

**CITY OF BUTLER  
MINUTES OF A MEETING OF THE CITY COUNCIL  
OCTOBER 16, 2012**

The Butler City Council met in regular session on Tuesday, October 16, 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 Administrator Mark Arbuthnot, City Clerk Casey Koehn, Public Works/Utility Director Trent Diehl, Police Chief Jerry Boyd, SGT Jerret Wheatley and Codes Officer Jim Wheatley.

**OTHER GUESTS**

Eugene Miller, Joyce Fitzpatrick, Sam McCombs, Scott Bitner and Barbara Scrogam were also in attendance.

**APPROVE CONSENT AGENDA**

Motion by Phillips, seconded by Wix to approve the minutes of the regular session of October 2, 2012. Motion passed unanimously by a show of hands. Motion by Wix, seconded by Burg to approve the bills presented for payment. Motion passed unanimously by a show of hands. Motion by Burg, seconded by Wix to approve training/travel with additions from PD and Public Works. Motion passed unanimously by a show of hands.

Motion by Simons, seconded by Brown to add Joyce Fitzpatrick to the agenda. Motion passed unanimously by a show of hands.

**SCHEDULED GUESTS**  
**SAM MCCOMBS**

Sam McCombs requested to have hay rides for Christmas around the City of Butler on Dec 15. Motion was made by Simons seconded by Burg to approve request. Motion passed unanimously by a show of hands.

**JOYCE FITZPATRICK**

Joyce Fitzpatrick requested Council appoint a member to the Board of the Butler Food Pantry per the USDA. The consensus was to have the City Attorney review the request and get back with her.

**COMMITTEES**  
**FINANCE**

Wix reported that the Finance Committee met prior to the Council meeting to discuss a sales tax and the budget. Recommendation from the Committee was to put a 7/8 cent sales tax on the Feb ballot.

**BOARDS & COMMISSIONS**  
**PARK AND REC**

Boyd reported that the Park and Rec Board met on Oct 4. Advertisement banners were discussed along with many other items.

**ZONING BOARD OF ADJ**

Arbuthnot reported that the Zoning Board of Adjustment met on Thursday, October 4<sup>th</sup> at 6:00 p.m. to consider a request from Wayne and Roberta

Franklin for a variance to construct a 24' x 30' garage in a side yard on their property located at 501 S. Delaware St. The Zoning Board of Adjustment approved the variance request.

Arbuthnot reported that the Airport Commission met on Thursday, October 4<sup>th</sup> and their agenda included the following items: 1) reviewed and approved the monthly financial reports, 2) updated on the Geotechnical Study and Boundary Survey, work is progressing with a report to be provided when work is completed, 3) discussed options for renovation of restrooms in the Airport terminal building, 4) considered and approved a request from Corner Hardware/Computer Aisle to take over the old Grizzell's sign, 4) considered and approved a sign for Mac Secure Storage, 5) discussed several maintenance items need to be addressed in the hangars, electrical boxes properly covered and checked for polarity, ceiling panels reattached, replacement of burned out light bulbs and rotating beacon still needs to be repaired, 6) advised City Council approved for KC Copters to give rides at the BBQ Contest on October 27<sup>th</sup> and Airport to be used if landing area at Fairgrounds is determined not to be suitable.

**AIRPORT COMMISSION**

**BILLS, ORDS, RESOLUTIONS**

**BILL NO 2012-18 ORD NO 956  
1<sup>st</sup> READING**

**Bill No 2012-18 Ord No 956 An ordinance AUTHORIZING THE CITY OF BUTLER, MISSOURI, TO ENTER INTO A LEASE-PURCHASE TRANSACTION WITH GREYHAWK COMMERCIAL FINANCE, L.L.C. FOR CERTAIN PUBLIC IMPROVEMENTS FOR THE CITY OF BUTLER, MISSOURI; AND AUTHORIZING AND APPROVING CERTAIN ACTIONS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF SAID LEASE-PURCHASE TRANSACTION.**

**Motion was made by Phillips, seconded by Simons for 1<sup>st</sup> reading of Bill No 2012-18 Ord No 956 Roll Call:**

David Brown-aye	Harold Weil-aye
Brian Phillips-aye	Terry Agnew-aye
Thom Burg-aye	Brian Boyd-aye
Pat Simons-aye	Doug Wix-aye

**BILL NO 2012-18 ORD NO 956  
2<sup>nd</sup> READING**

**Bill No 2012-18 Ord No 956 An ordinance AUTHORIZING THE CITY OF BUTLER, MISSOURI, TO ENTER INTO A LEASE-PURCHASE TRANSACTION WITH GREYHAWK COMMERCIAL FINANCE, L.L.C. FOR CERTAIN PUBLIC IMPROVEMENTS FOR THE CITY OF BUTLER, MISSOURI; AND AUTHORIZING AND APPROVING CERTAIN ACTIONS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF SAID LEASE-PURCHASE TRANSACTION.**

