

**CITY OF CAMERON  
MINUTES  
JUNE 15, 2009  
PAGE 1**

**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 15<sup>th</sup> day of June 2009, at five 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 June 1, 2009 and June 9, 2009, meetings were approved as submitted with a unanimous voice vote on motion made by Councilmember Buck and seconded by Councilmember Carr.

**PUBLIC PARTICIPATION**

None.

**CITY MANAGER'S REPORT**

1. Pool. The pool water recovery project utilizing a tank and sump pump is capturing the water that is being lost and re-circulating the water back to the pool. This is definitely better management of the pool
2. Regional Animal Center. A recent meeting regarding a regional animal center was well attended. Clinton, DeKalb, Caldwell and Daviess Counties were all represented along with several cities and villages. Staff is working on a site plan and a development cost to create the shelter. The next meeting will be July 13, 2009 at City Hall.
3. City Surplus Auction. Staff is developing a list of items to be declared surplus and sold at an auction. The auction is scheduled for July 17, 2009. Any item valued at over \$1,000 will need Council approval to be auctioned.
4. City Personnel Uniforms. Staff is working on a uniform program in an effort to make City employees more identifiable.

5. Storm Drainage Master Plan and Limited Area Plans. The City population is projected to exceed 10,000 with the 2010 census. With the increased population, the City will be mandated to reach new levels of infrastructure for storm water. City Manager Watson stated it is prudent to begin planning for the improvements.

City Manager Watson asked Chief of Police Corey Sloan to introduce the newest member of the Cameron Police Department. Officer Ryan O'Boyle was introduced to Council and citizens in the Chamber. Corporal Dan Miller will serve as O'Boyle's training officer.

Inspector Clyde Han gave a Code report with statistics from January 2009 to May 2009. During that time frame 365 letters of violation and 65 summonses were issued. 209 violations were abated and there are 147 active violations remaining. The violations included 88 all weather parking issues, 95 regarding debris, 122 vehicle violations, 42 weed notices and nine (9) miscellaneous violations.

Animal Control recorded 115 animal pick ups with 55 of the animals returned to owners and 54 of the animals were adopted. At the present time there are six (6) being held at the shelter.

There were 55 building permits issued including two (2) new commercial structures and one (1) new home. There were four (4) remodeling permits and 48 roof permits issued. The total estimated construction for the time period is \$926,580.

This report will be included in Council packets on a quarterly basis.

## **DEVELOPMENT DIRECTOR'S REPORT**

1. Planning and Zoning. No meeting was held in June. July 13, 2009 the Commission will consider a building permit for a fueling station and car wash at US 36 and Griffin Road.
2. Board of Adjustment. The Board will meet July 13, 2009 prior to the Planning and Zoning Commission meeting and conduct a public hearing for a parking variance at the fueling station.
3. Missouri Economic Development Council. Development Director Shellby Hendee reviewed information from a MEDC Site Consultants Panel held June 4, 2009. Among the issues discussed were: what makes industries strong; how to prevent employers from leaving the area; incentives; and renewable energy. Development Director Hendee also noted an award he received at the meeting citing Cameron for recent achievements. Hendee stated a joint effort lead to the award.
4. Public Access. A meeting has been scheduled with Mediacom June 18, 2009 to discuss use of a public access channel for Cameron.
5. Tax Increment Financing. The City has always filed the annual TIF report in a timely manner. The Legislature is imposing stiff penalties on late filers.

6. Valley Brook. The final two (2) properties are set to close. These closings will complete the Valley Brook Project.
7. Transportation. The Missouri Highways and Transportation Department (MoDOT) has announced Route A through Cameron will be resurfaced in 2010 and two (2) bridges in our locale will be rebuilt.

Discussion was held regarding US Highway 36 and Griffon Road. The area is MoDOT's responsibility.

