

**CITY OF BUTLER  
MINUTES OF A MEETING OF THE CITY COUNCIL  
JUNE 5, 2012**

The Butler City Council met in regular session on Tuesday, June 5, 2012 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	Terry Agnew
Thom Burg	Brian Boyd
Pat Simons	Doug Wix

**OTHERS PRESENT**

Others present were Police Chief Jerry Boyd, Codes Officer Jim Wheatley, City Attorney Tom Addleman, Public Works Director Trent Diehl, City Clerk Mary Jo Cook and Barb Scrogam.

**OTHER GUESTS**

Richard Gaylord, Scott Long, Alan Stauffacher, Jim H, John and Louise Bisby.

**APPROVE CONSENT AGENDA**

Motion by Phillips, seconded by Burg to approve the minutes of the regular session of May 15, 2012. Motion passed unanimously with a show of hands. Motion by Boyd, seconded by Burg to approve the bills presented for payment. Motion passed unanimously with a show of hands. Motion by Brown, seconded by Boyd to approve travel/training. Motion passed unanimously with a show of hands.

**APPROVAL OF AGENDA-  
ADDITIONS OR DELETIONS**

Motion by Phillips, seconded by Wix to add Richard Gaylord and Scott Long to the agenda. Motion passed unanimously with a show of hands.

**SCHEDULED GUEST  
ALAN STAUFFACHER  
SIDEWALKS**

Alan Stauffacher, Butler Elementary Principal, requested assistance with the removal and replacement of 300 ft of sidewalk at the Elementary School. After discussion, motion made by Phillips, seconded by Simons to provide labor and equipment. Motion passed unanimously with a show of hands.

**RICHARD GAYLORD  
CHRISTIAN MUSIC FESTIVAL**

Richard Gaylord, representing #254 Masonic Lodge, informed council they are planning to host a Christian music festival on June 22, 2012 from 7pm to 9pm. Mr. Gaylord explained the festival will be held outside at the lodge and was inquiring to see if it would be a noise issue. Council stated it would not be a problem.

**SCOTT LONG  
FAIR PARADE**

Scott Long, with the Bates County Fair Board, requested approval for the Fair Parade to be held on July 9, 2012. Motion was made by Burg, seconded by Simons. Motion passed unanimously by a show of hands.

**NEIGHBORHOOD ADVISORY  
COMMISSION**

Councilman Burg reported the Neighborhood Advisory Commission met on Monday June 4, 2012 at 7:00pm to discuss the codes officer's report.

**RES NO 387**

**RESOLUTION NO. 387 A RESOLUTION OF THE CITY OF BUTLER, MISSOURI STATING SUPPORT FOR ECONOMIC**

**DEVELOPMENT  
THROUGH THE ENHANCEMENT AND EXPANSION OF THE  
LOCAL ECONOMY AND ESTABLISHING INCENTIVES TO BE  
OFFERED TO QUALIFIED BUSINESSES TO FACILITATE  
ECONOMIC GROWTH.**

**REPORTS  
POLICE CHIEF**

Motion was made by Phillips, seconded by Wix to approve Resolution No 387. Motion passed unanimously by a show of hands.

Chief Boyd requested approval for Cultural Diversity Competency and Racial Profiling training. Chief Boyd informed council the cost is \$600.00. Chief Boyd stated he will invite other agencies to the training to help defray the costs. Motion by Brown, seconded by Simons to approve Cultural Diversity Competency and Racial Profiling training. Motion passed unanimously with a show of hands.

**CITY ATTORNEY**

Chief Boyd informed council he received a letter from the Elementary School Principal, Stacey Lawson, requesting the No Parking signs on the south side of the Elementary School be removed. Chief Boyd stated for safety reasons the No Parking signs will remain in place.

**CITY ADMINISTRATOR  
OSAGE VALLEY RC&D**

Addleman reported he is working on the ordinance concerning mowing regulations.

**PUBLIC WORKS/UTILITY  
DIRECTOR  
OAK HILL CEMETERY PILLAR  
REPAIR/ADVANCEMENT**

The City has received a letter from the President of the Osage Valley RC&D, Barlow Biggers, advising that they have terminated their sub grant agreement with the Missouri Department of Natural Resources for the Mound Branch Evaluation and Restoration Project, effective June 8, 2012. They will be vacating the space that they have been using in City Hall and will be moved out by June 30, 2012.

**CODE ENFORCEMENT  
CITATIONS**

Public Works/Utility Director Diehl reported contractor Travis Martin, who will be repairing the pillars at the Cemetery, requested a 7% advance to help defray the cost of liability insurance. Motion by Wix, seconded by Phillips to approve the 7% advance. Motion passed 6 to 1 with Simons voting nay.

**MAYOR**

Code Enforcement Officer Wheatley gave his report to Mayor and Council. Officer Wheatley informed Council of issues in being able to contact Mr. Clark and Mr. Yang. Motion by Phillips, seconded by Burg for Officer Wheatley to issue a citation to Mr. Clark and to deliver a citation to Mr. Yang in Overland Park with the assistance of the Overland Police Department. Motion passed unanimously with a show of hands.

**COUNCIL MEMBERS  
BROWN**

**PHILLIPS**

Mayor Malan stated he attended Dare Graduation at the Elementary School.

Had two complaints, one concerning curfew, the other concerning gates for Allen Park. Lights out on corner of Olive & Pine Streets.

**BURG**

**SIMONS**

Working on incentive programs for new and existing business. Phillips stated it's time to expand and start annexation and he will get with City Administrator when he returns from vacation to see about starting the process.

**WEIL**

Encouraged by Council to get the City of Butler cleaned up.

**AGNEW**

Would like to extend the time for City employees to pickup brush from City wide cleanup.

**BOYD**

Nothing to report

**WIX**

Concerned about the weeds at the Aquatic Center. Stated it needs some attention.

**NEW BUSINESS**

**RIGHT OF ENTRY AGREEMENT**

Hedge row at 412 & 414 South Mechanic Street needs to be cleaned out.

Nothing to report.

Consider approval of a Right of Entry Agreement with Bates County for the Downtown Improvement Project. The final plans and specifications for the project have been sent to MoDOT for approval. After MODOT'S approval the project can be put out to bid by the City. A Right of Entry Agreement needs to be approved between the City and Bates County to allow for access by the contractor to the courthouse property to allow for installation of the crosswalks, perimeter sidewalk and light fixtures included in the project. The Bates County Commission has been provided the agreement for their approval and a copy of the agreement is included in the meeting packet for consideration by the City Council. The consultant has projected that the project will go to bid in early August. Motion by Wix, seconded by Phillips to approve Right of Entry Agreement with Bates County. Motion approved unanimously with a show of hands.

**ADJOURN**

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:**

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City Clerk Mary Jo Cook

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Mayor Don H. Malan