

**CITY OF CAMERON
MINUTES
MARCH 3, 2008
PAGE 1**

REGULAR SESSION

Everett W. Ice	A
Michael G. Johnson	P
David C. Lee	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 3rd day of March 2008, at four o'clock p.m. at City Hall. Mayor Larry L. McCord, Jr. presided with the following Councilmembers present: Michael G. Johnson, David C. Lee and Artis Stoebener. Absent: Everett W. Ice.

Present were City Manager Phillip R. Lammers, Attorney for the City Mitch Elliott and City Clerk Barbara J. O'Connor.

Ethics Work Shop – Council and all Commissions and Boards Invited. City Attorney Elliott conducted the Ethics Work Shop with Council, Staff and various members of the Cameron Boards and Commissions in attendance. City Attorney Elliott stated we live in a litigious society with numerous lawsuits. Individuals representing the City of Cameron need to operate legally, by the book, in order to win any such lawsuit. Our insurance company will pay to defend those who follow the rules. City Attorney Elliott continued by reviewing the Sunshine Law, and causes for suits such as conflict of interest and retaliation. Individuals in attendance were reminded that email transmissions are also deemed public records.

4:40 p.m. Councilmember Ice arrived.

City Attorney Elliott presented a video entitled “In the Scope of Your Authority – Preventing Public Officials Liability”. Following the DVD, a question and answer session was held. Clarification was given for legislative versus quasi judicial. Quasi judicial is a judgment made that affects individuals while legislative issues affect all citizens.

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

PUBLIC PARTICIPATION

Frank Buck, 203 West Thirteenth Street, inquired about the speed limit on Highway 69 noting several inconsistencies. This is a Missouri Highways and Transportation issue which has

been discussed with the Department on several occasions. Councilmember Johnson moved to have a Resolution prepared, approved and presented to the Missouri Department of Highways and Transportation asking for changes in the speed limits. Councilmember Lee seconded the motion which passed with a unanimous voice vote.

Mr. Buck then asked for clarification on the impact fee for new development recently approved by Council. The fee is being charged at a discounted rate of \$2,000. The other fees for inspections, meter pits, tap fees, etc. will continue to be charged.

Brad Shanks, North County Ford Mercury, addressed Council concerning a citation he received for not parking on an all weather surface. City Manager Lammers stated he was award of the citation. Councilmember Ice noted it is important to have consistency in code enforcement and asked Staff to review the issue.

Sandra Seitz, 222 West Cornhill, told Council she understands she will not be getting curb and guttering again this year in front of her property. Ms. Seitz also discussed restrictions that are placed on citizens by the Code. Ms. Seitz suggested Council look at the current Code to see if changes need to be made.

CITY MANAGER'S REPORT

1. City Manager Lammers introduced Josh Kobs. Mr. Kobs started employment with the City February 19, 2008 as Electric Superintendent.
2. Financial. The current fiscal year is 33 percent complete. There were no questions regarding the report distributed in Council packets.
3. Utility Report. Both water production and electric power purchases have increased in comparison to one (1) year ago.
4. Final debris removal report (all done). Public Works Director Drew Bontrager reported all debris has been removed from the City right-of-ways. The next step is to contract for hanger removal from the trees. Public Works Director Bontrager informed Council he will personally contact each property owner where a tree in the right-of-way in front of their property will be totally removed.
5. Building Code, Animal Control and Code Enforcement report. Inspector Han reported hearings had been held on three properties. Two of the owners are abating their issues and the legal process continues with the third owner.
6. Water Committee minutes. City Manager Lammers distributed minutes from a recent Water Committee meeting and a schedule of events leading up to the water bond election, April 8, 2008. Open houses are planned for Tuesday and Thursday next week at City Hall. City Manager Lammers and Director of Utilities Gaugh will be on hand from 4:00 p.m. to 6:00 p.m. to answer questions from the public.
7. Surplus computers. City Manager Lammers told Council the City has three (3) computers that are obsolete and asked to have them declared surplus so they can be disposed of. Councilmember Johnson moved to declare the three (3) computers surplus. Councilmember Ice seconded the motion which passed with a unanimous voice vote.

8. City Manager Lammers reported the Cameron Fire Department has a piece of equipment, a sliding skid unit that was bought with a grant from the Department of Conservation and matching City funds. This piece of equipment fits on the back of a small truck, but has never been used. Fire Chief Mike O'Donnell has received a request from the Union Township Fire Protection District for help in rebuilding their fire station and replacing equipment. The District lost everything in a recent fire. Chief O'Donnell is requesting the sliding skid unit be declared surplus and made available to Union Township. Councilmember Johnson moved to surplus the sliding skid unit and to offer to sell it to Union Township Fire Protection District. Councilmember Lee seconded the motion which passed with a unanimous voice vote. City Attorney Elliott noted it is difficult to gift equipment that has been obtained with tax money. The unit will be offered to Union Township for the cost the City of Cameron has in the unit.