## **UNFINISHED BUSINESS**

Planning and Zoning Commission Appointment. The term of Jeannette Copeman has expired and Ms. Copeman is relocating and unable to serve. The Commission recommends the appointment of Tom Hamlet to serve a four (4) year term. Following Council review of Mr. Hamlet's resume, Councilmember Jack moved to appoint Tom Hamlet to a four (4) year term. Councilmember Buck seconded the motion which passed with a unanimous voice vote.

## **NEW BUSINESS**

Bill 2009-47, AN ORDINANCE REPEALING THE CURRENT WATER RATES AND ESTABLISHING NEW WATER RATES FOR THE CONSUMERS OF THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI MUNICIPAL UTILITIES, was read by title by City Clerk O'Connor. Copies of said Bill 2009-47 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 Mark Gaugh explained this is the second part of the rate increase for the \$2.7 million water improvement project approved by voters in 2008. The first rate increase was for the engineering cost and the current increase is for construction. The rate increase will be effective October 1, 2009. The increase is \$1.84 for five (5) thousand gallons of water. 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 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 5515**, was thereupon signed by the Mayor and attested by the City Clerk.

Bill 2009-48, AN ORDINANCE FOR THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI AUTHORIZING \$1,525,000 COMBINED WATERWORKS AND SEWERAGE SYSTEM REVENUE BONDS SERIES 2009, was read by title by City Clerk O'Connor. Copies of said Bill 2009-48 were available for the public. Motion was made by Councilmember Clark and seconded

by Councilmember Buck to pass said bill on first reading. Discussion. Director of Utilities Gaugh introduced Jack Dillingham from Piper Jaffrey. Mr. Dillingham explained Bill 2009-48 authorizes the issuance of bonds for the Water Improvement Project in the amount of \$1,525,000. This amount will serve as interim financing so the City can take advantage of the favorable bidding market. City Manager Watson noted this offering is not for the full amount of the \$2,700,000 bond amount approved by the voters. Stimulus money could be forthcoming and help with the project. Motion carried unanimously.

Motion was made by Councilmember Clark and seconded by Councilmember Buck 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 5516**, was thereupon signed by the Mayor and attested by the City Clerk.

Bill 2009-49, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI TO ENTER INTO AN AGREEMENT WITH THE GREAT NORTHWEST WHOLESALE WATER COMMISSION, was read by title by City Clerk O'Connor. Copies of said Bill 2009-49 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 explained the creation of the Great Northwest Wholesale Water is an effort to provide a regional solution to the water shortage problems that exist in Northwest Missouri from time to time. By joining the Commission now, the City of Cameron will be a part of the planning process. The City will also need to pay an annual fee of \$3 per meter for three (3) years. Bill 2009-50 addresses the fee. Council will also need to appoint a voting representative and alternate representative to the Commission. Council decided to have Councilmembers serve as the Commission representatives with a Staff member attending for support. 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 5517**, was thereupon signed by the Mayor and attested by the City Clerk.

**Bill 2009-50, AN ORDINANCE APPROVING A FEE EQUIVALENT TO \$3.00 PER ACTIVE WATER METER PER YEAR TO SUPPORT PARTICIPATION BY THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI IN THE GREAT NORTHWEST WHOLESALE WATER COMMISSION FOR A THREE-YEAR PERIOD**, was read by title by City Clerk O'Connor. Copies of said Bill 2009-50 were available for the public. Motion was made by Councilmember Jack and seconded by Councilmember Buck to pass said bill on first reading. Discussion. Director of Utilities Gaugh noted this annual fee will fund the organization for the interim period. The fee will be paid by the Water Fund and not passed on to the consumer. 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 5518**, was thereupon signed by the Mayor and attested by the City Clerk.

