

**CITY OF CAMERON
MINUTES
AUGUST 3, 2009
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REGULAR SESSION

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|-----------------|---|
| 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 3rd day of August 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 July 20, 2009, meeting were approved as submitted with a unanimous voice vote on motion made by Councilmember Buck and seconded by Councilmember Clark.

PUBLIC PARTICIPATION

Warren McAllen, 717 North Groat Street, addressed Council regarding storm water issues. Mr. McAllen had a photo slide show which was presented to Council. City Manager Watson noted he had met with Mr. McAllen to gather information. Staff is working with Transystems to determine solutions to storm water control. Mayor Ice deferred the issue to management.

John Rupert, 5858 NE Estep Road, stated he is employed by Mainline Supply Company. Mr. Rupert questioned the bid for the proposed water line stating that use of PVC pipe would lower the cost \$250,000 and asked that Council postpone approval of the contract until more information could be given to them. City Manager Watson noted this is an agenda item. Mr. Rupert will be allowed to address Council during the discussion later on the agenda.

Mayor Ice informed Council of a change in the agenda. Item 5. Ethics Presentation City Attorney Elliott will be taken up at this time. City Attorney Elliott stated that he had attended MPR, Midwest Public Risk (formerly MARCIT) training on

public officials liability. According to the training City Attorney Elliott received; elected and appointed officials need to remember: they can not act on the basis of personal motives; they must delegate to the administrative staff all personnel issues; email records are considered public information; and, they must let the City Manager do his job. City Attorney Elliott also reminded all present that if elected and appointed officials act outside the scope of their duties and punitive damages are awarded, they are individually responsible for payment of the damages. There were 12 elected and appointed officials in attendance for the training. A fifteen minute video was shown which concluded the annual training for MPR compliance.

CITY MANAGER'S REPORT

1. City Manager Watson stated the surplus auction held July 17, 2009 was successful. All items with the exception of three (3) tires sold garnering a total of \$9,646.
2. Third Street Neighborhood Improvement District. A status report was given to Council on the NID. A lien was placed on each property when the District was set in place. When the assessed lien is paid in full, a lien release is recorded at the Clinton County Records Office.
3. Staff has moved water bond proceeds from the operating account to a money market account. The \$1.5 million interim financing for the water improvements will be managed better in the money market account. All interest gained on the money must be used to lower the debt of the improvements.
4. The first Regular Session in September falls on Labor Day. Traditionally this meeting has been cancelled each year. Staff recommends once again cancelling the first meeting in September. As always, if a need should arise, a special meeting will be scheduled to take care of business.
5. Staff has requested a Special Council Session August 25, 2009 to review bids on the Grand Avenue/Griffin Road improvements project.
6. The Finance Committee will be having a meeting next week to consider the 2009-2010 Budget. A workshop will be conducted prior to the August 17, 2009 Council Session and the public is invited to attend.
7. The Electric Committee met and discussed relocation of the Electric Department from Main Street and Orange Street to possibly a location on Pence Road. The Committee has decided to move forward and gather more details. Request for Qualifications will be solicited from architectural firms to assist with the project. City Manager Watson noted the City does own the proposed property and also that the utilities are all underground at the site.
8. Staff continues to work with Civic Plus on the City's new website. The new site is expected to be up and running November 20, 2009.
9. Director of Utilities Mark Gaugh has been working on replacing the message board in front of City Hall. The Board has never functioned properly and Director of Utilities Gaugh will have a new board delivered in September.
10. Cameron Recreation and Community Building Process Update. A citizens group has been working on developing the idea of a regional recreation district. Efforts failed to secure legislation from the State of Missouri for

such a district. The citizen group has now determined it would be best for the district to be only inside the City of Cameron thereby giving the City the authority over the district. Among the recommendations from the group are: a 40,000 square foot building, a gymnasium, pool, weight room and an indoor trail/track. It has been suggested the facility be a joint use venture with the school district since a sports complex needs to be incorporated into the development. The citizens group has formed committees to address financing and site selection. Approximately 80 acres will be needed for the facility. Since that type of acreage is not available in the City limits, the committees will be looking outside the City limits. A proposed February ballot issue will be discussed when more information has been gathered.

DEVELOPMENT DIRECTOR'S REPORT

1. Planning and Zoning. The Commission will meet August 10, 2009 to review conflicting zoning regulations and to have a Storm Water Management Plan update.
2. Missouri Highways and Transportation Commission. The Commission will be meeting in Cameron August 5, 2009 at the First Baptist Church. Staff will make a presentation on regional progress and local needs including Walnut Street improvements.
3. Tax Increment Financing. Every five (5) years a public hearing must be held to make sure the TIF projects are performing as promised. The hearing will be held at the August 17, 2009 Council Session.
4. Flying J. Flying J and Pilot are considering a merger. Staff will continue to keep council informed on this issue.

