

**CITY OF BUTLER**  
**MINUTES OF A MEETING OF THE CITY COUNCIL**  
**November 16, 2010**

The Butler City Council met in regular session on Tuesday, Nov 16, 2010 at 7:00 p.m. in the Council Chambers at City Hall, 22 West Ohio with Mayor Pro-Tem Wix presiding. The following Councilmen were present:

**ROLL CALL**

David Brown	Harold Weil
Brian Phillips	Jim Fisher
Thom Burg	Brian Boyd
Pat Simons	

**OTHERS PRESENT**

Others present were Administrator Mark Arbuthnot, Officer Denny Rich, Public Works Director Trent Diehl, City Clerk Mary Jo Cook and Barb Scrogam.

**OTHER GUESTS**

Eugene Miller, Paul Miller, Mike Crow, Linn Nitsche, Kelly Freeze, Mike Hoover, Michael Luckan and Matt Goforth.

**APPROVE CONSENT AGENDA**

Motion by Boyd, second by Simons to approve the minutes of the regular session of November 2, 2010. Motion passed unanimously with a show of hands. Motion by Phillips, second by Fisher to approve the bills. Motion passed unanimously with a show of hands.

**APPROVAL OF AGENDA**  
**ADDITIONS OR DELETIONS**

Motion by Simons, second by Brown to add Butler School District and Mike Crow to the agenda. Motion passed unanimously with a show of hands.

**SCHEDULED GUEST**  
**KELLY FREEZE CHRISTMAS**  
**PARADE**

Kelly Freeze, on behalf of the Butler Chamber of Commerce, requested the square be closed for the Christmas Parade on December 11, 2010 starting at 2 p.m. Mrs. Freeze also requested the fire truck lead the parade. Motions by Burg, second by Boyd to approve the request to close the square and to have the fire truck lead the parade. Motion passed unanimously with a show of hands.

**MIKE HOOVER/BUTLER**  
**SCHOOL DISTRICT POWER**  
**LINES**

Mike Hoover and Matt Goforth spoke on behalf of the Butler School District, requesting help from the City to move power lines and to re-hook the power lines that supply service to Willow Lane Nursing Home and the emergency storm warning siren. Goforth informed council the estimated cost of the project is \$30,000.00. After considerable discussion a motion was made by Burg, second by Simons to approve the City providing the labor and equipment to install the new electric line Butler School District paying the cost of the materials. Motion passed unanimously with a show of hands.

**MIKE CROW 313 S MECHANIC**  
**ST.**

Councilman Boyd informed council he had requested Mike Crow to come to the council meeting concerning code violations at 313 S. Mechanic St. and discuss the barter he proposed to Mr. Crow. Mr. Crow is a professional painter

by trade and Boyd had previously spoken to Mr. Crow about painting the Police Department in trade with the City cleaning up Mr. Crow's property at 313 S. Mechanic St. Mr. Crow was agreeable with this arrangement. Motion by Boyd, second by Simons to approve the barter with Mike Crow painting the Police Department then the City will clean up the property at 313 S. Mechanic St. Motion passed unanimously with a show of hands.

#### **COMMITTEES**

#### **NEIGHBORHOOD ADVISORY COMMITTEE**

The Neighborhood Advisory Committee did not meet November 15, 2010 but will meet November 29, 2010 at 7:00 p.m.

#### **FINANCE COMMITTEE BUDGET**

Finance Committee met at 6:00 p.m. before the regular City Council meeting to discuss 1) FY 2011-2012 Budget and 2) cost of service and Electric Rate Study and proposed rate increases. City Administrator Arbuthnot reported budget preparation for the FY 2011-2012 has started. Department heads will be provided the budget work sheets for their departments on November 18<sup>th</sup> and then will be meeting with the City Administrator and City Clerk on December 29<sup>th</sup> and 30<sup>th</sup>. All departments will be instructed to look at their expenditures and to make reductions in expenditures where they can. City Administrator Arbuthnot reported there are several things to look at for next year's budget.

#### **UTILITY RATE INCREASE**

City Administrator Arbuthnot reported on the proposed utility rate study prepared by Vernon Lawson with Allgeier, Martin and Associates, Inc. This report was presented to the Finance Committee and City Council June 1, 2010. The proposed residential increase 13%, small commercial increase .7%, large commercial increase 3.5% and industrial increase 15.6%. City Administrator Arbuthnot requested the engineer to run the numbers at a 10% increase for residential and 10% increase for industrial. What that did is lowered the overall average cost at 8% to 6.2% which will generate a little less revenue. Administrator Arbuthnot recommends this be looked at to be implemented on the January first billing. Administrator Arbuthnot reported the last time all rates were raised was in 2005 and then in 2006 the industrial rates were raised. Councilman Weil requested the numbers be run for a 9% increase on residential and 4.5% increase on large commercial to see what those numbers would look like. Motion by Simons, second by Fisher to accept the engineers report on the utility rate study on the revised rates. Motion by Simons, second by Fisher to amend motion for City Administrator Arbuthnot to prepare ordinance to be considered by the Finance Committee. Motion passed 6 to 1 with Burg voting nay.

