

**CITY OF BUTLER
MINUTES OF A MEETING OF THE CITY COUNCIL
FEBRUARY 15, 2011**

The Butler City Council met in regular session on Tuesday, February 15, 2011 at 7:00 p.m. in the Council Chambers at City Hall, 22 West Ohio with Mayor Malan presiding. The following Councilmen were present:

ROLL CALL

David Brown-Absent	Harold Weil
Brian Phillips	Jim Fisher
Thom Burg	Brian Boyd
Pat Simons	Doug Wix

OTHERS PRESENT

Others present were Administrator Mark Arbuthnot, Police Chief Jim Garnett, Officer Jerret Wheatley, City Attorney Tom Addleman, Public Works Director Trent Diehl, City Clerk Mary Jo Cook and Barb Scrogam.

OTHER GUESTS

Linn Nitsche

APPROVE CONSENT AGENDA

Motion by Phillips, second by Boyd to approve the minutes of the regular session of February 8, 2011. Motion passed unanimously with a show of hands. Motion by Wix, second by Simons to approve the bills presented for payment. Motion passed unanimously with a show of hands. Motion by Wix, second by Phillips to approve Travel/Training. Motion passed unanimously with a show of hands.

**APPROVAL OF AGENDA
ADDITIONS OR DELETIONS**

Motion by Simons, second by Boyd to add to the agenda Streetscape lighting and benches for the Downtown Improvement Project. Motion passed unanimously with a show of hands.

**COMMITTEES
MAYOR'S NEIGHBORHOOD
PRIDE COMMITTEE**

Mayor's Neighborhood Pride Committee did not meet due to Officer Rich being on vacation.

**BOARDS & COMMISSIONS
AIRPORT COMMISSION
BUDGET
CHANGE ORDER No 1
LAYOUT PLAN**

The Airport Commission met on Thursday, February 10th at 6:30 p.m. at City Hall. They approved the proposed FY 2011-12 Budget for the Airport and approved Change Order No. 1 with Bishops Construction for the Taxiway and Apron seal coat project. They also discussed the future Airport improvement projects and updating the Airport Layout Plan with Ryan Manning and Jason Knipp the engineers with Burns and McDonnell. Either the runway or taxiway will need to be relocated to meet FAA clearance requirements unless a waiver from this requirement is approved by the FAA. It was decided that Burns & McDonnell will apply to FAA for the waiver. If the waiver is not granted, the runway relocation would be the most cost effective solution as it will need to be reconstructed in approximately five years based on its current condition. The engineers also indicated that the Airport Layout Plan (ALP) will also need to be updated based on their discussions with MoDOT. The current ALP was

completed in 2002 and any new Airport improvements such as relocating the runway or constructing additional T-hangars must conform to the ALP to qualify for FAA or MoDOT grant funding. Updating the ALP usually takes 1.5 to 2 years to complete.

REPORTS
POLICE CHIEF
ERA ENVIRONMENTAL &
SAFETY REPORT

Police Chief Garnett informed council he had picked up the new Glock guns but will not be using them until all officers have qualified on them. Police Chief Garnett informed council he had just received the report from ERA Environmental & Safety concerning the suspect mold. Police Chief Garnett reported the Police Department building does not have any black mold but did have 3 or 4 different types of common household mold. There was nothing that can't be taken care of. It was recommended to hire a professional to take care of the mold or if it is to be done in-house to be sure to train the personnel who will be doing the work. First the moisture has to be stopped before any work can be done to take care of the mold issue.

SCHOOL PARKING

Police Chief Garnett reported the superintendent from the high school contacted him concerning the parking issue they have at the school. Police Chief Garnett explained he has temporally suspended the no parking on the east side of the street at the school due to the bottom being out on the lot that is to be used for school parking.

CITY ATTORNEY
RIDE ALONG

City Attorney Addleman informed council he participated in a ride along with Officer Plunkett Friday night and saw how professional our Officers are. Addleman stated it was a great experience and encourages all council members to participate in a ride along.

COUNCIL MEETINGS

City Attorney Addleman stated this was his second council meeting for the month. Addleman stated he will not be charging for the second council meeting but would like to propose a modification to his agreement with the city and waive the requirement to have an outside office in Butler. City Administrator Arbuthnot suggested he make changes to his new contract due in April.

