

**CITY OF BUTLER
MINUTES OF A MEETING OF THE CITY COUNCIL
FEBRUARY 7, 2012**

The Butler City Council met in regular session on Tuesday, February 7, 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 Administrator Mark Arbuthnot, Police Chief Jerry Boyd, Officer Jerret Wheatley, Codes Officer Jim Wheatley, City Attorney Tom Addleman, Public Works Director Trent Diehl and Barb Scrogam.

OTHER GUESTS

Eugene Miller, Angela Allen, Bob Noel and Jason Melton

APPROVE CONSENT AGENDA

Motion by Phillips, seconded by Wix to approve the minutes of the regular session of January 17, 2012. Motion passed unanimously with a show of hands. Motion by Simons, seconded by Burg to approve the bills presented for payment. Motion passed unanimously with a show of hands.

SCHEDULED GUEST

Bob Noel with Engineering Associates, Inc. thanked Council for the opportunity to present the Power Supply Study. Mr. Noel also thanked City Administrator Arbuthnot for his help with the Power Supply Study.

COMMITTEES
FINANCE COMMITTEE
BUDGET FY 2012-2013

The Finance Committee met on February 7, 2012 at 6:00 p.m. before the council meeting to review and discuss the proposed FY 2012-2013 City Budget.

VISIONING COMMITTEE

The Visioning Committee met on Monday, January 30, 2012 at 6:30 p.m. at City Hall to discuss the completed Butler - Vision Plan that was presented by the Drury University Design Team at the December 15, 2011 public meeting held at the Butler High School. The Visioning Committee will meet Tuesday, February 21st at 6:00 p.m. at City Hall.

BOARDS & COMMISSIONS
PARK BOARD
LEAK LAZY RIVER
PRIVATE SWIM LESSONS
FUND RAISER

The Park and Recreation Commission met on Thursday, February 2, 2012 at noon at City Hall. The water department repaired a leak in a brass pipe which was leaking at the Lazy River. Also discussed private swim lessons being offered at the Aquatic Center this summer and will discuss this again at their next meeting. The Park Board approved the request by Miami school for two punch cards in support of their Prom they also approved request by Methodist Church for the Ride for Joplin bike group to use shower facilities at the Aquatic Center on June 3rd. The Park Board discussed sponsoring a 5K or 10K run as a fund raiser for funding park improvements. The Park Board also reviewed the Park Superintendent's monthly activity report.

BILL NO. 2012-1
ORD NO. 939

Motion by Phillips, seconded by Simons for the first reading by title only of **BI**

1ST READING

**LL NO. 2012 – 1 ORDINANCE NO. 939 AN ORDINANCE
TERMINATING A POLE ATTACHEMENT AGREEMENT BETWEEN
THE CITY AND UNITED TELEPHONE COMPANY OF MISSOURI**

Motion passed with the following votes:

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

BILL NO. 2012-1

ORD NO. 939

2ND READING

Motion by Simons, seconded by Boyd for the second reading by title only of **BILL NO. 2012 – 1 ORDINANCE NO. 939 AN ORDINANCE
TERMINATING A POLE ATTACHEMENT AGREEMENT BETWEEN
THE CITY AND UNITED TELEPHONE COMPANY OF MISSOURI**

Motion passed with the following votes:

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

BILL NO. 2012-1

ADOPT ORD NO. 939

Motion by Wix, seconded by Simons to adopt

**BILL NO. 2012-1 ORDINANCE NO. 939 AN ORDINANCE
TERMINATING A POLE ATTACHEMENT AGREEMENT BETWEEN
THE CITY AND UNITED TELEPHONE COMPANY OF MISSOURI**

Motion passed with the following votes:

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

BILL NO. 2012-2

ORD NO. 940

1ST READING

Motion by Phillips, seconded by Simons for the first reading by title only of **BILL NO. 2012- 2 ORDINANCE NO. 940
AN ORDINANCE AMENDING THE CITY CODE CHAPTER 4.
ALCOHOLIC BEVERAGES, SECTION 4-12 OF THE CITY OF BUTLER,
MISSOURI**

Motion passed with the following votes:

David Brown-Aye	Harold Weil-Pass
Brian Phillips-Aye	Jim Fisher-Aye
Thom Burg-Aye	Brian Boyd-Aye
Pat Simons-Aye	Doug Wix-Nay