DEVELOPMENT DIRECTOR'S REPORT

1. TIF Annual Meeting (Feb. 21st). The Tax Increment Financing Commission met and re-elected officers. The Commission learned of possible projects in 2008 being planned by Chung and Manion.
2. Comprehensive Plan. Donna Acklin, Mary Jo Eiberger, Debbie Heavner and David Lee have been added to the Advisory Committee for the Comprehensive Plan. Bucher, Willis and Ratliff consultants are collecting data and compiling trend information. Interviews have also been scheduled with key leaders.
3. Planning and Zoning (Feb. 11th). The Planning and Zoning Commission approved a building permit for Flying J at US 36 and Interstate 35. The Commission will hold a public hearing March 10, 2008 to consider a conditional use permit for beekeeping at 222 West Cornhill.
4. Board of Adjustment. The Board approved a sign variance for Flying J.
5. Cameron IDA. Mr. Bill Webb, Industrial Development Authority Board member has passed away. The IDA will submit the name of Sam Hiner for Mr. Webb's replacement.
6. McElwain Drive Extension. Annexation documents are being assembled to annex that part of McElwain Drive Extension that is not currently in the City limits. In conjunction with the Community Development Block Grant received for construction of McElwain Drive Extension, Case New Holland had agreed to a number of job creations. This has been accomplished and will now be certified.

UNFINISHED BUSINESS

Bill 2008-9, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI TO ENTER INTO AN AGREEMENT WITH MIDLAND GIS FOR FIELD SURVEYING WORK, was read by title by City Clerk O'Connor. Copies of said Bill 2008-9 were available for the public. Motion was made by Councilmember Lee and seconded by Councilmember Stoebener to pass said bill on first reading. Discussion. Utility Director Gaugh reminded Council Midland GIS has the

current contract for our GIS work. The scope of this agreement will be to perform field surveying work relative to manholes, cleanouts and lift stations. Motion carried unanimously.

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

On motion made by Councilmember Lee 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: Ice, Johnson, Lee, McCord and Stoebener. "Nay" none. The Mayor thereupon declared said bill duly adopted and said bill was numbered **ORDINANCE 5413**, was thereupon signed by the Mayor and attested by the City Clerk.

NEW BUSINESS

Audit Presentation – Westbrook & Associates. Rita Russell, Westbrook & Associates, presented a brief overview of the completed audit. The City received an unqualified opinion which is a clean audit report. Ms. Russell referenced several different pages of the audit noting the City's total assets are \$33.6 million. This reflects a \$1.4 million increase from last year. There was no fraud or misrepresentation found during the audit. A material weakness was mentioned in the segregation of duties in the Court. Staff will address and remedy the issue. Ms. Russell said new accounting standards have been put into place regarding having a professional with financial expertise on Staff, but said this would not be cost effective for the City. Ms. Russell expressed her appreciation for the cooperation of City Staff during the audit process. Data Processing/Finance Specialist Carmen Weigand did a good job of taking on more accounting responsibilities.

Bill 2008-10, AN ORDINANCE AUTHORIZING THE CITY OF CAMERON, MISSOURI TO ENTER INTO A CONTRACT WITH THE CAMERON MUNICIPAL BAND FOR THE SUMMER OF 2008, was read by title by City Clerk O'Connor. Copies of said Bill 2008-10 were available for the public. Motion was made by Councilmember Lee and seconded by Councilmember Stoebener to pass said bill on first reading. City Clerk O'Connor reported this is the annual renewal and will continue to provide free concerts in McCorkle Park during the summer months. The contract amount, \$42,000, is the same as last year. Discussion. Motion carried unanimously.

Motion was made by Councilmember Lee and seconded by Councilmember Johnson 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 Lee said bill was placed on second reading, was read by title and passed by the following roll call vote: "Aye": Councilmembers: Ice, Johnson, Lee, McCord and Stoebener. "Nay" none. The Mayor thereupon declared said bill duly adopted and said bill was numbered **ORDINANCE 5414**, was thereupon signed by the Mayor and attested by the City Clerk.

Bill 2008-11, AN ORDINANCE AUTHORIZING A CONDITIONAL USE PERMIT FOR THE CAMERON REGIONAL YMCA AND THE CAMERON UNITED METHODIST CHURCH FOR STATE-LICENSED, AFTER-SCHOOL CHILD CARE AT 315 NORTH PINE STREET, was read by title by City Clerk O'Connor. Copies of said Bill 2008-11 were available for the public. Councilmember Lee recused himself citing a possible conflict of interest as a Cameron R-1 School District employee. Motion was made by Councilmember Johnson and seconded by Councilmember Ice to pass said bill on first reading. Discussion. Cameron Regional YMCA has been operating a day care under the title of the Cameron School District. The program has grown to the point that the YMCA has decided to become independent. The operation is located at the Cameron United Methodist Church necessitating both the YMCA and Church needing a conditional use permit. Development Director Shellby Hendee told Council the Planning and Zoning Commission held a public hearing and there were no objections to the day care voiced. The day care will be available for five (five) to 12 year old children. The Planning and Zoning Commission recommends approval of the conditional use permit. Motion carried unanimously. Absent: Councilmember Lee.