QUIT CLAIM DEED

City Attorney Addleman requested direction concerning the property on Fort Scott St next to the antique store. Does the council wants him to do a quit claim deed. He reported the property owner had informed him someone was interested in purchasing the property. Addleman stated he will contact the property owner to see if anyone is still interested in purchasing the property. If not, the city will take the property for taxes due.

CITY ADMINISTRATOR
WEB SITE DOMAIN ADDRESS

City Administrator Arbuthnot informed council Kevin Scrogam recommended that the City register a new domain address for the City web site to make it easier to locate and remember. He has completed the registration so the City web site can now be accessed with the address of www.butlermo.com or the original web site address of <http://mo-butler.civiccities.com>.

MISSOURI DEPT OF
CONSERVATION GRANT

City Administrator Arbuthnot informed council Chief Henry has received a small grant from Missouri Department of Conservation. It is a 50/50 match grant with the amount being \$2086.00. Chief Henry will be purchasing 10 sections of 1" hose, 2 nozzles, 2 chain saws, a blower and a pump with these funds.

OSAGE VALLEY RC&D

City Administrator Arbuthnot received an e-mail from Mackenzie O'Neill with the Osage Valley RC&D concerning the upcoming Bates County

Watershed Festival on Earth Day which is April 22, 2011. Their objective is to promote water quality. Some of the potential activities are fishing tournament, rain barrel assembly and distribution, marine touch tank (aquatic petting zoo), wood duck box building and live music/entertainment. Miss O'Neill is seeking support for this event from the council. Mayor Malan stated as long as you have no cost involved, I think support is a good thing. Motion by Simons, second by Burg to support the event. Motion passed unanimously with a show of hands.

POLICY ADMENDMENTS

City Administrator Arbuthnot inquired if the Personnel Committee, Mayor and City Council would like cover information concerning proposed amendments to city policies after the council meeting or to proceed now. The consensus was to proceed. City Administrator Arbuthnot covered the proposed changes to city policies. Concerning employee benefits, compensatory time, uniform policy and dress code and drug & alcohol testing policy and procedures. City Administrator Arbuthnot also covered items that are proposed for consideration in the new union agreement. These policy changes will be brought back for approval. The information is for things to be considered.

MAYOR

Mayor Malan thanked the city departments for all the good work they do. Mayor Malan also thanked City Administrator Arbuthnot for his hard work. He has a big job and he does it well.

COUNCIL MEMBERS

BROWN

Absent

PHILLIPS

Phillips-received information concerning a peddler in town without a license. Phillips called the Police Department to report the peddler. Phillips met Officer Boyd who was looking for the gentleman. It was reported the gentleman left town. Phillips made a suggestion concerning snow removal. That the snow be moved to the parks instead of moving the snow to the city barn or the fairgrounds as no children will be playing in the parks and could save on fuel cost.

BURG

Burg-received a citizens complaint concerning dogs barking at night in the area of Maple & Ohio St.

SIMONS

Simons-a citizen informed Simons every time he calls a city employee he gets prompt courteous help. Simons stated he liked Phillips' idea of the employees receiving a percentage of the unused budgeted funds. Simons stated most employees are good employees and we need to take care of them.

WEIL

Weil-no complaints.

FISHER

Fisher-no complaints.

BOYD

Boyd-inquired where we are with the dog and cat ordinance. City Attorney Addleman replied it is in the works.

WIX

Wix-noticed the first step at City Hall was breaking apart and when would it be repaired. City Administrator Arbuthnot replied we are waiting on the weather to get better.

NEW BUSINESS
BUDGET HEARING

Consider setting FY 2011-2012 budget public hearing. Motion by Phillips, second by Wix to set public hearing for March 1, 2011. Motion passed unanimously with a show of hands.

**STREETSCAPE LIGHTING AND
BENCHES**

Engineer from HNTB has asked for a decision on the lighting and benches for the streetscape project. The consensus is to use the holophane fixture with a full decorative black cover and 12-14' fiberglass black pole and the IPE wood bench.

ADJOURNMENT

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

Mayor Don H. Malan

ATTEST

City Clerk Mary Jo Cook