#### **BOARDS AND COMMISSIONS**

#### **PARK AND REC HOLIDAY LIGHTING CONTEST**

The Parks and Recreation Commission met on Thursday, November 4<sup>th</sup> at noon at City Hall. The commission did not take formal action at their meeting but agreed by consensus to do the Holiday Lighting Contest again this year. The contest notice was put in the newspaper. Motion by Simons, second by Boyd to approve the Holiday Lighting Contest. Motion passed unanimously with a show of hands.

#### **POOL**

Simons reported the pool lost \$93,381.87. Simons stated we really need to look at doing something before next year. Simons reported Scott Bitner finished the Trail of Memories and Bitner did a good job.

**REPORTS**  
**CITY CLERK**

City Clerk Mary Jo Cook reported the City has recouped its funds from Tek Collect on utility bad debt collections.

**CITY ADMINISTRATOR**  
**DRURY AGREEMENT**

Administrator Arbuthnot reported he had received the proposed Letter of Agreement with Drury University for the Hammons School of Architecture Class to provide services to the City to assist with a visioning process next fall. The agreement indicates that the City wants to look at the development of a Community Center. This needs to be discussed by the City Council to determine if this is what they want or if they want to address a different project. There also needs to be discussion about forming the local Vision Committee.

**SCOUT HALL**

A meeting was held at Scout Hall on Thursday, November 4<sup>th</sup> at 6:30 p.m. to discuss the work needed to bring the building into code compliance and to meet ADA accessibility standards. Administrator Arbuthnot reported Councilman Brown will be representing the City and the City will be paying the utilities at Scout Hall.

**MoDOT**

Administrator Arbuthnot reported he received a letter from MoDOT stating we did not receive the grant for Transportation Enhancement Funds for the installation of a sidewalk from Orange St. to Fran Ave on West Ft. Scott St.

**AIRPORT PROJECT**

Administrator Arbuthnot reported the Airport project is getting underway next week. They will be doing the trench drain work and crack sealing and will hold off on micro sealing and painting until next spring because of temperatures.

**MAYOR PRO-TEM**

Mayor Pro-Tem Wix stated he feels it's an honor to be sitting in for the Mayor. Wix inquired if anyone has noticed the trees along the strip, stating they are beautiful in the spring and now and what a great addition they are. Wix inquired about the damaged trees being replaced. Public Works Director Diehl replied the spots where the damaged trees are is a visual hindrance and the other trees are not symmetrical in line with each other.

**COUNCIL MEMBERS**  
**BROWN**

Brown-Reported more inquiries concerning the property at 306 E. Walnut about the utilities being turned on and was an inspection done on the house. Administrator Arbuthnot reported the property has been sold and inspections only apply to rental properties. Burg and Brown stated maybe the ordinance needs to be changed to include property owner's homes.

**PHILLIPS**

Phillips-Let me preface this, it's nothing personal to anyone. When I come to my meetings, any baggage I have I check it at the front door. I think we are a group of men sitting at this table that are councilmen not cannibals. When councilmen turn on other councilmen or when councilmen turn on other people higher on the totem pole that we, as a council, have a problem that far exceeds the violation of any City code, and if there are personal vendettas out there-which there are, it's a fact of life-that they should be dealt with on the other side of that door and not during council time. I think that we as a council should make sure we are not headed down the wrong road where we start slinging mud at each other. I think we are a better group of citizens than that. I think we are a better group of men than that and were all a smart group of individuals. We all have the best interest of the City at heart. If we didn't, we

wouldn't be sitting here because we're elected by the people to take care of them and this town. So I think that we're off to a good start as a council, but we should be cautious where we tread.

**BURG**

Burg-Reported Stoplight Market is expanding on Business 71 and that is a good thing. Burg commended Public Works Director Diehl and the City crews stating they do a good job.

**SIMONS**

Simons-Encouraged everyone to go look at the Trail of Memories. Scott Bitner did an excellent job on it. Simons reported there is a bed and couch at 806 Grove St. Simons stated he would like to see the council get back to work and stick together and get these houses cleaned up and get to work for the tax payers.

**WEIL**

Weil-I appreciate coming to a good clean honest meeting.

**FISHER**

Fisher-Positive activity on the code report. Several have been issued summons and there has been some improvement on some of it, but not as much as we would like to have. Have to take it in small steps for whatever we can get.

**BOYD**

Boyd-I would like to thank the entire council members and for working with Mike Crow on this paint job. I hope it all works out well, and I appreciate everyone's support in that. I hope we can have more projects like that where we all come together on terms and have a win, win situation and a good outcome. Hope the issues we're having will be resolved and hope everybody will keep an open mind on that. We all need to get back to working together. We need an Advisory Committee. I just think we need to get to a point where we all have confidence in it again. I still lack that and we need to get back to that point and well be in good shape. We're in good shape now. We're just a work in progress is all we are. We have a good bunch of guys here. Hope we keep pressing forward.

**NEW BUSINESS**  
**LARKIN GROUP**

Consider an Agreement for Engineering Services with the Larkin Group for the Wastewater Treatment Plant Improvements. Motion by Burg, second by Phillips to approve agreement as presented with the Larkin Group for WWTP improvements. Motion passed unanimously with a show of hands

**ADJOURNMENT**

There being no further business, motion was made by Brown, second by Phillips to adjourn the meeting. Motion passed unanimously with a show of hands.

ATTEST

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Mayor Don H. Malan

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City Clerk Mary Jo Cook

