

CITY OF BUTLER
MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL
March 3rd, 2015

The Butler City Council met in regular session on Tuesday, March 3rd, 2015 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

Brad Vermaas	Harold Weil
Brian Phillips	Terry Agnew
Thom Burg	Gayle Cook
Gayle Stark	Kyle Dubray - Absent

OTHERS PRESENT

Others present were City Clerk Casey Koehn, Public Works Director Trent Diehl, Police Chief Randy Beshore, Code Enforcement Officer Jim Wheatley, Bates County Economic Developer Elizabeth Ogg, City Attorney Tom Addleman and Deputy City Clerk Corey Snead.

OTHER GUESTS

Laura Fritts, Rob Fritts, Joe Hedrick, Darin Carter, Bill Hendrick, Ashley Swartz, Austin Mount, Carolyn Jett, Fred Benjamin, Misty Brooks, Marjo Schmidt, Gale Becker, Wesley Dirks, Dwight Koehn, Martin Schmidt, Linn Nitsche and Craig Irwin

APPROVE CONSENT AGENDA

Motion by Phillips, seconded by Stark to approve the minutes of the regular session of February 17th and closed session of February 17th. Motion passed unanimously by a show of hands.

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

**APPROVAL OF AGENDA
ADDITIONS OR DELETIONS**

Motion by Burg, seconded by Vermaas to approve the training request presented. Motion passed unanimously by a show of hands.

SCHEDULED GUESTS

Motion by Stark, seconded by Cook to add the following items to scheduled guest: Darin Carter, Fred Benjamin, Wesley Dirks and remove Brian Phillips from new business. Motion passed unanimously by a show of hands.

Maple Senior Living

Darin Carter

Darin Carter Superintendent of Schools spoke before City Council about acquiring the Maple Senior Living Building. The school district would be placing an Early Childhood School there. The school district had planned to remodel the old Alternative School; however, this would be an easier job

Fred Benjamin

because the building already has most of the functions needed for the school. The school district would then look at having the Alternative School used for the Youth Advocacy Council for the Youth Center.

Fred Benjamin, COO of Medicalodges spoke about his company acquiring the building. That the city has a critical issue with care for the elderly and needs to have another assisted living facility. That Medicalodges is invested in the community having been here for forty five years. They have the resources and talent to make sure the facility is successful. They are also going to put another half million dollars into the building for renovations. They will bring a new vision and increase employment and any profit made will go back into the building and the employees. Misty Brooks also added the need to keep this building an assisted living facility and how Medicalodges would do this.

Wesley Dirks

Wesley Dirks also spoke before City Council about acquiring the building. They are looking to put a nonprofit 501C3 assisted living facility. That would serve both the home and the community and provide a Christian atmosphere. This new home would follow all regulations and proceeds would go back into the home and community.

COMMITTEE REPORTS
Community Development

Councilman Phillips reported that the committee met before council and discussed the Demolition Project bids. It was the consensus of the committee to go with DWD Construction. That Elizabeth Ogg had started going over a Business Incentive Plan for the city. Tom Addleman has looked into the issue of business licenses for retail business, and it would have to go before a vote of the people.

BOARDS AND COMMISSIONS

Airport Commission

Councilman Vermaas reported that the commission had gone over possible engineers for the airport. They are also talking with an AG business about a spraying operation.

UNFINISHED BUSINESS
Demo Project

Burg made a motion, seconded by Phillips to accept the bid from DWD Construction for the demolition project of houses pending approval of CDBG. Motion passed unanimously by a show of hands.

PUBLIC HEARINGS

None

Bills, Ordinances, Resolutions,
Polices and Proclamations

None

REPORTS

CITY CLERK
CDBG DEMO

Koehn requested that Kaysinger contact the company that completed our asbestos inspection for the demolition project to re-inspect the commercial

property at 204/206 N Main. Koehn is in contact with ALM Environmental (asbestos removal company) regarding the price of the removal. It was not discovered in the initial inspection, so this will be an additional cost. This will not put us over our budget however. More information will be available at the meeting concerning the taxes that are still owed on a few properties.

Traffic Violations Revenue

Currently the state statute requires that any municipality that receives revenue from traffic violations send the state any excess of 30% of their City's general operating budget. I have enclosed what the state defines as 'general operating revenue' in the packet. The State is now proposing to change the 30% to 10%. If this happens, the City could potentially meet the threshold and have to send any excess to the state. I have spoken with our auditors regarding the issue and they will be paying close attention the revenue to ensure that we meet state statute.

ECONOMIC DEVELOPMENT

There will be a Resume Workshop March 5, 2015 at 6 p.m. being held at the Bates County Annex building.

VISION COMMITTEE

The Vision Committee will hold movie night this Sunday at 2 p.m. at the Old High School. It was postponed last week due to weather and Dr. Hatten's funeral.

CITY ATTORNEY

By next meeting we will have an ordinance for the EBT theft. Addleman will continue to work on the business licenses. It has also been brought up that our current public defender will no longer be practicing law. It is the opinion that we do not need a public defender unless there is jail time involved. We do not have that many municipal cases that involve jail time. Koehn had also had a meeting with Judge Hopkins and she also agrees that a public defender is not necessary for the city.

CODE ENFORCEMENT

Jim Wheatley gave his report. Councilman Burg pointed out again the trailers that sit at Pine and High and the mess they are in. That something needs to be done because the situation is not getting any better.

MAYOR

Councilman Kyle Dubray has resigned from Ward 4 seat. Mayor thanked everyone for coming out tonight and it was good to see so many faces.

COUNCIL MEMBERS

VERMASS

Commended the Police Department for the quick action taken at Main and Ft. Scott this week.

PHILLIPS

Wanted to thank the Police Department for hosting the Boy Scouts this past week and letting them tour the building and cars.

BURG Wanted to thank the Water Department for all its hard work this week working out in the cold mud and water.

STARK Thanked everyone for attending the meeting tonight.

WEIL Nothing

AGNEW Nothing

COOK Thanked everyone for attending the meeting tonight.

DUBRAY Absent

NEW BUSINESS
10, 20, 30 Service Years

Koehn presented to the Council about the service year pins and that they are no longer available to purchase. Koehn asked Council instead of purchasing the pins that we give the employees who have 10 and 20 years of service an extra day off. That we purchase a gift of no more than \$250.00 for the employees who reach the 30 year mark. Phillips made a motion, seconded by Vermaas to allow employees who have reached 10 years of service with an extra day off that year, employees that reach 20 years of service that year with two days off and we continue to buy a gift for employees who reach 30 years of service.

ADJOURN There being no further business, motion was made by Stark, seconded by Vermaas to adjourn the regular meeting and go into close session.
Roll call vote.
Vermaas– Aye Phillips – Aye Burg – Aye Stark – Aye Weil – Aye Agnew – Aye Cook – Aye

ATTEST

Mayor Don H. Malan

Corey Snead
Deputy City Clerk

