

**CITY OF BUTLER**  
**MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL**  
**Apr 15, 2014**

The Butler City Council met in regular session on Tuesday, Apr 15, 2014 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	Shawn McVey
Gayle Stark	Kyle DuBray

**OTHERS PRESENT**

Others present were City Clerk Casey Koehn, Fire Chief Jim Henry, Police Chief Randy Beshore, City Attorney Tom Addleman, Public Works Director Trent Diehl, Code Enforcement Officer Jim Wheatley and Deputy City Clerk Mary Jo Cook.

**OTHER GUESTS**

Elizabeth Ogg, Albert Bise, Marilyn Eneff, Mike Taranto, Donni Kuck, Rhonda Meyer, Linn Nitsche, Tom Davis and Marla Kash were also in attendance.

**APPROVE CONSENT AGENDA**

Motion by Phillips, seconded by Burg to approve the minutes of the regular session of Apr 1, 2014. Motion passed unanimously by a show of hands.

Motion by McVey, seconded by Agnew to approve the bills presented for payment. Motion passed unanimously by a show of hands.

Motion was made by Brown, seconded by DuBray to approve travel/training presented including the addition for Cpl Frost. Motion passed unanimously by a show of hands.

Motion was made by Brown, seconded by Burg to accept the election results from Marlene Wainscott. See attached. Motion passed unanimously by a show of hands.

Addition to agenda scheduled guest Tom Davis of MC Power and hay bids to new business. Motion was made by Brown to approve the additions to the agenda, seconded by Burg. Motion passed unanimously by show of hands.

**REORGANIZE NEW COUNCIL**

Reorganize new Council:  
Roll Call:

David Brown  
Brian Phillips  
Thom Burg  
Gayle Stark

Harold Weil  
Terry Agnew  
Shawn McVey  
Kyle DuBray

**MAYOR PRO TEM**

Brown made a motion to nominate Harold Weil for Mayor pro-tem. The motion was seconded by McVey. Motion passed unanimously by show of hands.

**SCHEDULED GUESTS**  
**TOM DAVIS- MC POWER**

Tom Davis (MC Power) informed Council that the Solar Farm is producing at about 8.5% above the estimated projection. He also thanked them for all of their support.

**MIKE TARANTO- SOLAR SHADE  
USA**

Mike Taranto expressed his interest in the Spec building and wants Council to think about the options of him occupying the space.

Rhonda Meyer and Donni Kuck (Pathways) asked Council for certification of their project to remodel the building they purchased at 801 S Orange in order to receive funds through the Department of Economic Development's Neighborhood Assistant Program. Motion was made by Phillips, seconded by Burg to approve request. Motion passed unanimously by show of hands.

Marilyn Eneff asked Council to dismiss a parking ticket for her and the Mayor informed her to talk to the City Attorney regarding the ticket.

**COMMITTEES**  
**PERSONNEL**

McVey reported that the Personnel Committee met prior to the Council meeting to discuss moving the Code Enforcement Officer to full time.

**PUBLIC SAFETY**

Burg reported that the Public Safety Committee met prior to the Council meeting to discuss a proposed ordinance that would prohibit texting inside the city limits or in a school zone.

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

Stark reported that the Park and Rec Commission met on Apr 3<sup>rd</sup> and did not have enough for a quorum.

**AIRPORT COMMISSION**

Koehn reported that the Airport Commission met on April 10, 2014. There has been no decision on the Airport runway project due to the DBE requirement not being met. Koehn is waiting on word from the engineer and MoDOT.

**UNFINISHED BUSINESS**  
**NONE**

No unfinished business

**BILLS, ORDS, RES**  
**NONE**

NONE

**REPORTS**

**CITY CLERK**

City Clerk Casey Koehn reported to Mayor and Council the following: Koehn has been in contact with Kaysinger Basin regarding Brownfield assessments on vacant commercial property. The Solar Farm dedication will be held on Apr 25<sup>th</sup>, 2014 at 11 am. Koehn has been working with Andy Papen (DED) regarding the sale of the Spec building.

**CODE ENFORCEMENT**

Gave report.

**MAYOR**

Nothing to report.

**COUNCIL MEMBERS**

**BROWN**

Nothing to report

**PHILLIPS**

Phillips called a Public Safety Committee meeting to discuss a texting ordinance at 6:30 pm prior to the May 20<sup>th</sup> meeting and a Personnel Committee meeting at 6:00 pm prior to the Council meeting on May 6<sup>th</sup>, 2014.

**BURG**

Burg commented on the budget memo that Koehn submitted to the paper. Kudos was given.

**STARK**

Stark commented on the budget memo that Koehn submitted to the paper. Kudos was given.

**WEIL**

Weil asked about the street project.

**AGNEW**

Nothing to report.

**MCVEY**

McVey gave kudos to the electric department for responding promptly to a power outage.

**DUBRAY**

DuBray has nothing to report.

**NEW BUSINESS**

**CHRIS HALL- AIRPORT**

Koehn, on behalf of the Airport Commission, requested to allow Chris Hall to expend funds as needed with approval from the City Clerk for repairs at the Airport. Motion was made by McVey, seconded by Burg to approve request.

Motion passed unanimously by show of hands.

Koehn presented bids for termite treatment at the Airport. Assured Pest Management- \$1775, Wilber Pest Control- \$4075 and J&S- \$3500. Motion was made by Burg, seconded by Stark to accept the bid from Assured Pest Management. Motion passed unanimously by show of hands.

Koehn presented hay bids for tract 1: Oak Hill Cemetery (10 acres) and tract 2: Butler City Lake (10 acres). Neal Oerke bid for tract 1: 15 per acre and tract 2: 30 per acre. Randy Radar bid on tract 1: 20 per acre. Motion was made by Burg, seconded by Stark to accept the bid for tract 1 from Randy Radar and tract 2 from Neal Oerke. Motion passed unanimously by show of hands.

There being no further business, motion was made by Brown, seconded by Phillips to adjourn the regular meeting and enter into closed session to discuss **matters of litigation and communication with the City Attorney in ACCORDANCE WITH RSMo 610.021(1).** . Motion passed with a roll call vote:

David Brown - Aye  
Brian Phillips - Aye  
Thom Burg – Aye  
Gayle Stark - Aye

Harold Weil – Aye  
Terry Agnew – Aye  
Shawn McVey – Aye  
Kyle DuBray – Aye

ATTEST

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Casey Koehn  
City Clerk

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Mayor Don H. Malan