

**CITY OF BUTLER  
MINUTES OF A MEETING OF THE CITY COUNCIL  
JANUARY 17, 2012**

The Butler City Council met in regular session on Tuesday, January 17, 2012 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
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, Police Chief Boyd, Code Enforcement Officer Jim Wheatley, City Attorney Tom Addleman and Public Works Director Trent Diehl.

**OTHER GUESTS**

Eugene Miller, Jason Melton, Sheriff Chad Anderson, Doug Galloway, Kevin Hunt, Steve Clark and Terry Agnew were also in attendance.

**APPROVE CONSENT AGENDA**

Motion by Boyd, seconded by Wix to approve the minutes of the regular session of January 3, 2012. Motion passed unanimously with a show of hands. Motion by Wix, seconded by Boyd to approve the bills presented for payment. Motion passed unanimously with a show of hands. Motion by Burg, seconded by Phillips to approve travel/training. Motion passed unanimously with a show of hands.

**SCHEDULED GUESTS**  
**CENTURYLINK**

Doug Galloway with CenturyLink addressed the concerning the current pole attachment they have with the City. The current agreement dates back to 1967. After much discussion, Council decided to consult with legal council before changing or amending the current contract.

**COMMITTEES**  
**PUBLIC SAFETY**

Councilman Simons reported that the Public Safety Committee met prior to the Council meeting to discuss the caution lights at the grade school and the current liquor licenses. Council is waiting on more information from the City Attorney.

**BOARDS AND COMMISSIONS**  
**PARK BOARD**

Councilman Simons reported that the Public Safety Committee met at 6:30 prior to the Council meeting to discuss updating the current liquor licenses.

**NEIGHBORHOOD ADVISORY**  
**COMMISSION**

Councilman Simons reported that the Park Board met Jan 5 to discuss aquatic prices.

Councilman Burg reported that the Neighborhood Advisory Commission met Jan 16 to discuss building permits and decided that they need to be tightened up. They also discussed inserting ordinance fliers in the utility bills.

**BILLS, ORDS, RESOLUTIONS**  
**BILL NO 2012-1 ORD NO 939**  
**TABLED**

Motion was made by Wix seconded by Simons to table BILL NO 2012-1 ORD NO 939 until consulting with legal counsel. Motion passed unanimously with

a show of hands.

**REPORTS**

**CITY CLERK**

Clerk Koehn announced Council filings.

Ward 1: David Brown

Ward 2: Thom Burg

Ward 3: Jason Melton and Terry Agnew

Ward 4: Brian Boyd and John Burgess

**CHIEF BOYD**

Chief Boyd reported on the 911 system. With the help of Sheriff Anderson, they reported to Council that radios are also needed. After much discussion, motion was made by Phillips, seconded by Burg to move ahead with the system in the current budget year with a lease/purchase agreement based on the lowest bid available. Motion passed unanimously with a show of hands.

**CITY ATTORNEY**

Nothing to report.

**CITY ADMINISTRATOR**

**SOLAR LINK**

Administrator Arbuthnot reported that he met with Solar Link US and MoPEP representatives regarding the proposed Solar Farm project for the Butler Industrial Park on Jan 10. Several items are still being evaluated to determine if the Solar Farm project will be able to move ahead. One of the items is the value of the Solar Renewable Energy Credits (SRECS) which can be sold to utilities on the open market. A year ago these had a value of \$250/ energy credit. Today their value is estimated at \$50 to \$100/ energy credit so the value of these is important to the financial feasibility of the project. The purchase of the Solar Farm by MoPEP after (6.5) years is also important to the success of this project.

**EPA CI RICE**

He also reported that an update from Floyd Gilzow with MPUA regarding the status of the EPA CI RICE rules is included in the meeting packet. This is the EPA regulation that requires that the diesel generators at the City light plant have catalytic convertors installed on them to meet the EPA air quality regulations. It appears that even though some of the final rules are still being debated by EPA the compliance date of March 2013 for the diesel generators probably will not be changed.

Larry Welston (Bates County Disposal) visited the City Administrator concerning a third city-wide clean-up.

**PUBLIC UTILITIES**

Diehl informed Council that that the City has sewer main issues that will need to be addressed in the near future.

**CODE ENFORCEMENT**

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

**MAYOR**

Mayor Malan extended great appreciation to all City Employees.

**COUNCIL MEMBERS**

**BROWN**

Brown had nothing to report.

**PHILLIPS**

Phillips had nothing to report.

**BURG**

Burg had nothing to report.

**SIMONS**

Simons had nothing to report.

**WEIL**

Weil reported that the trash issue on West 52 is becoming a problem.

**FISHER**

Fisher had nothing to report.

**BOYD**

Boyd commended the Code Enforcement Officer.

**WIX**

Wix called a Finance Committee meeting prior to the next Council meeting at 6pm. He also stated that he would like to see the brick on the square repaired.

**NEW BUSINESS**

Council considered an application to be submitted to the Missouri Petroleum Storage Tank Insurance Fund for pollution liability insurance coverage for the above ground fuel storage tank at the Butler Memorial Airport. This coverage has a \$10,000 deductible so the City has to show that it has the ability to pay this in the event of a claim. The application includes a guarantee by the City that it has the financial assets to pay the deductible. City Council approval is needed to submit the application with the \$10,000 guarantee for the policy deductible. Motion was made by Simons, seconded by Wix to approve application. Motion passed unanimously with a show of hands.

**ADJOURNMENT**

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

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Mayor Don H. Malan

ATTEST:

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City Clerk Casey Koehn