CITY OF CAMERON
MINUTES
MAY 16, 2011

REGULAR SESSION

Frank A. Buck	P
Mark L. Carr	A
Dennis M. Clark	P
Jerri Ann Eddins	P
David Fry	P

The City Council of the City of Cameron, Missouri met in Regular Session on Monday, the 16th day of May 2011, at 5:30 p.m. at City Hall. Mayor Dennis M. Clark presided with the following Councilmembers present: Frank A. Buck, Jerri Ann Eddins and David Fry. Absent: Mark L. Carr.

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

Ethics Workshop. City Attorney Elliott reviewed the requirements of the Missouri State Statutes regarding ethics for elected and appointed officials. Issues highlighted were: bribery; use of confidential information for financial gain; special monetary benefits that would materially affect the official in a manner better than the general public; and not performing a service that would pay over $500 if you are an elected official. A video on ethics was shown to all in attendance. City Attorney Elliott summed up the training with ten (10) points:

1. Act as a body, not as an individual.
2. Allow the City Manager to handle personnel.
3. Do not lie.
4. Do not benefit because of your office.
5. Do not use or disclose confidential information.
6. Do not decide a matter on personal preference but be fair and impartial.
7. Never receive extra compensation.
8. Recognize "right" versus "right personal" with ethical decisions.
9. Recuse for any conflict of interest, perceived or not, by leaving the Council Chamber.
10. Ask yourself "Would I object to publication of my action and be embarrassed".

City Attorney Elliott reminded the Council that a member cannot speak for the Council unless authorized to do so by the entire body. Councilmembers were also instructed by City Attorney Elliott to hold no City related discussions in length in public.

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Due process requires that a proper notice be posted in order for the public to be informed when City business is being discussed. City Attorney Elliott said he will present another video on Sunshine Law requirements.

5:55 p.m. Councilmember Carr arrived.

Minutes of the May 2, 2011 and May 6, 2011, meetings were approved as submitted with a unanimous voice vote on motion made by Councilmember Buck and seconded by Councilmember Carr.

PUBLIC PARTICIPATION

Dale Akey, representing the Cameron Community Center and Agriculture Promotion Corporation, informed Council the group has recently reorganized and now is a corporation in good standing. The Corporation plans to meet within the next 45 days and report back to Council with their agenda.

Ronnie Jack, 514 North Main, addressed Council regarding the appointment to the Planning and Zoning Commission scheduled on tonight's agenda. Mr. Jack said an illegal meeting violating Sunshine Law was held by email regarding the appointment. Mr. Jack stated Development Director Shellby Hendee facilitated the meeting which was not properly noticed nor was there any opportunity for the public to attend. Following further discussion, Mr. Jack asked that Development Director Hendee resign or be dismissed as a City employee. It was suggested the complaint be submitted in writing.

Tad Pruitt, Cameron Veterans Golf Course, updated Council on the Course's efforts to secure a trails grant. Mr. Pruitt said a letter of support from the City is needed for the application. Mr. Pruitt will attend another Council Session and make a presentation regarding his request.

Paul Pugh, Cameron Wal-Mart, informed Council of his support of the Bill which would allow local businesses to participate in the "Back to School Sales Tax Holiday". Mr. Pugh said the tax free weekend in August would benefit Wal-Mart and the community by encouraging shoppers to purchase locally.

Julie Becker, 424 East Third Street, questioned the Park Master Plan process. Ms. Becker attended a recent Park Board meeting and said City Manager Watson was in attendance and working on the Master Plan. Because of City Manager Watson's participation, Ms. Becker asked if the recreation center would again be placed before voters. City Manager Watson said City Staff offered to be a resource to help with design and creation of a Master Plan. The work started several months ago and did include a recreation center and other features such as croquet, badminton and frisbee areas. City Manager Watson said he plans to meet with students from Cameron High School to go through the same process, seeking input on what the community would like to have in the parks. The planning process is for all parks. This is not Staff planning, rather it is community input planning.

