

**CITY OF BUTLER  
MINUTES OF A MEETING OF THE CITY COUNCIL  
DECEMBER 6, 2011**

The Butler City Council met in regular session on Tuesday, December 6, 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 Administrator Mark Arbuthnot, City Clerk Casey Koehn, Public Works Director Trent Diehl, City Attorney Tom Addleman and Police Chief Jerry Boyd.

**OTHER GUESTS**

Sgt Jerrett Wheatley, Officer Jim Wheatley, Eugene Miller and Laurence Truman.

**APPROVE CONSENT AGENDA**

Motion by Phillips, seconded by Wix to approve the minutes of the regular session of Nov 15, 2011. Motion passed unanimously by a show of hands. Motion by Simons, seconded by Boyd to approve the bills presented for payment. Motion passed unanimously by a show of hands. Motion by Burg, seconded by Wix to approve the travel and training. Motion passed unanimously by a show of hands.

**SCHEDULED GUESTS**

**LAURENCE TRUMAN- DAV**

Laurence Truman with the DAV requested to park the DAV van on the North side of the Square from 8am-3pm, date TBD. Motion was made by Simons, seconded by Burg to allow him to park the van. Motion passed unanimously by a show of hands.

**MONTE GILKEY- WEST  
CENTRAL WARRIORS  
FOOTBALL**

Monte Gilkey (West Central Warriors Football team) requested to use the Little League Football team for the league his team is in. After agreeing to carry insurance and help pay for the utility lighting cost, a motion was made by Simons seconded by Burg to try the arrangement for a year. Motion passed unanimously by a show of hands.

**GWAYNE ARNEY, DANA  
BRIDGES AND JERRY JONES-  
TRAIL OF MEMORIES**

Gwayne Arney requested to extend the Trail of Memories from the Park to the Bates County Memorial Hospital. Motion was made by Boyd, seconded by Burg to allow the extension. Motion passed unanimously by a show of hands.

**COMMITTEE REPORTS  
PUBLIC SAFETY**

Simons reported that the Public Safety Committee met and discussed the current animal ordinance as it pertains to vicious dogs.

**BOARDS AND COMMISSIONS**

**PARK AND REC COMMISSION**

Simons reported that the Park and Rec Commission met on Dec 1 and approved the Christmas lighting contest.

**AIRPORT COMMISSION**

Arbuthnot reported that the Airport Commission met on Dec 1 to discuss increasing the monthly hangar rental fees, two farm ground lease bids and the 2012-2013 FY budget. They also approved registration/use requirements for businesses and organizations that use the Airport facilities. He also reported that the repair of rotating beacon is being scheduled.

**NEIGHBORHOOD ADVISORY COMMISSION**

Burg reported that the Neighborhood Advisory Commission met on Dec 5<sup>th</sup> to discuss what can be done at the next clean-up to better the community.

**BILLS, ORDS, RES**

**BILL NO 2011-17 ORD NO 938 1<sup>ST</sup> READING**

**BILL NO 2011-17 ORD NO 938 AN ORDINANCE AMENDING THE CITY CODE CHAPTER 5. ANIMALS, ARTICLE II. DOGS AND CATS, SECTIONS 5-36 OF THE CITY OF BUTLER, MISSOURI**

Motion was made by Simons seconded by Fisher for 1<sup>st</sup> reading by title only.

Roll Call:

David Brown-absent	Harold Weil-aye
Brian Phillips-aye	Jim Fisher-aye
Thom Burg-aye	Brian Boyd-aye
Pat Simons-aye	Doug Wix-aye

**BILL NO 2011-17 ORD NO 938 2<sup>ND</sup> READING**

**BILL NO 2011-17 ORD NO 938 AN ORDINANCE AMENDING THE CITY CODE CHAPTER 5. ANIMALS, ARTICLE II. DOGS AND CATS, SECTIONS 5-36 OF THE CITY OF BUTLER, MISSOURI**

Motion was made by Simons seconded by Boyd for second reading by title only. Roll Call:

