

MEETING OF THE CITY COUNCIL
April 19th, 2016

The Butler City Council met in regular session on Tuesday, April 19th, 2016 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 - Absent	Craig Irwin
Brian Phillips	Terry Agnew
Thom Burg - Absent	Gayle Cook
Gayle Stark	Carolyn Jett

OTHERS PRESENT

Others present were City Administrator Casey Koehn, City Clerk Corey Snead, City Attorney Tom Addleman, Public Works Director Trent Diehl, and Police Chief Randy Beshore.

OTHER GUESTS

Gayle Alexander, Linn Nitsche, Melvin Ewing, Edith Dilley, Linda Crain, Lisa Brown, Mike Tranto and Bob Cleary

APPROVE CONSENT AGENDA

Motion by Phillips, seconded by Stark to approve the minutes of the regular session of April 5th, 2016 and closed session minutes of April 5th, 2016. Motion passed unanimously by a show of hands.

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

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

ACCEPT CERTIFIED ELECTION RESULTS FROM COUNTY CLERK

Motion by Cook to accept the April 5th, 2016 election results, seconded by Jett. Motion passed unanimously by a show of hands.

OATH OF OFFICE

City Clerk Corey Snead administrated the oath of office to Jim Garnett Ward 1, Victor Fugate Ward 2, Terry Agnew Ward 3 and Gayle Cook Ward 4.

ROLL CALL

Jim Garnett	Craig Irwin
Brian Phillips	Terry Agnew
Victor Fugate	Gayle Cook
Gayle Stark	Carolyn Jett

ELECT MAYOR PRO-TEM

Jett nominated Phillips as Mayor Pro-Tem, seconded by Irwin. No other nomination. Phillips nomination was accepted by unanimous consent

DELETION/ADDITION TO AGENDA

None

SCHEDULED GUESTS

None

COMMITTEES

None

BOARDS AND COMMISSIONS

Neighborhood Advisory

Malan gave the report from the Neighborhood Advisory meeting. They met with Interim Code Officer Linn Nitsche and are ready to move forward.

Park and Recreation

Koehn gave the report from the April 7, 2016 meeting. They discussed the possibility of the City of Butler integrating some of the youth sports organizations into the Park and Recreation programs. The discussions are in very early stages and more information needs to be gathered along with more discussion held. The Commission also voted not to increase Aquatic Center admission prices for the upcoming season.

Airport

Koehn gave the report from the April 14, 2016 meeting. Discussion was held regarding the lease of the hay ground surrounding the Airport and a decision was made to ask for bids next year for the ground. We took a tour of the facilities and looked at repairs that need to be made to various items. Koehn has asked the Public Works Director to meet with the Airport Manager to discuss what the City staff can do to assist in the repairs that are needed.

Planning

Koehn gave the report from the April 12, 2016 meeting. Items on the agenda included making changes to the section of code that pertains to mobile homes. With the recent change in this section regarding the age of the mobile homes and removing nonconforming use, the Commission has moved forward with the restriction of new mobile home parks inside the City limits. A proposed ordinance is on the agenda that would prohibit a new park from being built. Discussion was also held regarding section 21-137, construction standard of driveways.

UNFINISHED BUSINESS

None

PUBLIC HEARINGS

None

**BILLS, ORDINANCES,
RESOLUTIONS, POLICES and**

PROCLAMATIONS

Resolution 425

**RES NO 425 KAYSINGER BASIN REGIONAL PLANNING
COMMISSION RESOLUTION OF MEMBERSHIP.**

Motion by Phillips to approve Resolution 425 for membership to Kaysinger Basin Regional Planning Commission, seconded by Garnett. Motion passed unanimously by a show of hands.

Bill NO 2016-6 Ord. 1015

**BILL NO. 2016-6 ORDINANCE NO. 1015
AN ORDINANCE AMENDING CHAPTER 3. ALARM SYSTEMS,
SECTION 3-2, SECTION 3-3, SECTION 3-4, SECTION 3-6, SECTION
3-7, AND SECTION 3-8 OF THE BUTLER CITY CODE.**

Motion by Phillips, seconded by Jett for the first reading by title only of

1st Reading

Bill NO 2016-6 Ordinance NO 1015

**BILL NO. 2016-6 ORDINANCE NO. 1015
AN ORDINANCE AMENDING CHAPTER 3. ALARM SYSTEMS,
SECTION 3-2, SECTION 3-3, SECTION 3-4, SECTION 3-6, SECTION
3-7, AND SECTION 3-8 OF THE BUTLER CITY CODE.**

Motion passed with the following votes:

Jim Garnett-Aye	Craig Irwin-Aye
Brian Phillips-Aye	Terry Agnew-Aye
Victor Fugate-Aye	Gayle Cook-Aye
Gayle Stark-Aye	Carolyn Jett -Aye

Motion by Jett, seconded by Stark for the second reading by title only of

2nd Reading

Bill NO 2016-6 Ordinance NO 1015

**BILL NO. 2016-6 ORDINANCE NO. 1015
AN ORDINANCE AMENDING CHAPTER 3. ALARM SYSTEMS,
SECTION 3-2, SECTION 3-3, SECTION 3-4, SECTION 3-6, SECTION
3-7, AND SECTION 3-8 OF THE BUTLER CITY CODE.**

Motion passed with the following votes:

Jim Garnett-Aye	Craig Irwin-Aye
Brian Phillips-Aye	Terry Agnew-Aye
Victor Fugate-Aye	Gayle Cook-Aye
Gayle Stark-Aye	Carolyn Jett -Aye

Motion by Stark, seconded Cook to adopt

Adoption

Bill No 2016-05 Ordinance NO 1015

BILL NO. 2016-6 ORDINANCE NO. 1015

AN ORDINANCE AMENDING CHAPTER 3. ALARM SYSTEMS, SECTION 3-2, SECTION 3-3, SECTION 3-4, SECTION 3-6, SECTION 3-7, AND SECTION 3-8 OF THE BUTLER CITY CODE.

