

**CITY OF CAMERON  
MINUTES  
AUGUST 18, 2008  
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**REGULAR SESSION**

Dennis M. Clark	P
Everett W. Ice	P
Ronnie Jack	P
Larry L. McCord, Jr.	P
Artis Stoebener	P

The City Council of the City of Cameron, Missouri met in Regular Session on Monday, the 18<sup>th</sup> day of August 2008, at four thirty p.m. at McElwain Drive and U.S. Highway 36. Mayor Larry L. McCord, Jr. presided with the following Councilmembers present: Dennis M. Clark, Everett W. Ice, Ronnie Jack and Artis Stoebener. Absent: none.

Present were Interim City Manager Mark Gaugh, City Clerk Barbara J. O'Connor and dignitaries from DeKalb County, Grand River Township, Missouri Highways and Transportation Department, members of the McElwain Family. Mayor McCord welcomed all attending and thanked those involved with the extension of McElwain Drive which has created a northern access.

5:20 p.m. Council and Staff returned to City Hall and resumed the agenda items.

Attorney for the City Mitch Elliott was present.

Minutes of the August 4, 2008, meeting were approved as submitted with a unanimous voice vote on motion made by Councilmember Stoebener and seconded by Councilmember Clark.

**PUBLIC PARTICIPATION**

Todd Baker, 11240 NE West Street, discussed the condition of West Street and requested that the street be chipped and sealed. Mayor McCord stated the concern would be passed on to Public Works Director Drew Bontrager.

Lisa McCartney, Platte Valley Title, addressed an issue with the private drive in Eagle's Landing and the recent realignment of the southern most part of South Chestnut Street. Public access of the lots along South Chestnut Street has become a concern with the issuance of title insurance. Residents between Chestnut Street and the private drive want the private drive to become a public street or alley. Mayor McCord and City Attorney Elliott agreed the Planning and Zoning Commission must be a part of the resolution.

Jerry Hoppenthaler, 9368 NE Heritage Hills, stated he owns Lot B and is trying to sell the lot. Title insurance is needed to close the transaction.

City Attorney Elliott said this can be settled by use of a prescription easement which would need to be instituted by the individuals owning property along the private drive. City Attorney Elliott said he will look into the issue and get back to Council.

Mike O'Donnell, Planning and Zoning Commission Chairman, gave a history of the private drive which was requested by the developers. In subsequent years, the developer requested the private drive become a public street. The Commission approved the request with a 20 foot cul-de-sac, curb and guttering and storm water restrictions. The developer chose not to complete the street as approved.

Bruce Witt, 11677 NE Witt Road, also discussed the realignment of South Chestnut Street.

## **INTERIM CITY MANAGER'S REPORT**

1. Finance report and Utility Report. Interim City Manager Gaugh stated there is nothing much different in either report.
2. Interim City Manager Gaugh reminded Council of the August 21, 2008 visit from Doyle Childers with the Missouri Department of Natural Resources which will be held at City Hall. Mr. Childers plans to discuss issues of interest. There will be another meeting at the United Methodist Church later that evening regarding the brain tumor issue.
3. The first Council Session in September falls on Labor Day. Council decided not to meet on Labor Day.
4. Proposed Billing Changes. Staff has requested the following changes to the utility billing procedures: discontinue sending second notices (shut off notices); extend the current pay window from ten (10) days to 15 days; increase the late payment fee from five(5) percent to ten (10) percent; and change the cut-off date to consistently be the fourth Tuesday of the month. The discontinuance of mailing the second billing alone will save \$300 per month. Council agreed with the changes and Staff will present these changes in Bill form at the next Council Session.
5. Tax Memo. Interim City Manager Gaugh provided Council with a review of current taxation rules that are applicable to the City of Cameron.
6. Solid Waste Committee. Councilmember Jack and Councilmember Clark met with Staff and following review of the current solid waste contract, recommended the City stay with the current provider. There will be a six (6) month trial on picking up large items every two (2) months. Information will be provided to the customers on the pickup dates and what can and can not be picked up. City Attorney Elliott explained this is not a legal issue with the Hancock Amendment since the cost of doing business has increased, the cost can be passed on to the consumer. Councilmember Clark moved to go forward with the contract with R & W Container. Councilmember Jack seconded the motion which passed with a unanimous voice vote.

## **DEVELOPMENT DIRECTOR'S REPORT**

1. Comprehensive Plan. A public workshop on transportation will be held September 18, 2008 at Bank Midwest. A quality of life workshop will be held October 16, 2008. Following the workshops, a public hearing will be held by the Planning and Zoning Commission and a recommendation will be made to the Council for approval.
2. Planning and Zoning. Dr. Mark Carr has submitted his resignation from the Commission. Stan Hendrix has been elected secretary of the Commission. A special workshop will be held Monday, August 25, 2008 for review of the Cameron City Code.
3. Board of Adjustment. The Board meets today to consider a variance request at 804 West Third Street. The request was denied for lack of a motion.