David Brown-absent	Harold Weil-aye
Brian Phillips-aye	Jim Fisher-aye
Thom Burg-aye	Brian Boyd-aye
Pat Simons-aye	Doug Wix-aye

**BILL NO 2011-17 ORD NO 938 AD OPTION**

**BILL NO 2011-17 ORD NO 938 AN ORDINANCE AMENDING THE CITY CODE CHAPTER 5. ANIMALS, ARTICLE II. DOGS AND CATS, SECTIONS 5-36 OF THE CITY OF BUTLER, MISSOURI**

Motion was made by Wix seconded by Fisher to adopt. Roll Call:

David Brown-absent	Harold Weil-aye
Brian Phillips-aye	Jim Fisher-aye
Thom Burg-aye	Brian Boyd-aye
Pat Simons-aye	Doug Wix-aye

**REPORTS**

**CITY CLERK- CITY ELECTIONS**

Clerk Koehn reported on the upcoming election filings from 8:00 a.m. December 13, 2011 through 5:00 p.m. January 17, 2012. The offices to be filled are: One Councilman for Ward 1 (2 yrs.), one Councilman for Ward 2

(2 yrs.), one Councilman for Ward 3 (2 yrs.), and one Councilman for Ward 4 (2yrs.)

Candidates must be citizens of the United States and voters under the Constitution of this State and Ordinances of the City.

Candidates for Councilman must be at least twenty-one (21) years of age prior to taking office, an inhabitant of the City for one year next preceding his election, and a resident of the Ward from which he is elected six months next preceding his election.

**ADMINISTRATOR ARBUTHNOT**

Arbuthnot reported that he submitted names to Kaysinger Basin to serve on the Regional Economic Development Committee: David Brown, Brian Phillips, Don Malan and himself. He also reported that the evaluation of the Solar Farm is still in progress.

**PUBLIC WORKS**

**CODE ENFORCEMENT**

Diehl reported that the roof repairs are finished and that the demolition of 704 W Ft Scott is finished and cleaned up.

**MAYOR**

Code Enforcement Officer Wheatley gave his report to Mayor and Council.

**BROWN**

Mayor Malan requested to add Councilman Weil to the Regional Economic Development Committee. Weil accepted.

**PHILLIPS**

absent

Phillips stated that the Christmas lights on the Square are very nice.

**BURG**

Burg stated that he was pleased to see the house behind Sinclair's cleaned up.

**SIMONS**

Nothing to report.

**WEIL**

Nothing to report.

**FISHER**

Nothing to report.

**BOYD**

Nothing to report.

**WIX**

Boyd stated that the current animal ordinance still needs some work.

**EUGENE MILLER-VARIANCE  
REQUEST**

Nothing to report.

**CHANGE ORDER FOR ROOF OLD  
HIGH SCHOOL**

Eugene Miller requested a variance for a gravel drive-way in the back of his house. After much discussion, motion was made by Phillips, seconded by Wix to grant the variance. Motion passed with a vote of 6 to 1.

Arbuthnot presented a Change Order to Council with Land Roofing for roof repairs on the Old High School. The bid changed from \$8310.00 to \$5910.00. Motion was made by Wix, seconded by Phillips to accept the change. Motion passed unanimously by a show of hands.

**FARM LEASE BIDS AT AIRPORT**

Arbuthnot presented the farm lease bids for the farm ground at the City

Airport. The Airport Commission recommended accepting the bid from Wainscott and Umstadd. The two requested to extend current leases to five years. Motion was made by Burg to go with the highest bidder (Wainscott and Umstadd), seconded by Simons. Motion passed unanimously by a show of hands.

There being no further business, motion was made by Wix, seconded by Boyd to enter into closed session to discuss a real estate contract. Roll Call:

David Brown-absent	Harold Weil-aye
Brian Phillips-aye	Jim Fisher-aye
Thom Burg-aye	Brian Boyd-aye
Pat Simons-aye	Doug Wix-aye

ATTEST:

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Mayor Don H. Malan

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City Clerk Casey Koehn