

**CITY OF BUTLER  
MINUTES OF A MEETING OF THE CITY COUNCIL  
JULY 5, 2011**

The Butler City Council met in regular session on Tuesday, July 5, 2011 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-absent	Harold Weil
Brian Phillips	Jim Fisher
Thom Burg	Brian Boyd
Pat Simons	Doug Wix

**OTHERS PRESENT**

Others present were City Clerk Casey Koehn, Public Works Director Trent Diehl, Officer Brandon Plunkett, and City Attorney Tom Addleman.

**OTHER GUESTS**

Eugene Miller was also in attendance.

**APPROVE CONSENT AGENDA**

Motion by Phillips, seconded by Wix to approve the minutes of the regular session of June 21, 2011. Motion passed unanimously by a show of hands. Motion by Wix, seconded by Simons to approve the bills presented for payment. Motion passed unanimously by a show of hands.

**COMMITTEES**

**CITY OWNED FACILITIES**

Burg reported that the City Owned Facilities met and that nothing was discussed.

**BILLS ORDS RES**

**BILL NO 2011-7 ORD 928 IS  
TABLED**

After much discussion, a motion was made by Wix, seconded by Simons to table Bill No 2011-7 ORD NO 928 until further review.

**BILL NO 2011-8 ORD NO 929 1<sup>ST</sup>  
READING**

Motion was made by Fisher, seconded by Phillips for the first reading of **BILL NO 2011-8 ORD NO 929 AN ORDINANCE AMENDING CHAPTER 16. NUISANCES, TO ADD ARTICLE 3. NEIGHBORHOOD ADVISORY COMMISSION, SECTION 16-35. THROUGH SECTION 16-39. TO THE CITY CODE OF BUTLER, MISSOURI.**

Motion passed with the following votes:

David Brown-absent	Harold Weil-no
Brian Phillips-yes	Jim Fisher-yes
Thom Burg-yes	Brian Boyd-yes
Pat Simons-no	Doug Wix-no

**BILL NO 2011-8 ORD NO 929 2<sup>ND</sup>  
READING**

Motion was made by Burg, seconded by Fisher for the second reading of **BILL NO 2011-8 ORD NO 929 AN ORDINANCE AMENDING CHAPTER 16. NUISANCES, TO ADD ARTICLE 3. NEIGHBORHOOD ADVISORY COMMISSION, SECTION 16-35. THROUGH SECTION 16-39. TO THE CITY CODE OF BUTLER, MISSOURI.**

Motion passed with the following votes:

David Brown-absent	Harold Weil-no
Brian Phillips-yes	Jim Fisher-yes
Thom Burg-yes	Brian Boyd-yes
Pat Simons-no	Doug Wix-no

**BILL NO 2011-8 ORD NO 929  
ADOPTION**

Motion was made by Burg, seconded by Fisher to adopt **BILL NO 2011-8 as ORD NO 929 AN ORDINANCE AMENDING CHAPTER 16. NUISANCES, TO ADD ARTICLE 3. NEIGHBORHOOD ADVISORY COMMISSION, SECTION 16-35. THROUGH SECTION 16-39. TO THE CITY CODE OF BUTLER, MISSOURI.**

Motion passed with the following votes:

David Brown-absent	Harold Weil-no
Brian Phillips-yes	Jim Fisher-yes
Thom Burg-yes	Brian Boyd-yes
Pat Simons-no	Doug Wix-no

**RES NO 376**

Motion was made by Wix seconded by Fisher to pass Resolution NO 376 A **RESOLUTION ESTABLISHING APPLICATION REVIEW FEES FOR FRANCHISE AGREEMENTS, RIGHT-OF-WAY AGREEMENTS AND POLE ATTACHMENT AGREEMENTS SUBMITTED TO THE CITY OF BUTLER, MISSOURI.**

Motion passed unanimously by a show of hands.

## **REPORTS**

### **CITY ADMINISTRATOR BY MAYOR**

Mayor Malan reported that the City Administrator met with the Bates County Commissioners on Monday, June 27<sup>th</sup> to discuss the joint purchase of the new 911 communication equipment and the funding to be used. They are still considering the loan through Osage Valley Electric and several other options to finance the purchase of the 911 communication equipment.

### **LAZY RIVER**

The Lazy River at the Aquatic Center has developed a leak so efforts are underway to try and locate the leak and make repairs so that it can be turned back on for use.

### **GRANT SUBMITTED FOR PURCHASE OF WASTE OIL FIRED HEATER**

The Public Works/Utilities Director, Trent Diehl submitted a grant application on June 23<sup>rd</sup> to the Quad Lakes Solid Waste Management District to fund the purchase of waste oil fired heater to be used at the City Maintenance Shop located at 206 E. Mill St. Estimated cost of a waste oil fired heater is \$6,750.

### **PAYMENT FROM MEDIACOM RECEIVED**

The City received payment from Mediacom for pole attachment fees for the period of 2004 - 2011. The total amount received was \$27,530.58.

**MAYOR** Mayor Malan made appointments to the City Council Committees Commissions and Boards. (See attached memorandums)

**PHILLIPS** Nothing to report.

**BURG** Burg reported that the 600 block of Main St is in bad shape.

**SIMONS** Simons reported multiple nuisances that he is turning in to the PD.

**WEIL** Weil reported that he has had complaints about the on-going construction on Country Club Dr.

**FISHER** Fisher had nothing to report.

**BOYD** Boyd had no complaints and has high hopes that the Neighborhood Pride Commission will change things for the better.

**WIX** Wix had nothing to report.

**NEW BUSINESS**

**SEWER BIDS**

Two sewer bids were received for cleaning, televising and smoke testing sewer lines. One from Spray Com Utilities and one from Ace Pipe Cleaning. The engineers, Allgeier and Martin & Associates have reviewed the bids and their recommendation is to award the contract to Ace Pipe cleaning. Motion was made by Wix, seconded by Simons to award the bid to Ace Pipe Cleaning. Motion passed unanimously by a show of hands.

There being no further business, motion was made by Wix, seconded by Phillips to adjourn the regular meeting. Motion passed unanimously with a show of hands.

ATTEST:

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Mayor Don H. Malan

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City Clerk Casey Koehn