**Resolution 2009-11, A RESOLUTION TO DECLARE SURPLUS A 1997 DUMP TRUCK OWNED BY THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI, AND TO AUTHORIZE THE SALE OF SUCH PROPERTY** was read by title by City Clerk O'Connor. Copies of Resolution 2009-11 were available for the public. Motion was made by Councilmember Jack to pass Resolution 2009-11. Councilmember Buck seconded the motion. Discussion. Director of Utilities Gaugh explained Staff had originally requested Council surplus a truck being used by the Electric Department and replacing it with the 1997 Dump Truck. Staff has determined it would be best to instead surplus the 1997 dump truck allowing the Electric Department to continue to use the 1987 truck that was previously declared surplus. Resolution 2009-11 passed with a unanimous voice vote.

Annual Liquor License Applications. City Clerk O'Connor reminded Council liquor licenses expire each year on June 30<sup>th</sup>. A list of applicants was included in the Council packets. The Police Department has reviewed the list and at this time has no objections to any of the licenses being re-issued. Councilmember Buck moved to approve the list of liquor licenses with the two (2) exceptions. Councilmember Clark seconded the motion which passed with a unanimous voice vote.

## **PUBLIC PARTICIPATION**

Bob Hart, 1004 East Second Street Terrace, asked for clarification regarding Bill 2009-47. Staff reiterated \$1.84 is the total increase for the water rate. Mr. Hart also wanted to make sure the \$3.00 per meter annual fee in Bill 2009-50 was not being charged to the water customers. Staff stated the fee will be paid by the Water Fund.

Public Works Director Bontrager informed Council that Eric Evans is now an independent flight and ground instructor at the airport. Mr. Evans is a full time employee at Cameron Memorial Airport working from 8:00 a.m. until 5:00 p.m. and will be giving instructions after 5:00 p.m. and on week ends.

## MISCELLANEOUS

Councilmember Jack:

- Attended the Missouri Municipal League Elected Official Conference in Jefferson City. The Missouri Sunshine Law was one of the sessions and proved to be very informative.

Councilmember Carr:

- Asked that Council revisit Code Enforcement and to take a more active position with enforcement. Councilmember Carr said complaint based enforcement needs to be changed to be more pro-active. Discussion. Councilmember Buck moved to continue the current Miscellaneous Session until June 29, 2009 at 5:00 p.m. for purposes to include discussion of Code Enforcement. Councilmember Carr seconded the motion which passed with a unanimous voice vote.
- Asked if the Missouri Highways and Transportation Department had been contacted about Walnut Street improvements. City Manager Watson replied there is nothing scheduled by MoDOT at this point in time.

City Manager Watson:

- Introduced our bond attorneys, Toni Stegeman and Matt Jennings from Gilmore and Bell.

City Attorney Elliott:

- Said he will conduct a discussion on the open meetings laws at the next Regular Council Session. Council and Staff need to be certain that the Sunshine laws are not violated.

Mayor Ice:

- Said he would like to introduce the idea of conducting Study/Work Sessions before Council Session.

Councilmember Clark:

- Requested the opinion of City Attorney Elliott regarding the Code and Animals issues to be discussed at the continued Council Session.

There being no further business, the meeting was continued until June 29, 2009 at 5:00 p.m. with a unanimous voice vote at 6:50 p.m. on motion made by Councilmember Clark and seconded by Councilmember Buck.

\* \* \* \* \*

June 29, 2009  
5:00 p.m.

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

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

City Clerk O'Connor informed all in attendance that the Cameron City Code and Zoning Ordinances are available for review at Cameron City Hall and the Cameron Public Library. The Code and Ordinances are also available on the City website [www.cameronmo.com](http://www.cameronmo.com).

## **PUBLIC PARTICIPATION**

Sharon Howland, 629 Kelsey, informed Council she has a storm water drainage issue in her back yard. Staff will take a look at the area.

Bob Hart, 1004 East Second Street Terrace, said he had sent a letter to all Councilmembers regarding: parking on hard surfaces; weeds; trashy structures; truck parking; and, garage sales. Mr. Hart stated code enforcement is a tough job and needs to be done fairly and equally.

Jim McKinley, 7095 SE McDiven Drive, addressed rental property issues and enforcement should not apply only to those who can afford to comply with the Code. Mr. McKinley also said he sees no problem with residents parking in back yards.

