

**CITY OF BUTLER
MINUTES OF A MEETING OF THE CITY COUNCIL
JUNE 21, 2011**

The Butler City Council met in regular session on Tuesday, June 21, 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	Harold Weil
Brian Phillips	Jim Fisher
Thom Burg	Brian Boyd
Pat Simons	Doug Wix

OTHERS PRESENT

Others present were City Administrator Mark Arbuthnot, City Clerk Casey Koehn, Public Works Director Trent Diehl, Officer Brandon Plunkett, Officer Denny Rich, and City Attorney Tom Addleman.

Eugene Miller and Barbara Gay were also in attendance.

OTHER GUESTS

Motion by Wix, seconded by Brown to approve the minutes of the regular session of June 7, 2011. Motion passed unanimously by a show of hands. Motion by Wix, seconded by Fisher to approve the bills presented for payment. Motion passed unanimously by a show of hands. Motion by Phillips, seconded by Brown to approve Travel/Training. Motion passed unanimously by a show of hands. Motion by Phillips, seconded by Brown to add discussion about the Circus to the Agenda in New Business and to add discussion about the Neighborhood Pride Committee in New Business. Motion passed unanimously by a show of hands.

APPROVE CONSENT AGENDA

SCHEDULE GUESTS

**BARBARA GAY
FALUN DAFA**

Barbara Gay from Adrian, MO spoke about Falun Dafa, a high-level cultivation practice guided by the characteristics of the universe –truthfulness, benevolence, and forbearance which has been persecuted in China since 1999. She asked the Council for a Proclamation to recognize the persecution of the practice and practitioners of Falun Dafa. After much discussion, the consensus of the Council was not to give a proclamation.

**COMMITTEES
PUBLIC SAFETY
ANIMAL ORD**

Wix reported that the Animal Ordinance is still being worked on.

**BOARDS AND COMMISSIONS
ZONING BOARD OF
ADJUSTMENT**

Administrator Arbuthnot reported that the Zoning Board approved the side yard variance for carports.

PLANNING COMMISSION

City Attorney Addleman reported that the Planning Commission met and discussed the parking ordinance and that it is ready to move into the final stages for approval.

REPORTS

POLICE CHIEF

Officer Brandon Plunkett reported that the 911 system was down for 16 hours on Sunday June 19th, 2011.

CITY ADMINISTRATOR

COUNCIL WORK SESSION AT CITY SHOP AND FIRE STATION

Arbuthnot asked the Mayor and Council about a time to tour the City Shop and Fire Station. A time and date of Wednesday Jun 29th at 10:00 was decided upon.

He also informed the Council that Damon McGuire would not be presenting a fireworks display for the 4th of July as previously requested.

SOLAR FARM

He reported that the Solar Farm would be moving forward.

APP FEE FOR ROW AND POLE ATTACHMENT AGREEMENT

Arbuthnot informed Council about the application fee that the City has in place in the City Code for ROW agreements and for pole attachment agreements. The City Council had previously decided to waive the fee for ROW agreements. Motion was made by Wix, seconded by Burg to waive the application fee for pole attachment agreements for governmental and non-profit organizations. Motion passed unanimously by a show of hands. Currently these organizations are the Butler R-V School District and Osage Valley.

PUBLIC WORKS DIRECTOR

Diehl reported that the rain barrel project went well and that B&L electric finished the overhead conversion on Nursery St.

MAYOR

Mayor Malan commended Officer Denny Rich on a job well done. He also stated that Tom McGuire needs to get his property mowed just West of the RR tracks. He also stated that while the City Administrator is gone, responsibility should be shared between the Fire Chief, the City Clerk and the Public Works Director.

BROWN

Brown reported that he has had grass and weeds complaints, a dip in the road on Lyons, and Pine St is in bad shape.

PHILLIPS

No complaints. Flag flying at the City Light Plant needs to be retired.

BURG

Burg reported that the Wal-Mart construction is going well.

SIMONS

Simons reported on various properties that need to be mowed.

WEIL

Weil questioned the ongoing project on Country Club and why it is taking so long.

FISHER

Fisher commented on the quickness of the Wal-Mart construction.

BOYD

Boyd had nothing to report.

WIX

Wix had nothing to report.

NEW BUSINESS

SEWER BIDS

Two sewer bids were submitted. One from Spray Com and one from Ace Pipe. Bids documents were sent to the engineer for review and will be sent back to Council for a final decision.

ICE MACHINE BIDS FOR FIRE STATION

Three bids were submitted for an ice machine for the Fire Station. One from Tresko, 3189.29, Lloyd's All Beverage Control 3495.00, and Quality Refrigeration 4159.51. Motion was made by Burg, seconded by Wix to accept the bid from Tresko. Motion passed unanimously by a show of hands.

CARSON AND BARNES CIRCUS

Clerk Koehn informed Council of an email she received from a concerned citizen regarding the Carson and Barnes Circus and the alleged treatment of their elephants.

NEIGHBORHOOD PRIDE COMMITTEE

Mayor Malan asked Council to consider the idea of making the neighborhood pride committee a Council Committee. No action was taken.

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

ATTEST:

Mayor Don H. Malan

City Clerk Casey Koehn