UNFINISHED BUSINESS

Bill 2009-59, **AN ORDINANCE APPROVING A SETTLEMENT AGREEMENT AND BINDING UNILATERAL AGREEMENT WITH SOUTHWESTERN BELL TELEPHONE COMPANY AND RELATED ENTITIES RELATING TO PAYMENT OF BUSINESS LICENSE TAXES**, was read by title by City Clerk O'Connor. Copies of said Bill 2009-59 were available for the public. Motion was made by Councilmember Clark and seconded by Councilmember Buck to pass said bill on first reading. Discussion. City Manager Watson said this settlement with AT&T is for nonpayment of taxes and recommends adoption of this ordinance as a reasonable collection settlement of taxes owed to the City. The estimated amount to be collected is \$866.10. 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 5527**, was thereupon signed by the Mayor and attested by the City Clerk.

Bill 2009-60, AN ORDINANCE AUTHORIZING A SUBLEASE AND LEASE TERMINATION AGREEMENT FOR CITY OF CAMERON, CLINTON AND DEKALB COUNTIES, MISSOURI WITH THE CAMERON AMBULANCE DISTRICT SUBJECT TO THE CAMERON AMBULANCE BOARD APPROVAL, was read by title by City Clerk O'Connor. Copies of said Bill 2009-60 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 reminded Council that in 1996 the Cameron Ambulance District cooperated with the City in the construction of the Public Safety Building. The District provided money up front to build the facility and received an option to purchase their portion of the building for \$1 when the Certificate of Participation was paid in full. The Ambulance District has now built their own facility and no longer has any use for their portion of the Public Safety Building. The District has agreed to the City purchasing their portion for \$190,000. The Cameron Police Department dispatches for the Ambulance District. The monthly fee for dispatching services from now until May 2011, when the lease purchase ends, will be applied to the purchase price. City Manager Watson estimates a final payment of approximately \$150,000 will then be made to the Ambulance District. Staff recommends approval of Bill 2009-60. Motion carried unanimously.

Motion was made by Councilmember Buck 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 Jack and seconded by Councilmember Carr 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 5528**, was thereupon signed by the Mayor and attested by the City Clerk.

Bill 2009-61, AN ORDINANCE AUTHORIZING THE CITY MANAGER OF THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI TO ISSUE A NOTICE OF AWARD TO CB&I CONSTRUCTORS, INC. FOR CONSTRUCTION OF AN ELEVATED STORAGE TANK, was read by title by City Clerk O'Connor. Copies of said Bill 2009-61 were available for the public. Motion was made by Councilmember Jack and seconded by Councilmember Clark to pass said bill on first reading. Discussion. Director of Utilities Gaugh said bids were solicited for the construction of an elevated water storage tank. Four (4) bids were received and reviewed. Staff recommends the bid from CB&I for \$1,246,000 to construct a 500,000 gallon water tower. Motion carried unanimously.

Motion was made by Councilmember Buck 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 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 5529**, was thereupon signed by the Mayor and attested by the City Clerk.

Bill 2009-62, AN ORDINANCE AUTHORIZING THE CITY MANAGER OF THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI TO ENTER INTO AN AGREEMENT WITH C&S COMPANIES, INC. FOR CONSTRUCTION OF PARALLEL WATER MAINS, was read by title by City Clerk O'Connor. Copies of said Bill 2009-62 were available for the public. Motion was made by Councilmember Jack and seconded by Councilmember Clark to pass said bill on first reading. Discussion. Bids were sought for the water main improvements with options of PVC pipe and ductile pipe requested for consideration. Director of Utilities Gaugh informed Council that HDR/Archer Engineers and Staff both prefer the use of ductile and recommended approval of the bid from C&S Companies Inc. for ductile pipe in the amount of \$881,975. Ten (10) bids were received and reviewed. One bid from Turner Excavation, LLC was a non-responsive bid since there was not a ductile iron pipe bid, only an alternate bid for PVC pipe. City Attorney Elliott said the non-responsive bid from Turner did not truly compare with the other bids and therefore can not be considered. John Rupert, Main Line Supply, was recognized by Mayor Ice for discussion. Mr. Rupert said the PVC pipe would save the City \$250,000 and urged Council to consider the use of PVC pipe. Mike Kalis, HDR, recommended the use of ductile iron and said the project can begin in about 45 days. City Manager Watson stated Staff wants to use the ductile iron pipe. Mr. Kalis reviewed the differences between the two (2) types of pipe, noting that the City has used both types of pipe in various locations around the City. Mr. Kalis continued to recommend the ductile iron pipe. Motion carried unanimously.

Motion was made by Councilmember Carr 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 Jack and seconded by Councilmember Carr 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 5530**, was thereupon signed by the Mayor and attested by the City Clerk.

