot language. Councilmember Carr amended his motion stating the sales tax should be ¼ percent and on the April 2011 election. Councilmember Buck seconded the amended motion. Mayor Clark said efforts by City Manager Watson and Staff to get cost estimates from an engineer should be completed. Councilmember Carr said we need to proceed with preparation to certify ballot language for storm water improvements. The motion passed with a unanimous voice vote.

Councilmember Buck:

- Asked if a date has been set to meet with the Rural Water District about the Woodridge Lane customers. No date has been set.
- Asked if a meeting with the Woodridge Lane residents has been arranged. City Manager Watson said Staff needs Council direction before a meeting is called.

City Attorney Elliott:

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- Said in his years as City Attorney there has not been a forced annexation. A forced annexation could only be done by conducting an election. The contract with the Rural Water District is due this year or next year. The issue can be reconsidered at that time.

Mayor Clark:

- Discussed the proposed sales tax election saying there is a wide difference of opinion among both the public and the Council. The election will let the community decide whether a sales tax for storm water is needed.

There being no further business on motion made, seconded and carried, the meeting was adjourned at 7:25 p.m.

APPROVED:

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Mayor Dennis M. Clark

ATTEST:

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City Clerk

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