Jim Cline, 10460 NE State Route BB, said the City should clean up City property before trying to enforce codes on others. Mr. Cline referenced the golf course, Griffin Road and Crossroads Corporate Center. Mr. Cline also referenced a problem area west of the Missouri Veterans' Home. Mayor Ice agreed it is imperative for the City to "sweep its door step" first. Mayor Ice noted the City parks are looking great and the barbeque contest held at McCorkle Park was well received by the contestants. Positive comments were received about having the contest in the park versus in a parking lot.

Sue Manion, 11742 Packard Lane, spoke to Council regarding the City utility shut off policy stating the City should be more compassionate especially during excessive weather situations. Mayor Ice stated the City does comply with the "cold weather rule" during the winter. The City has an obligation to collect utility bills when they are due and to respect all those who do pay timely. A bill is being prepared for a July Council Session which will mirror the State Statutes on the shut off rules. For non-payment of utility bills during excessive heat conditions, the City will disconnect water and not electricity. This is the same procedure used during cold winter conditions. When the temperature is above 95 degrees or the heat index is above 105 degrees, the City will disconnect water for non-payment of bills instead of electricity.

Walnut Street Beautification. City Manager Watson said the Street Committee held a meeting with members of the Missouri Highways and Transportation Department last week. Discussion was held on who owns the driving surface, right of ways and infrastructure. MoDOT staff said it will be several years before funding would be available for resurfacing Walnut Street and there would be no money for curb/guttering, sidewalks or driveways. City Manager Watson noted the Comprehensive Plan referenced the Walnut Street concept to be an action plan. Councilmember Carr also said the Comprehensive Plan held a high priority for appearance improvements starting with Walnut Street. MoDOT recognizes the traffic issues with 13,000 vehicles a day traveling north and south on Walnut. Councilmember Carr has suggested a traffic circle at Grand Avenue and Walnut to keep traffic flowing.

Councilmember Clark said this project has a lot of potential, but is a truly complicated issue. MoDOT owns the driving surface, but the infrastructure ownership is in question. Councilmember Clark stated Council and Staff would be prudent to examine the City taking over Walnut Street in its entirety. City Manager Watson said there could be some funding opportunities now with available stimulus money. Mayor Ice stated Staff is working on a master plan for this project.

Code Enforcement. Mayor Ice reviewed the statistics presented at the June 15, 2009 Council Session for those in attendance. A time line of code issues was reviewed noting that once the violation notice has started 40 percent of the violations are abated within 15 days. Another 40 percent are abated within 45 days of the notice. Usually only two (2) percent are not abated and issued a summons to court.

City Attorney Elliott discussed demolishing buildings that are health concerns and eye sore issues. Care needs to be taken to accomplish the necessary actions within the realms of the law. The process is very time consuming and can be costly. City Attorney Elliott noted it is difficult to keep Code Enforcement Officers and stated employee Rae Flinn is doing a good job of enforcement for the City. The City goal is compliance not punishment on Code issues.

Councilmember Jack said the City does need to take care of weeds on City property noting the golf course as an area of concern.

City Manager Watson said anyone with complaints on City property needs to contact him and he will take care of any issues. The complaints addressed by Jim Cline have been abated. City Manager Watson told Mr. Cline the properties should have been mowed sooner and apologized for the delay. A mowing schedule has now been established to ensure City compliance with Code.

Councilmember Buck asked about junk cars at different locations stating one (1) was grandfathered and the other had a notice of violation. City Attorney Elliott explained that a property is grandfathered when a business situation predates the zoning law. Otherwise, the individual is forced into a taking without due process.

Councilmember Buck also said he feels that code enforcement should fall on the City Manager and that Council should not micro-manage. Mayor Ice stated the Council sets policy and the City Manager enforces the policy. It is not appropriate to talk to Code Enforcement employees, but the chain of command needs to be followed. Code issues should be discussed with City Manager Watson and then City Manager Watson directs Inspector Han. Councilmember Carr stated he feels it is appropriate to discuss policy and Mayor Ice responded that it is not appropriate to direct activity.

