

CITY OF BUTLER
MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL
March 17th, 2015

The Butler City Council met in regular session on Tuesday, March 17th, 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
Brian Phillips
Thom Burg
Gayle Stark

Harold Weil - Absent
Terry Agnew
Gayle Cook

OTHERS PRESENT

Others present were City Clerk Casey Koehn, Public Works Director Trent Diehl, Code Enforcement Officer Jim Wheatley, City Attorney Tom Addleman, Fire Chief Jim Henry and Deputy City Clerk Corey Snead.

OTHER GUESTS

Steven Smith, Melvin Ewing, Carolyn Jett, Misty Brooks, Natalie Thomas, Linn Nitsche and Craig Irwin

APPROVE CONSENT AGENDA

Motion by Phillips, seconded by Agnew to approve the minutes of the regular session of March 3rd and closed session of March 3rd. Motion passed unanimously by a show of hands.

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

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

**APPROVAL OF AGENDA
ADDITIONS OR DELETIONS**

Motion by Stark, seconded by Cook to add the appointment of Carolyn Jett as Ward Four Councilwoman. Motion passed unanimously by a show of hands.

Mayor Malan asked council to approve the appointment of Carolyn Jett to fill the remaining term of Kyle Dubray of Ward Four. That Jett would be a wonderful addition to council. Motion by Burg, seconded by Vermaas to appoint Carolyn Jett to fill the remaining term in Ward Four. Motion passed unanimously by a show of hands. Deputy City Clerk Corey Snead swore in Carolyn Jett as Councilwoman for Ward Four.

SCHEDULED GUESTS

Steven Thomas

Mr. Thomas was requesting to have a fence put up on his property that would go against the current building code. Mr. Thomas showed pictures to council

on where he wanted to build the fence. Fire Chief Henry also stated that the fence must be twenty feet back from the property line since he is on a corner. Deputy City Clerk Snead reminded council that a variance would be needed for this issue and would have to go to the Zoning Board. Mr. Thomas was referred back to the Zoning Board.

COMMITTEE REPORTS

City Owned Facilities

Councilman Burg stated the committee met before council to discuss two proposals for the Maple Senior Living Center. The first from the Butler R-V School District for \$300,000 and the second from Medicalodges for \$25,000-\$50,000. The committee has made a recommendation that the proposal from the School District be accepted. A motion will come up later during unfinished business.

Finance Committee

There was no Finance Committee meeting held.

BOARDS AND COMMISSIONS

Airport Commission

Councilman Vermaas reported that the commission had met with three Airport Consultant Firms and a recommendation would come up in new business.

Park and Recreation

Snead reported that he attended the Park Board meeting and they had approved the summer events for this upcoming year.

Neighborhood Advisory

Mayor reported that the Neighborhood Advisory Committee did not have quorum during the meeting.

UNFINISHED BUSINESS

Maple Senior Living

Misty Brooks from Medicalodge was asked to speak by the Mayor. She wanted to remind the council that Medicalodge is willing to negotiate on the price as stated in their letter. That they are also doing a marketing study about the building and it would be done in ten days. She asked the council to wait until this study had been done before they made a decision.

Councilman Burg made a motion to accept the proposal from the Butler R-V School District for the Maple Senior Living Building, seconded by Vermaas. Roll call vote Vermaas – Aye Philips – Aye Burg – Aye Stark – Nay Weil – Absent Agnew – Nay Cook – Nay Jett – Nay

The Mayor stated he would contact the COO of Medicalodges about how long before any information would be available from this study. That if needed a special council meeting would be called to discuss this matter further.

PUBLIC HEARINGS

Councilman Phillips made a motion to open a Public Hearing for the FY 2015-2016 Budget seconded by Stark. Motion passed unanimously by a show of hands. Mayor Malan opened the public hearing with there being no discussion the public hearing was closed.

