

**CITY OF BUTLER
MINUTES OF A MEETING OF THE CITY COUNCIL
MARCH 2, 2010**

The Butler City Council met in regular session on Tuesday, March 2, 2010 at 7:00 p.m. in the Council Chambers at City Hall, 22 West Ohio, with Mayor Cook presiding. The following Councilmen were present:

ROLL CALL

David Brown	Brian Phillips
Justin Osburn	Pat Simons
Don Malan	Jim Fisher-absent
Bob Schnoebelen	Doug Wix

OTHERS PRESENT

Others present were City Administrator Mark Arbuthnot, Police Chief Garnett, City Clerk Casey Koehn, City Attorney Diana Thomas, Public Works Director Trent Diehl and Barb Scrogam.

OTHER GUESTS

Other guests present to observe the proceeding were Terrence Wilson, Marion Jones, Denny Appleberry, Marna Tucker, and Brian Boyd

APPROVE CONSENT AGENDA

Motion by Malan, seconded by Wix to approve the minutes of the regular session of February 16, 2010. Motion passed unanimously by a show of hands.

Motion by Phillips, seconded by Schnoebelen to approve the bills. Motion passed unanimously by a show of hands.

Motion by Osburn, seconded by Wix to approve travel and training. Motion passed unanimously by a show of hands.

Motion by Malan, seconded by Wix to add 3 items to the agenda. In new business, consider purchase of membranes for the water plant and a new mower for the park. Admin Arbuthnot also asked Council to consider calling a public hearing for the FY 2010-2011 budget. Motion passed unanimously by a show of hands.

Marion Jones requested permission to hold the Farmer's Market this year. The location would be on Saturday on Orange St in Raybourn's parking lot and on Thursday on the Butler Square. Motion was made by Malan, seconded by Osburn to approve the request. Motion passed unanimously by a show of hands.

FINANCE COMMITTEE

Wix reported that the Finance Committee met following the Feb 16th Council meeting to discuss the FY 2010-2011 budget.

REPORTS

PARK WEST ESTATES

Admin Arbuthnot reported that he spoke with Marie Carmichael of Affordable Homes from Springfield, Missouri to advise the City that their housing project to add an additional (19) homes in the Park West Estates II subdivision has been approved by the Missouri Housing Development Commission. She indicated that they hoped to start building houses this summer.

MID AMERICA PIPE SERVICES SEWER TESTING

Mid-America Pipe Services has completed the cleaning and televising of the City sewer lines as required under the contract but still need to do the smoke testing of the lines. The report on their findings will be submitted upon the completion of the smoke testing. They were not able to do cleaning or televising of any six inch or smaller lines so the smoke testing results will help to determine if these lines are causing I&I problems.

5 YEAR DISCHARGE PLAN FOR WWTP

The City has received the new (5) year discharge permit for the Wastewater Treatment Plant from the Missouri Department of Natural Resources. Disinfection of the effluent that is discharged into Mound Branch has been included in the permit and the City now has to install the required equipment at the plant to be in compliance within three years. Additional testing and monitoring requirements are also included in the new permit.

CODE ENFORCEMENT

Officer Denny Rich reported on code enforcement.

OSBURN

Osburn reported that he received a complaint about a bush on Gregory and Clark that is obstructing driving views.

SIMONS

Simons inquired about the status of the shooting range.

MALAN

Malan thanked the Council members that served in 2002 and in 2005 for joining MoPep that led to reducing electric rates for the City of Butler. He also thanked Admin Arbuthnot for his work in the purchased power adjustment factor for also contributing to the lower electric rates.

SCHNOEBELEN

Schnoebelen reported that the nuisance violations at the old Miller greenhouse needed to be addressed.

WIX

Wix reported that the addresses on business and residences need to be displayed better for emergency purposes.

NEW BUSINESS

ALLGEIER, MARTIN UTILITY RATE STUDY

Consider agreement for services with Allgeier, Martin and Associates, Inc. for an electric rate study. The agreement included in the packet is to only authorize the electric rate study at a cost of \$20,000. The agreement also outlines additional services to be provided upon approval of the

City Council for 1) planning study for a new electric line to be connected to the KAMO substation located southwest of the City (engineering fee estimate based on hourly charges for a not to exceed amount of \$5,000), 2) Design, Construction and Facility Additions (engineering fee estimate in proposal) and 3) Standby Facilities (no engineering fee estimate provided). Motion was made by Wix seconded by Schnoebelen to approve agreement. Motion passed unanimously by a show of hands.

CITY ATTORNEY INTERVIEWS

Five RFPs for City Attorney/Prosecutor were included in the council packets. After much discussion, Simons motioned to drop the top two Diana Thomas and Scott Friedrich from the five and then interview the other three. His motion was seconded by Osburn. A vote was taken, and the motion failed.

Malan made a motion to interview all five applicants, seconded by Phillips. Motion passed with a vote of 4 to 2 with Fisher absent. Interviews will be held Thursday, March 11, 2010.

PURCHASE MEMBRANES FOR WATER PLANT

Motion was made by Phillips, seconded by Wix to approve the purchase of membranes for the Water Plant. Motion passed unanimously by a show of hands.

PURCHASE MOWER FOR PARK DEPT

Motion was made by Schnoebelen, seconded by Phillips to purchase a mower from Midwest Lumber for the Parks department. Motion passed unanimously by a show of hands.

PUBLIC HEARING CALLED FOR FY 2010-2011 BUDGET

Motion was made by Phillips, seconded by Simons to call for a public hearing to consider the FY 2010-2011 budget before the next Council meeting on March 16, 2010.

There being no further business, motion was made by Malan, seconded by Wix to adjourn meeting.

Mayor Jerry L. Cook

ATTEST

City Clerk Casey Koehn