## UNFINISHED BUSINESS

Bill 2008-44, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI, TO ACCEPT A WARRANTY DEED FOR REAL PROPERTY; AND EXECUTE THE ACKNOWLEDGEMENT OF ACCEPTANCE OF THE CONVEYANCE FROM THE CAMERON HISTORICAL SOCIETY, INC. FOR A TEN (10) FOOT STRIP OF LAND LYING SOUTH OF THE DEPOT ON WALNUT STREET, was read by title by City Clerk O'Connor. Copies of said Bill 2008-44 were available for the public. Motion was made by Councilmember Stoebener and seconded by Councilmember Ice to pass said bill on first reading. Discussion. Interim City Manager Gaugh stated this ten (10) foot strip of land restores the contiguousness of land ownership at the Depot Museum to the City. 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 Stoebener and seconded by Councilmember Ice said bill was placed on second reading, was read by title and passed by the following roll call vote: "Aye": Councilmembers: Clark, Ice, Jack, McCord and Stoebener. "Nay" none. The Mayor thereupon declared said bill duly adopted and said bill was numbered **ORDINANCE 5446**, was thereupon signed by the Mayor and attested by the City Clerk.

## NEW BUSINESS

Public Hearing – 2008 Tax Levy. 6:15 p.m. Councilmember Clark moved to go into a public hearing for the 2008 tax levy. Councilmember Stoebener seconded the motion which passed with a unanimous voice vote. City Clerk O'Connor reported the ad valorem property tax rate that was published for the hearing was the maximum amount allowed. Since the publication The State of Missouri Auditor's Office has sent the actual tax levy amount allowed. The levy amounts are: General Fund \$ 0.5813; Park Fund \$0.1428; Library Fund \$0.1633; and, Band Fund \$0.0816 for a total of \$0.9690. A slight increase of \$0.0003 was realized in the levy amount. Councilmember Stoebener moved to adjourn the public hearing at 6:18 p.m. Councilmember Jack seconded the motion which passed with a unanimous voice vote.

Bill 2008-45, **AN ORDINANCE LEVYING TAX UPON ALL PROPERTY TAXABLE IN THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI, FOR THE YEAR 2008, AND FIXING THE RATE THEREOF**, was read by title by City Clerk O'Connor. Copies of said Bill 2008-45 were available for the public. Motion was made by Councilmember Jack and seconded by Councilmember Clark to pass said bill on first reading. Discussion. 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 Stoebener and seconded by Councilmember Ice said bill was placed on second reading, was read by title and passed by the following roll call vote: "Aye": Councilmembers: Clark, Ice, Jack, McCord and Stoebener. "Nay" none. The Mayor thereupon declared said bill duly adopted and said bill was numbered **ORDINANCE 5447**, was thereupon signed by the Mayor and attested by the City Clerk.

Bill 2008-46, **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 2008-46 were available for the public. Motion was made by Councilmember Stoebener and seconded by Councilmember Ice to pass said bill on first reading. Discussion. Motion carried unanimously.

Motion was made by Councilmember Ice 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 Stoebener 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: Clark, Ice, Jack, McCord and Stoebener. "Nay" none. The Mayor thereupon declared said bill duly adopted and said bill was numbered **ORDINANCE 5448**, was thereupon signed by the Mayor and attested by the City Clerk.

Bill 2008-47, **AN ORDINANCE AUTHORIZING 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**, was read by title by City Clerk O'Connor. Copies of said Bill 2008-47 were available for the public. Motion was made by Councilmember Jack and seconded by Councilmember Stoebener to pass said bill on first reading. This is the second year of the current three (3) year contract with Alliance and sets the repair expense at \$21,000. The agreement reflects a 3.9 percent increase according to Interim City Manager Gaugh. Staff recommends approval. Discussion. The Alliance Staff has worked diligently over the years to save money on the agreement. Phil Webster has been an asset to the community as well as operating the Wastewater Treatment Plant in a very efficient manner. 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 Stoebener and seconded by Councilmember Ice said bill was placed on second reading, was read by title and passed by the following roll call vote: "Aye": Councilmembers: Clark, Ice, Jack, McCord and Stoebener. "Nay" none. The Mayor thereupon declared said bill duly adopted and said bill was numbered **ORDINANCE 5449**, was thereupon signed by the Mayor and attested by the City Clerk.