NEW BUSINESS

Bill 2009-63, AN ORDINANCE AUTHORIZING THE CITY MANAGER OF THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI TO SIGN AN AMENDMENT TO THE AGREEMENT BY AND BETWEEN THE CITY OF CAMERON AND ALLIANCE WATER RESOURCES, INC. FOR MANAGEMENT AND OPERATIONS SERVICES AT THE CAMERON WASTEWATER FACILITY FOR THE 2009-2010 FISCAL YEAR, was read by title by City Clerk O'Connor. Copies of said Bill 2009-63 were available for

the public. Motion was made by Councilmember Buck and seconded by Councilmember Clark to pass said bill on first reading. Discussion. . The agreement reflects a 2.47 percent increase according to Director of Utilities Gaugh. The Alliance Staff has worked diligently over the years to save money on the agreement. The proposed repair limit remains the same as last year, \$26,500. The Wastewater Treatment Plant has been operated in a very efficient manner by Alliance Water Resources over the years. Staff recommends approval of the amendment for plant operations in the amount of \$340,136. Motion carried unanimously. 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 5531**, was thereupon signed by the Mayor and attested by the City Clerk.

8:00 p.m. Mayor Ice asked Mayor Pro-Tem Ronnie Jack to preside over the remainder of the meeting and excused himself from the Chamber.

Bill 2009-64, AN ORDINANCE OF THE CITY OF CAMERON, MISSOURI, TO ESTABLISH A PROCEDURE TO DISCLOSE POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTERESTS FOR CERTAIN MUNICIPAL OFFICIALS, was read by title by City Clerk O’Connor. Copies of said Bill 2009-64 were available for the public. Motion was made by Councilmember Buck and seconded by Councilmember Clark to pass said bill on first reading. Discussion. This is the annual ethics/personal disclosure ordinance, which complies with State Statutes. Motion carried unanimously. Absent: Mayor Ice.

Motion was made by Councilmember Clark and seconded by Councilmember Carr to suspend the rules and place said bill on second reading. Discussion. None. Motion carried unanimously. Absent: Mayor Ice.

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 and Jack. Absent: Mayor Ice. “Nay” none. The Mayo Pro-Tem thereupon declared said bill duly adopted and said bill was numbered **ORDINANCE 5532**, was thereupon signed by the Mayor Pro-Tem and attested by the City Clerk.

Consideration of Bids to Purchase Wastewater Service Truck. Director of Utilities Gaugh explained that bids were solicited to purchase a service truck. Two (2) bids were received with North Country Ford Mercury of Cameron submitting the low bid of \$32,182. The trade-in amount allowed was only \$650 and Staff recommends selling the old truck as surplus rather than trading it in on the purchase. Council had several

questions regarding the purchase and record keeping procedures in place for City vehicles. Staff was asked to submit more details about the purchase and having the current Wastewater Treatment Plant truck declared surplus to Council before a decision is made.

Resolution 2009-14, **A RESOLUTION OF THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI, TO DECLARE AS SURPLUS A 1995 FORD SERVICE TRUCK AND TO AUTHORIZE THE SALE OF SUCH PROPERTY** was pulled from the agenda pending review of the requested information.

Consideration of Bids to Purchase Brush Chipper. Councilmember Clark moved to purchase the brush chipper. Councilmember Carr seconded the motion. Discussion. Staff reviewed the bidding information on the purchase of a brush chipper. Altec submitted the lowest and best bid in the amount of \$30,956. Council questioned the service records of the old unit that Staff was recommending be declared surplus. Council instructed Staff to bring more information to them before a decision would be made. Councilmember Clark withdrew his motion to purchase the brush chipper. Councilmember Carr withdrew the second to the motion.

Resolution 2009-15, **A RESOLUTION OF THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI, TO DECLARE AS SURPLUS A BRUSH CHIPPER AND TO AUTHORIZE THE SALE OF SUCH PROPERTY** was pulled from the agenda pending review of the requested information.

PUBLIC PARTICIPATION

Bob Ross, Alliance Water Resources, thanked Council for entering into the agreement with Alliance for another year at the Wastewater Treatment Plant.

MISCELLANEOUS

Councilmember Clark:

- Informed Council there is grant money available for walking/biking/hiking trail systems. The application deadline is mid August and Councilmember Clark suggested that the Park Board be requested to apply for a grant. Staff said Public Works Director Drew Bontrager is already working on the application process.
- Requested that the Park Board look into an extensive master plan for hiking /biking and even horse trails. A visioning session was suggested. City Manager Watson recommended a design **charet** process be conducted in the fall.

Councilmember Buck:

- Thanked the Park Department for repairing the fountain in Earl Park.

Councilmember Jack:

- Reinforced the need for Council to have more information so that decisions can be made on the service truck and brush chipper.

There being no further business, the meeting was adjourned with a unanimous voice vote at 8:35 p.m. on motion made by Councilmember Buck and seconded by Councilmember Clark.

APPROVED:

Mayor Everett W. Ice

ATTEST:

City Clerk