Bills, Ordinances, Resolutions,

RES NO 416 LANGUAGE FOR USE BY A POLITICAL SUBDIVISION IN ELECTING

Polices and Proclamations

Resolution NO 416

CHANGES UNDER THE MISSOURI LOCAL GOVERNMENT EMPLOYEES RETIREMENT SYSTEM

Motion by Phillips to adopt RES NO 416 seconded by Vermaas. Motion passed unanimously by a show of hands.

Bill NO 2015-1
ORD NO 998
1st Reading

Motion by Phillips, seconded by Stark for the first reading by title only of
BILL NO 2015-1 ORD NO 998 AN ORDINANCE APPROVING THE 2015-2016 FISCAL YEAR BUDGET OF THE CITY OF BUTLER, MISSOURI, APPROPRIATING THE REQUISITE FUNDS FROM THE REVENUES OF THE CITY, PROVIDING FOR THE EXPENDITURES AND ADJUSTMENTS THEREOF, AND PROVIDING FOR THE SALARIES OF THE CITY OFFICERS AND EMPLOYEES

Motion passed with the following votes:

Vermass – Aye	Weil – Absent
Phillips – Aye	Agnew – Aye
Burg – Aye	Cook – Aye
Stark – Aye	Jett – Aye

Bill NO 2015-1
ORD NO 998
2nd Reading

Motion by Phillips, seconded by Vermaas for the second reading by title only of

BILL NO 2015-1 ORD NO 998 AN ORDINANCE APPROVING THE 2015-2016 FISCAL YEAR BUDGET OF THE CITY OF BUTLER, MISSOURI, APPROPRIATING THE REQUISITE FUNDS FROM THE REVENUES OF THE CITY, PROVIDING FOR THE EXPENDITURES AND ADJUSTMENTS THEREOF, AND PROVIDING FOR THE SALARIES OF THE CITY OFFICERS AND EMPLOYEES

Motion passed with the following votes:

Vermass – Aye	Weil – Absent
Phillips – Aye	Agnew – Aye
Burg – Aye	Cook – Aye
Stark – Aye	Jett – Aye

Bill NO 2015-1
ORD NO 998
Adoption

Motion by Stark, seconded by Cook to adopt

BILL NO 2015-1 ORD NO 998 AN ORDINANCE APPROVING THE 2015-2016 FISCAL YEAR BUDGET OF THE CITY OF BUTLER, MISSOURI, APPROPRIATING THE REQUISITE FUNDS FROM THE REVENUES OF THE CITY, PROVIDING FOR THE EXPENDITURES AND ADJUSTMENTS THEREOF, AND PROVIDING FOR THE SALARIES OF THE CITY OFFICERS AND EMPLOYEES

Motion passed with the following votes:

Vermass – Aye	Weil – Absent
Phillips – Aye	Agnew – Aye
Burg – Aye	Cook – Aye
Stark – Aye	Jett – Aye

Bill NO 2015-2
ORD NO 999
1st Reading

Motion by Burg, seconded by Cook for the first reading by title only of
BILL NO. 2015-2 ORDINANCE NO .999 AN ORDINANCE AMENDING THE CITY CODE CHAPTER 14. MISCELLANEOUS PROVISIONS AND OFFENSES, ARTICLE

II. MISCELLANEOUS PROVISIONS, SECTIONS 14-63 OF THE CITY OF BUTLER, MISSOURI WHEREAS, THE CITY COUNCIL HAS DETERMINED THAT SECTIONS NEED TO BE ADDED TO THE MISCELLANEOUS PROVISIONS AND OFFENSES, NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BUTLER, MISSOURI THAT CHAPTER 14. MISCELLANEOUS PROVISIONS, ARTICLE III, SECTION 14-63. UNLAWFUL RECEIPT OF PUBLIC ASSISTANCE BENEFITS OR EBT CARDS OF THE BUTLER CITY CODE IS HEREBY CREATED:

Motion passed with the following votes:

Vermass – Aye	Weil – Absent
Phillips – Aye	Agnew – Aye
Burg – Aye	Cook – Aye
Stark – Aye	Jett – Aye