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CITY MANAGER'S REPORT

1. City Manager Watson clarified it is the Park Board Master Plan, noting that the Board is volunteer and that Staff has expertise in areas that can help in the planning process. City Manager Watson said he volunteered to assist; otherwise the Park Board would have to hire someone to do the plan which could be costly.
2. City Manager Watson stated Council made the correct decision by eliminating the emergency generator from the budget, but wanted Council to know CERT has started a grass roots effort to raise funds to purchase the generator. $6,000 has been raised to date.
3. Staff is working with Clinco Sheltered Workshop on our recycling programs. The Solid Waste Committee will meet within the next two (2) weeks. Discussion will be held on relocating the recycling center from Sutherlands possibly to Clinco or perhaps closing the location. Currently, citizens pay $1 per month for curbside recycling. If Clinco decides to take the curb side program, it would free up City Staff for other work.
4. Staff will be billing for street cuts and other work performed by field crews as the work is completed.
5. A committee meeting will be held to look at impact fees for utilities this week. This will be an open meeting.
6. City Manager Watson said he held a place in his report for the request made by Councilmember Fry to recite the Pledge of Allegiance before Council Sessions. Councilmember Fry moved to add the Pledge to the agenda for each meeting. Councilmember Buck seconded the motion which passed with a unanimous voice vote. Local groups i.e. Scouts and 4-H Clubs could be invited to present the colors at some of the Sessions.
7. City Manager Watson stated Mr. Jack's request is a personnel issue and City Manager Watson will report back to Council following investigation.

UNFINISHED BUSINESS

Bill 2011-35, **AN ORDINANCE REPEALING CODE SECTION 12-153 OF CHAPTER 12 OF THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI MUNICIPAL CODE AND ADOPTING A NEW SECTION 12-153 OF CHAPTER 12 TO THE CITY OF CAMERON MUNICIPAL CODE REGULATING DISCONTINUANCE OF SERVICE,** was read by title on third reading by City Clerk O'Connor. Copies of said Bill 2011-35 were available for the public. Motion was made by Councilmember Eddins and seconded by Councilmember Fry to pass said bill on third reading. Discussion. Mayor Clark noted this gives Staff the ability to turn water off in emergency situations. City Manager Watson stated a ¾ inch water service line under 40 pounds pressure per square inch would leak over 300,000 gallons in two (2) days. This would not only be costly, but could damage infrastructure and property. Bill 2011-35 passed by the following roll call vote: "Aye": Councilmembers: Buck, Carr, Clark, Eddins and Fry. "Nay" none. The Mayor

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thereupon declared said bill duly adopted and said bill was numbered **ORDINANCE 5671**, was thereupon signed by the Mayor and attested by the City Clerk.

Bill 2011-42, **AN ORDINANCE FOR THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI TO RESCIND ORDINANCE 5288 AND ENACT A NEW ORDINANCE TO OPT IN TO THE STATE (BACK TO SCHOOL) SALES TAX HOLIDAY,** was read on second reading by title by City Clerk O'Connor. Copies of said Bill 2011-42 were available for the public. Motion was made by Councilmember Buck and seconded by Councilmember Eddins to pass said bill on second reading. Discussion. It is hoped this will entice people to shop local. Bill 2011-42 passed on second reading with a unanimous voice vote.

NEW BUSINESS

Bill 2011-41, **AN ORDINANCE FOR THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI APPROVING BUDGET ADJUSTMENT ONE (1) FOR THE BUDGET YEAR OF OCTOBER 1, 2010 TO SEPTEMBER 30, 2011,** was read by title by City Clerk O'Connor. Copies of said Bill 2011-41 were available for the public. Motion was made by Councilmember Eddins and seconded by Councilmember Fry to pass said bill on first reading. Discussion. City Manager Watson reviewed the cover sheet for Bill 2011-41 for those in attendance. Council goes through the budget process to set capital improvements, personnel costs, etc. The General Fund is difficult to budget because it has the most personnel and limited revenues. City Manager Watson said that three (3) weeks ago it was time to pay off the $146,000 owed to the Cameron Ambulance District for the City's purchase of the District's portion of the Public Safety Building. The General Fund balance includes cash, assets and receivables. The City uses a modified accrual method in working with the budget. The 2009-2010 annual audit performed by Westbrook and Company was favorable, but it did not say how much cash the General Fund has at the conclusion of the audit.