Bill 2008-48, **AN ORDINANCE EXERCISING CERTAIN AUTHORITY RELATING TO OPERATION OF VIDEO SERVICES PROVIDERS AND PROVIDING SUPPLEMENTARY REGULATION OF THE PLACEMENT OF FACILITIES OF VIDEO SERVICES PROVIDERS AND OTHER UTILITIES MAINTAINING FACILITIES WITHIN THE CITY**, was read by title by City Clerk O'Connor. Copies of said Bill 2008-48 were available for the public. Motion was made by Councilmember Ice and seconded by Councilmember Jack to pass said bill on first reading. Discussion. Development Director Shellby Hendee said a bill was passed by the legislators last year allowing affirmative action to manage and collect fees for use of right-of-ways. Special Counsel Dan Vogel recommends approval of this bill which will retain municipal authority over video services in the public rights-of-way. Motion carried unanimously.

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

On motion made by Councilmember Stoebener 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: Clark, Ice, Jack, McCord and Stoebener. "Nay" none. The Mayor thereupon declared said bill duly adopted and said bill was numbered **ORDINANCE 5450**, was thereupon signed by the Mayor and attested by the City Clerk.

Bill 2008-49, **AN ORDINANCE AUTHORIZING THE MAYOR TO SIGN A PETITION FOR VOLUNTARY ANNEXATION BRINGING MCELWAIN DRIVE EXTENSION, CAMERON RESERVOIRS ONE, TWO AND THREE AND GRACELAND CEMETERY INTO THE CITY LIMITS**, was read by title by City Clerk O'Connor. Copies of said Bill 2008-49 were available for the public. Motion was made by Councilmember Clark and seconded by Councilmember Jack to pass said bill on first reading. Discussion. Development Director Hendee explained this petition is to annex the three (3) City reservoirs, Graceland Cemeteries and McElwain Drive. It was noted that the title of Bill 2008-49 said McElwain Drive Extension. The proper name is simply McElwain Drive. Councilmember Stoebener moved to strike the word Extension from the title of the Bill. Councilmember Ice seconded the motion which passed with a unanimous voice vote. Motion to pass Bill 2008-49 on first reading as amended carried unanimously.

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

On motion made by Councilmember Ice and seconded by Councilmember Jack said amended bill was placed on second reading, was read by title and passed by the following roll call vote: “Aye”: Councilmembers: Clark, Ice, Jack, McCord and Stoebener. “Nay” none. The Mayor thereupon declared said bill duly adopted and said amended bill was numbered **ORDINANCE 5451**, was thereupon signed by the Mayor and attested by the City Clerk.

**Bill 2008-50, AN ORDINANCE AUTHORIZING A CONDITIONAL USE PERMIT FOR GRACE AND DALE FEESE, D.B.A. GRACIES GROOMING DALE’S, ALLOWING OPERATION OF A DOG GROOMING BUSINESS AND THE KEEPING OF FOUR DOGS AT 508 S. WALNUT STREET**, was read by title by City Clerk O’Connor. Copies of said Bill 2008-50 were available for the public. Motion was made by Councilmember Jack and seconded by Councilmember Ice to pass said bill on first reading. Discussion. Development Director Hendee reviewed the packet information asking for the conditional use permit to operate a dog grooming business and to have four (4) dogs at 508 South Walnut Street. A public hearing was held before the Planning and Zoning Commission and there were two (2) neighbors that objected. The Commission felt like the objections were sufficiently addressed by the petitioners and recommend approval of the conditional use permit. 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 Stoebener 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: Clark, Ice, Jack, McCord and Stoebener. “Nay” none. The Mayor thereupon declared said bill duly adopted and said bill was numbered **ORDINANCE 5452**, was thereupon signed by the Mayor and attested by the City Clerk.

**Bill 2008-51, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI, TO ACCEPT A RIGHT-OF-WAY EASEMENT FROM HOLIDAY PROPERTIES PARTNERSHIP, TO CONSTRUCT, MAINTAIN, AND OPERATE A SANITARY SEWER LINE; AND, AUTHORIZING THE MAYOR TO EXECUTE A CORPORATION QUIT-CLAIM DEED RELEASING AN EASEMENT GRANTED IN 1984 ON SAID PROPERTY**, was read by title by City Clerk O’Connor. Copies of said Bill 2008-51 were available for the public. Motion was made by Councilmember Stoebener and seconded by Councilmember Clark to pass said bill on first reading. Discussion. Interim City Manager Gaugh said when the sanitary sewer line was built in 1984 it did not fall in the easement. Duane Buckmaster, Holiday Properties Partnership requested the correction and agreed to give an additional five (5) foot of easement on each side of the line. Staff recommends approval. Motion carried unanimously.

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

On motion made by Councilmember Ice and seconded by Councilmember Stoebener said bill was placed on second reading, was read by title and passed by the following roll call vote: “Aye”: Councilmembers: Clark, Ice, Jack, McCord and Stoebener. “Nay” none. The

Mayor thereupon declared said bill duly adopted and said bill was numbered **ORDINANCE 5453**, was thereupon signed by the Mayor and attested by the City Clerk.