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

On motion made by Councilmember Johnson 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: Ice, Johnson, McCord and Stoebener. "Nay" none. Absent: Councilmember Lee. The Mayor thereupon declared said bill duly adopted and said bill was numbered **ORDINANCE 5415**, was thereupon signed by the Mayor and attested by the City Clerk. Councilmember Lee returned to the Council Chamber.

Bill 2008-12, AN ORDINANCE AUTHORIZING A CONDITIONAL USE PERMIT FOR LANAGAYLE KIRKEMO ALLOWING OPERATION OF A PHOTOGRAPHY STUDIO AT 500 SOUTH WALNUT STREET, was read by title by City Clerk O'Connor. Copies of said Bill 2008-12 were available for the public. Motion was made by Councilmember Johnson and seconded by Councilmember Ice to pass said bill on first reading. Discussion. Development Director Hendee informed Council this would be the second studio on South Walnut Street. Restrictions for the studio were reviewed for Council. The Planning and Zoning Commission held a public hearing on this issue and there were no objections voiced. The Commission recommends approval of the conditional use permit. Motion carried unanimously.

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

On motion made by Councilmember Johnson and seconded by Councilmember Lee said bill was placed on second reading, was read by title and passed by the following roll call vote: "Aye": Councilmembers: Ice, Johnson, Lee, McCord and Stoebener. "Nay" none. The Mayor thereupon declared said bill duly adopted and said bill was numbered **ORDINANCE 5416**, was thereupon signed by the Mayor and attested by the City Clerk.

Resolution 2008-3, **A RESOLUTION AUTHORIZING THE CITY CLERK TO DESTROY CERTAIN RECORDS IN ACCORDANCE WITH APPLICABLE RETENTION SCHEDULES** was read by title by City Clerk O'Connor. Copies of Resolution 2008-3 were available for the public. Motion was made by Councilmember Stuebener to pass Resolution 2008-3. Councilmember Lee seconded the motion. Discussion. City Clerk O'Connor explained the records listed for destruction have met or exceeded the requirements of the Records Retention Manual from the State of Missouri and no longer hold any significance for the City. Staff recommends approval of Resolution 2008-3. Resolution 2008-3 passed with a unanimous voice vote.

Review and Consideration of Bids for Service Truck. Utility Director Gaugh stated a service truck is needed to haul a sewer jet vacuum unit recently purchased by the City. Two (2) bids were received, one (1) from Sterling and one (1) from Ford. Staff recommended the Sterling unit stating that even though the bid price was not the lowest, they felt it was the best bid as it would cost less to operate over all. Brad Shanks, North Country Ford Mercury, was recognized by Mayor McCord. Mr. Shanks gave more information about the Ford bid and asked Council to reconsider the information. Council instructed Staff to review the information and bring their recommendation back to the March 17, 2008 Council Session.

MISCELLANEOUS

City Clerk O'Connor:

- Said she will be attending continuing education training at the Missouri City Clerk and Finance Officers Association annual seminar from March 10 through March 14, 2008.
- Informed Council the City has received the Verizon telecommunication settlement from a class action lawsuit.

Councilmember Stuebener:

- Stated she was pleased with the Board and Commission attendance at the Ethics Work Shop.

Councilmember Johnson:

- Asked how the reimbursement was coming from the December ice storm from FEMA and SEMA. Public Works Director Drew Bontrager said he has been working with the FEMA and SEMA staff and has provided them with lots of documentation.

Councilmember Ice:

- Discussed the Code Enforcement issue and asked that Council address and define the Code so that all are on the same page. Consistency must be maintained.
- Said the parking lot at Parkview Elementary has not weathered well this winter and is in need of attention. City Manager Lammers said the parking lot is the Park Boards responsibility.

City Manager Lammers:

- Mentioned planning a Focus Session in April for Council. More information will be distributed later on the Session.

Utility Director Gaugh:

- Gave Council an update on the US Highway 36 lighting project. There are two (2) weeks of work left on the project.

There being no further business, the meeting was adjourned with a unanimous voice vote at 6:20 p.m. on motion made by Councilmember Johnson and seconded by Councilmember Lee.

APPROVED:

Mayor Larry L. McCord, Jr.

ATTEST:

City Clerk