

**CITY OF BUTLER
MINUTES OF A MEETING OF THE CITY COUNCIL
OCTOBER 4, 2011**

The Butler City Council met in regular session on Tuesday, October 4, 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	Harold Weil-absent
Brian Phillips	Jim Fisher
Thom Burg	Brian Boyd
Pat Simons	Doug Wix-entered at 8:05 pm

OTHERS PRESENT

Others present were City Administrator Mark Arbuthnot, City Clerk Casey Koehn, Public Works Director Trent Diehl, City Attorney Tom Addleman, Police Chief Jerry Boyd and Cpl Brandon Plunkett.

OTHER GUESTS

Eugene Miller.

APPROVE CONSENT AGENDA

Motion by Boyd, seconded by Fisher to approve the minutes of the regular session of Sept 20, 2011. Motion passed unanimously by a show of hands. Motion by Simons, seconded by Burg to approve the bills presented for payment. Motion passed unanimously by a show of hands. Motion by Burg, seconded by Phillips to approve travel and training. Motion passed unanimously by a show of hands. Motion was made by Phillips, seconded by Brown to add Bids for dirt work for the shooting range and a closed session meeting. Motion passed unanimously by a show of hands.

COMMITTEES

PUBLIC SAFETY

Simons reported that he Public Safety Committee met prior to the regular Council meeting to discuss the current animal ordinance. He reported that it was decided to revise the current vicious dog section of the ordinance.

BOARDS AND COMMISSIONS

**ZONING BOARD OF
ADJUSTMENT**

Arbuthnot reported that the Zoning Board of Adjustment met on Thursday, September 22nd at 6:30 p.m. to consider a variance request from the Church of the Nazarene located at 110 W. Nursery Street. Under the zoning regulations when a nonconforming condition is expanded it has to be done in compliance with the regulations which requires that the parking areas to be hard surfaced. The variance request was to allow the existing and expanded parking areas to have a gravel surface. The variance request was approved.

**NEIGHBORHOOD ADVISORY
COMMISSION**

Burg reported that the Neighborhood Advisory Commission met on Monday, Oct 3. They discussed taking a closer look at the building permits.

REPORTS

POLICE CHIEF

Chief Boyd reported that the mold remediation company finished with the work at the Police Station. Motion was made by Simons, seconded by Burg to approve the painting of the Police Station. The color will be tan. Motion

passed unanimously by a show of hands.

Addleman reported that he is looking into regulations to require identification for merchants that buy and sell gold.

CITY ATTORNEY

ADMINISTRATOR ARBUTHNOT

Arbuthnot reported that the City needs to have a policy in place that would require the youth sports organizations to carry liability insurance to be able to use city facilities.

He attended the MPUA Annual Conference.

CODE ENFORCEMENT

Wheatley reported on codes violations throughout the City. Motion was made by Burg, seconded by Simons to allow citizens until October 24th to clean up brush and garage sale items from the City-wide garage in order to prepare for City-wide pick-up. Motion passed unanimously by a show of hands.

MAYOR

Mayor Malan reported that Huckster's Day was a success.

BROWN

Reported that there are lights out on Page St.

PHILLIPS

Nothing to report.

BURG

Reported that there is a light out in the back of City Hall. He also wants Wheatley to look into the zoning of property as it pertains to mowing and haying.

SIMONS

Nothing to report.

WEIL

Absent.

FISHER

Nothing to report.

BOYD

Nothing to report.

WIX

Nothing to report.

NEW BUSINESS

ROOF BIDS

Arbuthnot reported that 2 roofing bids were received. One from Land Roofing Co. and one from Eco Green Inc. Motion was made by Phillips, seconded by Burg to accept the bid from Land Roofing Co to roof City Hall, the Old High School and the Light Plant. Motion passed unanimously by a show of hands.

Motion was made by Phillips seconded by Wix to have Land Roofing Co. rebid the parts of the roof on the Fire Station that are in need of repair. Motion passed unanimously by a show of hands.

Two bids were submitted for the dirt work on the shooting range for the Police Department. One was from Sutton Construction and one was from Hedrick Construction. Motion was made Brown seconded by Boyd to accept the bid

from Sutton Construction. Motion passed unanimously by a show of hands.

There being no further business, motion was made by Brown, seconded by Wix to adjourn the regular meeting and go into closed session to discuss legal matters. Motion passed with the following votes.

David Brown-aye
Brian Phillips-aye
Thom Burg-aye
Pat Simons-aye

Harold Weil-absent
Jim Fisher-aye
Brian Boyd-aye
Doug Wix-aye

ATTEST:

City Clerk Casey Koehn

Mayor Don H. Malan