**Motion was made by Brown, seconded by Wix for 2<sup>nd</sup> reading of Bill No 2012-18 Ord No 956 Roll Call:**

David Brown-aye	Harold Weil-aye
Brian Phillips-aye	Terry Agnew-aye
Thom Burg-aye	Brian Boyd-aye
Pat Simons-aye	Doug Wix-aye

**BILL NO 2012-18 ORD NO 956  
ADOPTION**

**Bill No 2012-18 Ord No 956 An ordinance AUTHORIZING THE CITY OF BUTLER, MISSOURI, TO ENTER INTO A LEASE-PURCHASE TRANSACTION WITH GREYHAWK COMMERCIAL FINANCE, L.L.C. FOR CERTAIN PUBLIC IMPROVEMENTS FOR**

**THE CITY OF BUTLER, MISSOURI; AND AUTHORIZING AND APPROVING CERTAIN ACTIONS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF SAID LEASE-PURCHASE TRANSACTION.**

**Motion was made by Wix, seconded by Boyd to adopt Bill No 2012-18 Ord No 956 Roll Call:**

David Brown-aye	Harold Weil-aye
Brian Phillips-aye	Terry Agnew-aye
Thom Burg-aye	Brian Boyd-aye
Pat Simons-aye	Doug Wix-aye

**RESOLUTION NO 391**

Resolution No 391, a resolution for TAX AND SECURITIES COMPLIANCE PROCEDURES FOR AN MPOA LEASE/PURCHASE was introduced to Council. Motion was made by Wix, seconded by Phillips to approve the resolution. Motion passed unanimously by a show of hands.

**REPORTS**

**POLICE CHIEF  
10 HR WORK DAY**

Police Chief Boyd reported tha Lt Beshore suggested that he PD return to a 10 hr work schedule to cut down on overtime. Consensus from the Council was to go ahead with the schedule.

Officer Mark Frost informed Council that the tow lot auction is ready to go.

**CITY ADMINISTRATOR**

**UNSAFE STRUCTURES**

City Administrator Arbuthnot reported that he included the procedure for providing City utilities and issuing building permits for unsafe structures in the meeting packet for City Council information. This should help to resolve issues that have occurred with the unsafe structures in regard to remodeling, repair or reconstruction.

**JEFFERSON BUS LINES**

He has contacted the Jefferson Bus Lines to request that they provide their services to Butler again. They indicated that they would check into this and then advise of their decision.

**SOLAR FARM**

He was notified by Tom Davis representing Solar Link that the 3MW Solar Farm Project for Butler is back on track. Arbuthnot will be discussing this project with John Grotzinger at the MPOA Annual Conference October 10-12. An update will be provided at the City Council meeting. He also had a meeting on October 9<sup>th</sup> with representatives of DDC Energy Resources. They expressed interest in constructing a Solar Farm in Butler if the Solar Link project does not move forward.

Arbuthnot requested to throw away the old computers in the basement instead of selling them at auction. Motion was made by Simons, seconded by Burg to allow the disposal. The City Clerk will be destroying the hard drives.

**CODE ENFORCEMENT**

Code Enforcement Officer Jim Wheatley gave his report to Council.

**MAYOR**

Mayor Malan welcomed City Clerk Koehn back. He also thanked many City employees for their hard work.

**COUNCIL MEMBERS**

**BROWN**

Welcomed Clerk Koehn back. Called a Community Development meeting at 6 p.m. before next Council meeting.

**PHILLIPS**

Welcomed Clerk Koehn back.

**BURG**

Nothing to report.

**SIMONS**

Nothing to report.

**WEIL**

Nothing to report.

**AGNEW**

Welcomed Clerk Koehn back.

**BOYD**

Welcomed Clerk Koehn back.

**WIX**

Called a Finance Committee meeting at 6:30 pm prior to next Council meeting.

**NEW BUSINESS**  
**GRANT APPLICATION**

Arbuthnot asked Council to consider submitting a Transportation Enhancement application to MoDOT for 80% grant funding for the construction of sidewalks along west Ft. Scott Street from Orange Avenue west to Fran Avenue. After much consideration, motion was made by Phillips, seconded by Boyd to submit a grant application and to use the money as long as the City has adequate funds to support the project. Motion passed with a vote a 6-1, with Simons voting 'nay' and Wix being absent.

**PARK AND REC BANNERS**

Arbuthnot asked Council to consider approval of the proposed policy and fees recommended by the Park and Recreation Commission for displaying banners on City park facilities. Information is included in the meeting packet. Motion was made by Simons, seconded by Brown to approve the fees. Motion passed unanimously with a show of hands.

**ADJOURN**

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

\_\_\_\_\_  
Mayor Don H. Malan

ATTEST:

\_\_\_\_\_  
City Clerk Casey Koehn