Resolution 2008-15, A RESOLUTION TO DECLARE AS SURPLUS VEHICLES AND COMPUTERS FROM THE VARIOUS DEPARTMENTS WITHIN THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI was read by title by City Clerk O'Connor. Copies of Resolution 2008-15 were available for the public. Motion was made by Councilmember Ice to pass Resolution 2008-15. Councilmember Stoebener seconded the motion. Discussion. Interim City Manager Gaugh informed Council the City has five (5) vehicles and miscellaneous computer equipment that no longer meet service requirements. Staff plans to sell the vehicles through an auction service. Staff recommends the vehicles and computer equipment be declared surplus and disposed of. Resolution 2008-15 passed with a unanimous voice vote.

#### Board Appointments.

1. Board of Adjustment. The term of Scotty Massey expires on the Board of Adjustment. Mr. Massey has agreed to serve another five (5) year term. Councilmember Stoebener moved to re-appoint Mr. Massey to the Cameron Board of Adjustment. Councilmember Ice seconded the motion which passed with a unanimous voice vote.
2. Planning and Zoning. The terms of Mike O'Donnell and Delvin Jackson expire. Both Mr. O'Donnell and Mr. Jackson have agreed to serve another four (4) year term each. Councilmember Stoebener moved to re-appoint Mike O'Donnell and Delvin Jackson to the Planning and Zoning Commission. Councilmember Jack seconded the motion which passed with a unanimous voice vote.
3. Industrial Development Authority. The terms of Gib Keith and Sam Hiner expire. Both members of the Authority have agreed to serve another six (6) year term. Councilmember Clark moved to re-appoint Mr. Keith and Mr. Hiner to the Cameron Industrial Development Authority. Councilmember Ice seconded the motion which passed with a unanimous voice vote.

Councilmember Clark moved to go into a Budget Workshop at 7:05 p.m. Councilmember Jack seconded the motion which passed with a unanimous voice vote. Interim City Manager Gaugh said the proposed budget was conservative in a lot of the capital items. There are no changes planned in personnel and a three (3) percent increase in salary has been budgeted. An automatic reading system is the biggest item with a cost of \$700,000 to \$750,000. Mayor McCord asked Chief of Police Corey Sloan about the two (2) officers approved by Council. Chief Sloan said one (1) officer has been hired and the second officer is returning from assignment with the Nitro Task Force. Interim City Manager Gaugh reported all the capitol improvements are funded with the exception of the street sweeper which will be funded over a three (3) year period. Frank Buck, 203 West 13<sup>th</sup> Street asked about a skate board park. Bob Hart, 1004 Second Street Terrace, asked for the budget total from last year to compare to this year's proposed budget. Councilmember Clark moved to adjourn the Budget Workshop at 7:10 p.m. Councilmember Ice seconded the motion which passed with a unanimous voice vote.

## **PUBLIC PARTICIPATION**

None.

## MISCELLANEOUS

City Clerk O'Connor:

- Reported on the City Manager recruitment. An Executive Session will be held September 2, 2008 at 5:00 p.m. Mayor McCord said he will be attending via the telephone.

Councilmember Stuebener:

- Said the upcoming Missouri Municipal League Conference should be excellent.
- Noted the eminent domain issue will not be on the November ballot.

Councilmember Clark:

- Thanked Councilmember Jack, Public Works Director Bontrager and Interim City Manager Gaugh for their work on the solid waste contract.
- Said he would like to see the curb and gutter program expanded.

Councilmember Ice:

- Echoed his thanks to all who serve on the various boards and commissions.

Interim City Manager Gaugh:

- Said the storm siren has been adjusted and is working now.

Public Works Director Bontrager:

- Thanked those attending the opening of McElwain Drive before the Council Session.
- Informed Council the Missouri Department of Transportation will be working with the City constructing a right turn lane at McElwain Drive and U.S. Highway 69.

Councilmember Ice:

- Inquired about lighting on the new section of McElwain Drive. Mayor McCord responded it would be best to wait for development along the street to see where the lights would be needed.

Chief Sloan:

- Said the Police Department canine, Shadow is now on the force and working.
- Told Council Bryson Janovec, the newest police, officer has moved to Cameron.
- Reminded all school starts tomorrow and asked motorists to be aware of the children traveling to and from school.

There being no further business, the meeting was adjourned with a unanimous voice vote at 7:30 p.m. on motion made by Councilmember Stuebener and seconded by Councilmember Jack.

APPROVED:

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Mayor Larry L. McCord, Jr.

ATTEST:

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City Clerk