City Manager Watson said he was not aware that the cash position contained all assets in the General Fund. If the City pays the money due the Cameron Ambulance District for the portion of the Public Safety Building, there will be a negative General Fund balance at the end of the fiscal year, September 30, 2011. The budget amendment has been adjusted and Staff predicts a favorable cash position for year end. Data on General Fund historical trends for the City will be distributed to Council tomorrow. The City has experienced negative balances in the past, but had certificates of deposit to offset the deficit. That does not hold true for this year and fundamental changes need to be made. The City cannot go to the bank and borrow money without a vote of the citizens. City Manager Watson proposed a "sustainable government" approach. To that end, Staff is recommending removing the automatic meter reading (AMR) system from the budget. The chloramines project for Water Plant will remain in the budget. The fire truck purchase is included in the budget adjustment because the Rural Fire District has paid for half of the truck and is financing the remaining amount over a three (3) year period.

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Funds to pay for the aerial photography have been redistributed lowering the amount to come from the General Fund.

City Manager Watson asked the Cameron Ambulance District to consider a continued partnership with the City on the purchase of their portion of the Public Safety Building. The District agreed to accept one half of the payment due and to receive two (2) per cent interest on the remaining balance which will be paid in one (1) year. With these changes, $236,450 is projected to be the fiscal yearend balance. City Manager Watson said the balance will probably be closer to $180,000. Budget adjustments include: $33,000 to balance the street contract line; removal of the AMR; including $127,442 for the used fire truck; and, the reduction of the Public Safety Building payment. The adjustment also reflects revenue of $315,000 recognized last fiscal year for the Grand and Griffin Road project. Those monies were received this budget year and need to be acknowledged as such.

City Manager Watson said the Budget/Finance Committee will meet again to discuss future revenues. Staff recommends approval of the budget adjustments tonight on first reading only, with a second and final reading to occur at the June 6, 2011 Council Session.

Discussion continued on the history of the General Fund. City Manager Watson said over the last ten (10) years the General Fund was built up and then it was spent down. Staff realizes that spending needs to be conservative to help balance the General Fund. Council asked Staff to get an outside consultant to look at the budget and get a second opinion on how to accomplish a positive Fund balance by fiscal year end.

Bill 2011-41 passed on first reading with four (4) "Aye" votes. Councilmember Carr voted "Nay".

Bill 2011-44, **AN ORDINANCE AUTHORIZING A LEASE AGREEMENT FOR SWIMMING POOL AND APPURTENANCES BY AND BETWEEN THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI; THE CAMERON PARK BOARD; AND, CAMERON REGIONAL YMCA,** was read by title by City Clerk O'Connor. Copies of said Bill 2011-44 were available for the public. Motion was made by Councilmember Buck and seconded by Councilmember Carr to pass said bill on first reading. Discussion. City Manager Watson said the Cameron Park Board reviewed the proposal and recommends approval. A historical trend was reviewed and City Manager Watson noted if there is a profit, the money is to be split between the Park Fund and the YMCA. Each year the agreement gets closer to that positive position. Improvements have been made to the pool that have reduced water loss and helped lower expenses. Staff is recommending Bill 2011-44 be read in full since the pool is scheduled to open May 28, 2011. Motion carried unanimously.

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

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On motion made by Councilmember Buck 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, Eddins and Fry. "Nay" none. The Mayor thereupon declared said bill duly adopted and said bill was numbered **ORDINANCE 5672**, was thereupon signed by the Mayor and attested by the City Clerk.

