

**CITY OF BUTLER
MINUTES OF A MEETING OF THE CITY COUNCIL
SEPTEMBER 4, 2012**

The Butler City Council met in regular session on Tuesday, September 4, 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 City Attorney Tom Addleman, Public Works/Utility Director Trent Diehl, Police Chief Jerry Boyd, Codes Officer Jim Wheatley, City Clerk Mary Jo Cook, Barb Scrogam, Officer Mark Frost, Officer Jerret Wheatley and Officer Rick Metcalf.

OTHER GUESTS

Eugene Miller, Lisa Hager and Chad Anderson.

APPROVE CONSENT AGENDA

Motion by Phillips, seconded by Boyd to approve the minutes of the regular session of August 21, 2012 and closed session minutes of August 7, 2012. Motion passed unanimously by a show of hands. Motion by Wix, seconded by Boyd to approve the bills, excluding Bates County Fire Safety presented for payment. Motion passed unanimously by a show of hands. Motion by Phillips, seconded by Brown to approve the bill from Bates County Fire Safety. Motion passed unanimously by a show of hands with Wix abstaining. Motion by Burg, seconded by Wix to approve travel/training. Motion passed unanimously by a show of hands. Motion by Simons, seconded by Burg to approve the destruction of records. Motion passed unanimously by a show of hands.

**SCHEDULED GUEST
OFFICER MARK FROST
IMPOUND LOT**

Officer Mark Frost supplied information to council concerning the cars at the Police impound lot. Officer Frost stated letters have been sent to the registered owners on the 36 cars and have received a reply from some of the owners and some of the letters were returned. He also spoke about the three options for disposal of the 36 cars: 1) to use Towlot.com to sell the cars, 2) selling the cars as salvage, 3) doing a sealed bid auction. Motion by Simons, seconded by Phillips to use Towlot.com auction online with Officer Frost setting the price of the cars. If not sold on the auction, to sell the cars as salvage. Motion passed unanimously by a show of hands.

LISA HAGAR BUS PARKING

Lisa Hagar, Transportation Manager at Butler R-V School District spoke to council concerning the bus parking issue. After much discussion it was decided Mr. Stauffacher, Superintendent of the Butler R-V School District, should contact Mayor Malan to discuss the issue.

**BOARDS & COMMISSIONS
NEIGHBORHOOD ADVISORY**

The Neighborhood Advisory Commission met on Monday, September 3, 2012 at 7:00pm. Mayor Malan stated five members were in attendance.

REPORTS
POLICE CHIEF

Police Chief Boyd informed council that interviews for the Police Officer position have been scheduled for September 11, 2012. Police Chief Boyd stated three out the 17 applicants will be interviewed.

CITY ADMINISTRATOR/MAYOR
MALAN
WASTE OIL HEATER

City Administrator Arbuthnot told council the City was informed by the Quad Lakes Solid Waste Management District that the City's application for \$4,750 in funds to purchase a waste oil heater for the City shop has been approved. The City has committed \$2,000 as a local match to be used for the purchase of the waste oil heater.

CDBG APPLICATION DENIED

City Administrator Arbuthnot informed council that Mayor Don Malan received notification from the Missouri Department of Economic Development that the City's CDBG application for the demolition of 21 unsafe structures was not approved for funding. The City will proceed with the process for demolition of unsafe structures based on the available funds in the City budget.

SPECIAL TAX SALE

City Administrator Arbuthnot reported at the first year tax sale held on August 27, 2012 at the Bates County Courthouse that the City did not receive any bids on the property located at 200 S. Broadway, special tax bill is \$2,991.76. At the subsequent sale after the third year sale, the City did receive a bid on the property located at 415 S. Mechanic, special tax bill was \$492.96 and the City accepted the high bid of \$150.00. These were the only two properties that were put up for special tax sale by the City.

FLU SHOTS

City Administrator Arbuthnot reported the City will be providing flu shots again this year for City employees through the Bates County Health Department. The cost is \$25 per employee.

PUBLIC WORKS UTILITY
DIRECTOR
SEWER LINE LEE ST. & FULTON
ST.

Public Works Utility Director Trent Diehl reported the City was approached by seven property owners in the Lee and Fulton St. area requesting to dedicate the ownership of a private sewer to the City. A portion of this sewer has been televised and was constructed to City specification. They also are requesting to have the City tap and extend the service to the right of way (which is what was done on both the Fulton and Wilson St sewer projects).