Councilmember Carr read a statement regarding Code Enforcement. The statement encouraged a more aggressive posture on Code Enforcement in general. Councilmember Carr said the entire code should be enforced, not just a small selected portion.

Councilmember Clark noted that all concerned want the City of Cameron to improve and to be cleaned up. Councilmember Clark said he has no issues with Code Enforcement. It is the philosophical method used that matters. We can not take away citizen rights. Councilmember Clark said if a code is a code then anyone driving 26 miles per hour in a 25 mile per hour zone should receive a ticket. When Code Enforcement is complaint driven, the Code Officer need to have some latitude of the enforcement to be fair to all citizens and improve the City.

Councilmember Carr stated no one on Council wants to micro-manage Code Enforcement. Some look at the situation subjectively and others objectively. Councilmember Carr feels enforcement should be fair and measurable. If the Code is unfair, then it should be changed to be fair to all.

Inspector Han addressed Council saying Code Enforcement Officer Flinn had been given certain sections of the Code to enforce where she has specific training. Flinn was also instructed to use common sense issuing violations in instances such as an elderly person having to mow a 30 degree slope. Inspector Han said Council sets policy and Staff is trying to use a little common sense in enforcing the policy. This transition is ongoing.

Councilmember Carr asked if instructions were given not to send notices to Councilmembers. Inspector Han said no favoritism is shown to any individual. Inspector

Han went on to say the Property Maintenance Code was enacted to address situations before they get started. Mistakes can be and are made, but the effort to be fair remains.

Councilmember Carr said he has been pleased with the way the Miscellaneous portion of the agenda has gone in this Session. With the proposed new City web site, a complaint form will be on line. Once a complaint has been filed, Staff will respond to the person filing the complaint. Evenness, consistency and open communications are needed with Code Enforcement issues.

## **PUBLIC PARTICIPATION**

Jim Cline again asked about the city's failure to abide by Code regarding weeds. City Manager Watson re-stated the actions that have been taken on City property; and, re-affirmed that a schedule is in place to assure continued City compliance. Any complaints are to be directed to City Manager Watson for action.

Philip Gerstenberger, 623 West Fourth Street, asked how the city is notified when a City violation is observed. Inspector Han said normally the Public Works Department informs him of the situation.

Bob Hart said if a code is not enforceable then Council should work with Inspector Han before the code is put in place. City Manager Watson stated Staff spends time to determine if a code can be enforced before it is put in place.

City Manager Watson addressed the utility shut off program. The City has complied with the cold weather rule when the temperature is 30 degrees or lower. Customers that have not made their utility bill payment on time have their water disconnected, not their electricity. In August 2008 a new law was applied that prohibits turning off electrical power when the temperature is above 95 degrees or the heat index is above 105 degrees in a projected 24 hour period. City Manager Watson apologized for conditions that the City was not aware of because of changes in the law. A new set of procedures is being put in place to make sure we do not miss any law changes.

The City will add the State Statute language regarding hot weather conditions to our current policy. The City does work with individuals by setting up payment schedules for payment under certain conditions. The policy change will be made at the July 6, 2009 Council Session.

Mayor Ice asked Council consideration in changing the start time of Council meetings to accommodate citizens who would like to attend. Mayor Ice suggested having a study session beginning at 5:00 p.m. and having the Regular Council Session begin at 6:00 p.m. Following discussion, Councilmember Jack moved to begin Council Sessions on the first and third Monday of each month at 6:00 p.m. Councilmember Buck seconded the motion which passed with a unanimous voice vote.

There being no further business, the meeting was adjourned with a unanimous voice vote at 8:06 p.m. on motion made by Councilmember Buck and seconded by Councilmember Jack.

APPROVED:

---

Mayor Everett W. Ice

ATTEST:

---

City Clerk