Motion passed with the following votes:

Jim Garnett-Aye	Craig Irwin-Aye
Brian Phillips-Aye	Terry Agnew-Aye
Victor Fugate-Aye	Gayle Cook-Aye
Gayle Stark-Aye	Carolyn Jett –Aye

Reports

CITY CLERK

Snead reported that there is an elected municipal convention in June that will be held in Columbia MO. He has encouraged the new council members to attend. Snead will also be getting with the newly elected council members to have new council training in May. Snead also brought forth that City Wide Clean Up be May 9-13 for the North side of town and May 16-20 for the South side of town. Motion by Cook to approve City Wide Clean Up, seconded by Fugate. Motion passed unanimously by a show of hands.

ECONOMIC DEVELOPER

Nothing to Report

POLICE CHIEF

Nothing to Report

CITY ATTORNEY

Nothing to Report

CITY ADMIN

1 E. Dakota

The bid for the demolition at 1 E. Dakota went out Friday March 25th and is due back by 12:00 pm on Thursday April 21st. Bids will be opened and read aloud on Friday, April 22nd at 9:00 am in Council Chambers. In the request for bids that was published in March, the dates were incorrect. The days of the week is what we will stand by which is what was intended from the beginning. Koehn apologized for the mistake in the request.

MO Main Street

Missouri Main Street town hall meeting will be held on April 26th at 6pm at the First Baptist Church. Keith Winge, the Community Development coordinator for Main Street will be in attendance to educate the public on the revitalization process. The next steering committee will be held on May 4th at 5:30 at City Hall.

Community College

The possibility of a community college in Butler has been discussed among

leaders in the community. The BC Economic Developer and Koehn will be scheduling meetings with the area school superintendents regarding the possibility. In order for the college to come into fruition, a property tax must be approved by the citizens located in the school districts that would make it possible for students that live in those districts to attend school and pay the indistrict tuition price.

Fire Department

Jim Henry is requesting to use the parking lot at the South end of the soccer fields for fire propane simulator training on Saturday May 21st. He received a grant from MERC (MO Emergency Response Commission) 100% funded. This training will simulate how to properly respond to propane emergencies. Motion by Phillips to allow the fire department to use the parking lot, seconded by Stark. Motion passed unanimously by a show of hands.

PUBLIC WORKS

Nothing to Report

CODE ENFORCEMENT

Linn Nitsche was introduced as the Interim Code Enforcement Officer to council. Nitsche reported that the city has major code issues and he is working on them one at a time. Turning this around will not happen overnight and will take some time.

MAYOR

Wanted to welcome Garnett and Fugate to council and thanked Burg and Vermaas for their service to the city. Malan also appointed Gayle Alexander and Eddie Dilley to the Neighborhood Advisory Commission. Motion by Cook to accept the appointments of Alexander and Dilley, seconded by Fugate. Motion passed unanimously by a show of hands.

COUNCIL MEMBERS

GARNETT

Nothing to Report.

PHILLIPS

Thanked Thom Burg and Brad Vermaas for their service and dedication to council.

FUGATE

Nothing to Report.

STARK

Welcomed Fugate and Garnett to council.

IRWIN

Welcomed Fugate and Garnett to council.

AGNEW

Welcomed Fugate and Garnett to council.

COOK

Welcomed Fugate and Garnett to council.

JET

Welcomed Fugate and Garnett to council.

New Business

Butler Public Library

The Butler Public Library had made a request that two trees on Atkinson street and one on the corner of Atkinson and Delaware be removed. The library requested that the city pay for the cost of the tree removal. Motion by Phillips to trim the trees back for the library at no expense but not have the tree's removed, seconded by Stark. Motion passed unanimously by a show of hands.

Shade Grant

A grant from KaBoom for a shade structure at South Park was presented to council. The grant is for \$25,000.00 with a \$10,000.00 match from the city that can be cash or in-kind support for the shade project. Motion by Stark to approve the agreement for the shade grant, seconded by Cook. Motion passed unanimously by a show of hands.

Ambulance

Jim Henry would like to donate the ambulance that the City owns to the City of Amsterdam for them to use as a rescue and first responder truck. This is the same ambulance that the Bates County Memorial Hospital donated to the City years ago. Motion by Jett to donate the ambulance to the City of Amsterdam, seconded by Garnett. Motion passed unanimously by a show of hands.

Sick Time

Denny Rich is requesting that the city pay him 5-1 for the remaining amount of sick leave he has before his retirement. Normally employees can sell back time at the end of the year since Denny is retiring he is asking that this be done now. Motions by Cook to allow the city to buy back Denny Rich's sick time at a 5-1 due to his retirement, seconded by Stark. Motion passed unanimously by a show of hands.

ADJOURN

There being no further business, motion was made by Cook, seconded by Stark to adjourn the meeting and go into closed session. Roll Call vote
Garnett – Aye Fugate – Aye Irwin – Aye Cook – Aye
Phillips – Aye Stark – Aye Agnew – Aye Jett – Aye

TO DISCUSS MATTERS OF LITIGATION, LEGAL ACTIONS, AND/OR COMMUNICATION FROM THE CITY ATTORNEY AS PROVIDED UNDER SECTION 610.021 (1), AND/OR PERSONNEL UNDER SECTION 610.021 (13), AND/OR EMPLOYEE UNDER SECTION 610.0210 (3)

Mayor Don H. Malan

ATTEST

Corey Snead
City Clerk