Annual Liquor License Applications. City Clerk O'Connor informed Council the application list does include two new licenses, Dollar General and Big Creek Promotions. Another change noted was Vikings USA Bootheel 508 is moving from 316 East Second Street to 512 North Walnut Street. Lieutenant Rick Bashor reported Cameron Police Department has reviewed all applications and found no issues. Councilmember Buck moved to approve the applications. Councilmember Eddins seconded the motion which passed with a unanimous voice vote.

Appointments.

- Planning and Zoning Commission. Commissioner Keith Swindler is moving and has resigned from the Planning and Zoning Commission. City Manager Watson said Boards and Commissions have had a history of making recommendations for appointments to fill positions in their respective organizations. Council, however, is the reporting authority and ultimately responsible for appointments. Given the controversy of the appointment recommendation being made via an email meeting, City Manager Watson instructed the Commission to hold a public meeting that was properly noticed to the public in order to consider applications for the vacancy. The Commission did met and recommended Artis Stoebener. Following Council review of the list of interested parties, Councilmember Carr nominated Artis Stoebener to serve on the Planning and Zoning Commission. Councilmember Buck nominated Gene Simmons. Ms. Stoebener was appointed with three affirmative votes. Mr. Simmons received two (2) votes.
- Industrial Development Authority. Randall Relford has resigned from the IDA. Staff said news stories regarding the opening were carried in the *Cameron Citizen-Observer* and on the City website. Mark Garges contacted Development Director Hendee expressing his interest in serving on the Authority and submitted a resume for review. Councilmember Buck moved to appoint Mr. Garges to the Industrial Development Authority. Councilmember Carr seconded the motion which passed with a unanimous voice vote.

PUBLIC PARTICIPATION

Bob Hart, 1004 East Second Street Terrace, said the Park Fund and the Band Fund have a combined total of $500,000. Mr. Hart said he did not understand why the money could not be used and asked Council to take a look at the Funds during the budgeting process.

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Julie Becker, 424 East Third Street, said she agreed with Mr. Hart and that the Band should be placed under the Park system. Ms. Becker also addressed the term "sustainable government" and compared the local government to the federal government, stating the City should live within its means and not raise utility rates or taxes.

MISCELLANEOUS

City Clerk O'Connor:

- Congratulated Councilmember Eddins on the birth of her daughter, Brooklyn Avery who was born May 13, 2011.

City Manager Watson:

- Noted there is a huge difference between the federal government and local government. A local government cannot print money as the federal government can.

City Attorney Elliott:

- Following up on the ethics training earlier in the Session, City Attorney Elliott said there are sometimes two (2) "right" decisions and people have to determine which "right" decision to follow. The public needs to understand that the state law trumps where money can go and how it can be spent. You cannot take band money to spend on streets or anything else. State law dictates that the money can only be spent for "Band" purposes. Governing officials have the ethical responsibility to get requisite knowledge to make a "right" decision. City Attorney Elliott stated currently times are trying and we are doing the best we can; but, we must do better.

Director of Utilities Gaugh:

- Reminded all of the many mandates that the City must comply with coming from State and Federal regulations.

Development Director Hendee:

- Informed Council the Missouri Legislature did not pass any economic development legislation in the recently concluded session.

Mayor Clark:

- Stated the balances in reserves for the Band Fund and the Park Fund cannot be used for General Fund expenditures. Mayor Clark noted the Park Department has been diligently saving money over the years for bigger projects.
- Disagreed with the comparison of the federal government and local government.
- Said the Council volunteers their time to make Cameron a better community. Past Councils and Staff have done their best, but there can

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always be debatable decisions made. There has been no instance of anyone enriching themselves from decisions or any boon dogles in the long history of responsible City leaders.

There being no further business on motion made, seconded and carried, the meeting was adjourned at 8:05 p.m.

APPROVED:

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Mayor Dennis M. Clark

ATTEST:

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City Clerk

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