Motion by Stark, seconded by Vermaas for the second reading by title only of **BILL NO. 2015-2 ORDINANCE NO .999 AN ORDINANCE AMENDING THE CITY CODE CHAPTER 14. MISCELLANEOUS PROVISIONS AND OFFENSES, ARTICLE II. MISCELLANEOUS PROVISIONS, SECTIONS 14-63 OF THE CITY OF BUTLER, MISSOURI WHEREAS, THE CITY COUNCIL HAS DETERMINED THAT SECTIONS NEED TO BE ADDED TO THE MISCELLANEOUS PROVISIONS AND OFFENSES, NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BUTLER, MISSOURI THAT CHAPTER 14. MISCELLANEOUS PROVISIONS, ARTICLE III, SECTION 14-63. UNLAWFUL RECEIPT OF PUBLIC ASSISTANCE BENEFITS OR EBT CARDS OF THE BUTLER CITY CODE IS HEREBY CREATED:**

Motion passed with the following votes:

Vermass – Aye	Weil – Absent
Phillips – Aye	Agnew – Aye
Burg – Aye	Cook – Aye
Stark – Aye	Jett – Aye

Motion by Phillips, seconded by Stark to adopt **BILL NO. 2015-2 ORDINANCE NO .999 AN ORDINANCE AMENDING THE CITY CODE CHAPTER 14. MISCELLANEOUS PROVISIONS AND OFFENSES, ARTICLE II. MISCELLANEOUS PROVISIONS, SECTIONS 14-63 OF THE CITY OF BUTLER, MISSOURI WHEREAS, THE CITY COUNCIL HAS DETERMINED THAT SECTIONS NEED TO BE ADDED TO THE MISCELLANEOUS PROVISIONS AND OFFENSES, NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BUTLER, MISSOURI THAT CHAPTER 14. MISCELLANEOUS PROVISIONS, ARTICLE III, SECTION 14-63. UNLAWFUL RECEIPT OF PUBLIC ASSISTANCE BENEFITS OR EBT CARDS OF THE BUTLER CITY CODE IS HEREBY CREATED:**

Motion passed with the following votes:

Vermass – Aye	Weil – Absent
Phillips – Aye	Agnew – Aye

Bill NO 2015-2
ORD NO 999
2nd Reading

Bill NO 2015-2
ORD NO 999
Adoption

Burg – Aye
Stark – Aye

Cook – Aye
Jett – Aye

REPORTS

**CITY CLERK
CDBG DEMO**

Koehn gave an update on the demolition project

PUBLIC WORKS

On March 26th from 11-Midnight there will be a power outage.

CODE ENFORCEMENT

Jim Wheatley gave his report.

MAYOR

Mayor welcomed Carolyn Jett to the city council.

COUNCIL MEMBERS

VERMASS

Nothing

PHILLIPS

Welcomed Carolyn Jett

BURG

Nothing

STARK

Welcomed Carolyn Jett

WEIL

Nothing

AGNEW

Welcomed Carolyn Jett

COOK

Welcomed Carolyn Jett

JETT

Thanked everyone for all the warm wishes

NEW BUSINESS

Radio Bids

Fire Chief Henry presented two bids to the council for radio and pager upgrades for the Fire Department. The first bid was from MO-COMM for \$6,765.00 and the second from Western Communications for \$5,085.00. Chief Henry made the recommendation to Council for Western Communications. Burg made a motion that we go with Western Communications as the low bid seconded by Cook. Motion passed unanimously by a show of hands

Airport Consultant

Koehn reported that during the last Airport Commission meeting the recommendation was made to stay with Burns and McDonald. Burg made a motion to accept the recommendation and stay with Burns and

McDonald seconded by Stark. Motion passed unanimously by a show of hands

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 – Absent

Agnew – Aye Cook – Aye Jett – Aye

ATTEST

Corey Snead
Deputy City Clerk

Mayor Don H. Malan