Recommendation – The Council considers accepting ownership of the portion of the sewer line that was televised and tap the sewer services, extending them to the right of way at the owner's expense (materials). Then accept the rest of the line after proof that construction specification has been met. Motion by Wix, seconded by Burg to accept ownership of sewer line at Lee St. & Fulton St. Motion passed unanimously by a show of hands.

WATER SERVICE MT.
PLEASANT TOWNSHIP

Public Works Utility Director Trent Diehl reported the Mt. Pleasant Township has requested the City to provide equipment and labor for a water service for their maintenance shop on Mill St. Policy states that the property owner hires a contractor to expose the main and the City taps it and sets the meter. They are proposing that the City expose the water main, tap it and set the meter in return for the use of their snow removal equipment during major snow events. The township will still pay the fee for the new meter \$575.00.

Recommendation – Because the City will not be out anything besides labor and equipment hours, the Council should consider City crews tap the main and set the meter for the township. Motion by Simons, seconded by Burg to approve the request of water service in exchange for the use of snow removal equipment. Motion passed unanimously by a show of hands.

LAGOON PUMP RENTAL FEE Public Works Utility Director Diehl informed council he has researched the rental rate for the lagoon pump. This was a result of an inquiry from the City of Adrian to borrow it. The company NTH Inc. gave us a price of \$275\day or \$45\hr. If we intend to include the pump on the rental list, a rate will need to be set. He has been in touch with Adrian and the depth of water they have is not adequate for the operation of the pump. Public Works Utility Director Diehl Recommended a rental rate of \$200.00 a day or \$30.00 an hour. Motion by Burg, seconded by Simons to approve the rental rate of \$200.00 per day or \$30.00 per hour. Motion passed unanimously by a show of hands.

TREE REMOVAL/EASEMENT Public Works Utility Director Diehl informed council a resident at 311 S. Broadway is requesting the City to cut down and remove a dead tree off of her property. In return she is willing to give up an easement for a primary electric line that runs across her property. The tree in question is not in the right of way, but it hangs over Rose Lane and could fall into an electric line. Public Works Utility Director Diehl stated he contacted the County Surveyor to verify there was not an easement. Public Works Utility Director Diehl recommends Council consider removing the tree in exchange for an easement to maintain our electric line. Motion by Wix, seconded by Phillips to remove the tree in exchange for the easement. Motion passed unanimously by a show of hands.

VEHICLE TRANSFER Public Works Utility Director Diehl informed council a vehicle transfer occurred among the departments. This transfer saved \$20,000.00 that was budgeted for a service truck in the Parks Department. He had decided to transfer the Water Plant truck (3\4 ton) to the Parks and the Police Department's black Dodge to the Water Plant. Also the retired police car is being used for a back-up meter reading\training car.

ENERGY SAVING PROJECT F-Y-I the energy savings project has begun. Contractors are finishing with the building envelope phase and will start on electrical and water conservation this week.

TRAIL OF MEMORIES The street crews have finished the first phase of the Trail of Memories project. Until some decisions are made on the north and south end, this project is on hold. While we have equipment in the area, we will be working on the drainage problems and brush clearing on the south end.

Drought is still causing problems with our water distribution system. We have had an estimated 25 leaks this month. The taste and odor problem is getting better and it should be noted that the City appreciates the patience of the residents in this matter. The City Lake is 14-16 inches down.

CODE ENFORCEMENT Code Enforcement Officer Wheatley gave his report to Mayor and Council.

MAYOR Mayor Malan stated he spoke at the Old Settler's Days program and they had a nice crowd in attendance.

COUNCIL MEMBERS

BROWN Stated would like council to work with the school on the bus parking issue.

PHILLIPS Nothing to report.

BURG Nothing to report.

SIMONS Reported junk on Harrison St.

WEIL

Nothing to report.

AGNEW

Nothing to report.

BOYD

Asked about getting community service workers to help clean up a citizen's property on Olive & Atkinson St. Also reported the Methodist Church has a cleanup day on September 8, 2012 and could use some volunteers.

WIX

Reported there are some dumpsters that have sat for months and have not been emptied.

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:

Mayor Don H. Malan

City Clerk Mary Jo Cook