BILL NO. 2012-2

ORD NO. 940

2ND READING

Motion by Phillips, seconded by Simons for the second reading by title only of **BILL NO. 2012- 2 ORDINANCE NO. 940
AN ORDINANCE AMENDING THE CITY CODE CHAPTER 4.
ALCOHOLIC BEVERAGES, SECTION 4-12 OF THE CITY OF BUTLER,
MISSOURI**

Motion passed with the following votes:

David Brown-Aye	Harold Weil-Pass
Brian Phillips-Aye	Jim Fisher-Aye
Thom Burg-Aye	Brian Boyd-Aye
Pat Simons-Aye	Doug Wix-Nay

BILL NO. 2012-2

ADOPT ORD NO. 940

Motion by Simons, seconded by Phillips to adopt

BILL NO. 2012- 2 ORDINANCE NO. 940
AN ORDINANCE AMENDING THE CITY CODE CHAPTER 4.
ALCOHOLIC BEVERAGES, SECTION 4-12 OF THE CITY OF BUTL
ER, MISSOURI

Motion passed with the following votes:

David Brown-Aye	Harold Weil-Pass
Brian Phillips-Aye	Jim Fisher-Aye
Thom Burg-Aye	Brian Boyd-Aye
Pat Simons-Aye	Doug Wix-Nay

RESOLUTION NO. 378

Motion was made by Wix, seconded by Simons to pass **RESOLUTION NO. 378**

A RESOLUTION OF THE CITY OF BUTLER, BATES COUNTY, MISSOURI; STATING APPROVAL OF A PREMIUM ONLY CAFETERIA PLAN AS DEFINED UNDER SECTION 125 OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED TO BE OFFERED AS A BENEFIT TO QUALIFIED CITY EMPLOYEES.

RESOLUTION NO. 379

Motion passed unanimously by a show of hands.

REPORTS
POLICE CHIEF

Motion was made by Wix, seconded by Burg to pass **RESOLUTION NO. 379** **A RESOLUTION OF THE CITY OF BUTLER BATES COUNTY, MISSOURI; TO DESIGNATE SIGNATURES ON ACCOUNT AT COMMUNITY FIRST BANK.**

CITY ADMINISTRATOR
CITYWIDE CLEANUP

Motion passed unanimously by a show of hands.

Chief Boyd reported Officer Bearce will be out for surgery.

PUBLIC WORKS/UTILITY
DIRECTOR
ELECTRIC PLANT

City Administrator Mark Arbuthnot reported it was discussed at the last council meeting for the City to add an additional City wide cleanup with Bates County Disposal. Costs for each cleanup ranges from \$4000 to \$5000. In the past the City has done two annual cleanups in May and October. The months of March, June and September have been discussed with Bates County Disposal and they have indicated that they would be able to provide the additional cleanup services. After discussing the issue it was decided to continue with the two annual cleanups.

WATER PLANT

Public Works/Utility Director Trent Diehl reported the electric plant operators have been sealing the building for energy efficiency purposes. This includes removing interior\exterior fans that were not functional or needed, closing vent holes that were not needed, boxing in existing windows and installing energy efficient windows. The distribution crews have been trimming circuits #1 and #2. In addition they have removed several trees that were in areas that would have caused electrical problems during ice and wind storms. They have been successful in explaining to property owners of potential problems with trees on private property then obtaining permission for removal. The water plant operators have replaced all of the membrane filters that were budgeted this year (with the assistance of the distribution crew). The year-end totals for 2011 are as follows:

- Finish water produced---252,105,000 gals
- Raw water used-----302,197,000 gals

Precipitation (2011)

- Rain-----37.28 in Snow-----31.60 in

Temperature (2011)

- High-----108 deg Low----- **neg** 18 deg

The year-end totals are as follows:

- Total gallons Effluent-----314,621,000 gal
- TSS removal-----98%
- BOD removal-----98%
- Sludge land applied-----99.19 tons

Public Works/Utility Director Trent Diehl also reported the distribution crew has been working on sewer repairs in town. Six repairs that were found during the televising of the sewer lines have been completed. To contract these repairs (cast in place point repairs) would have cost the City \$10,500. Our crews have completed this for less than \$1200.00 in materials (including rock). They have also assisted the water plant with membrane installation and the brush crew with tree debris removal. They have located the water leak at the Lazy River and it is ready for repair. However, the location of the leak is of concern with regards to the wall of the pool. The contractor that installed the line is being contacted for a consultation. The street maintenance crew has been crack filling and patching pot holes around town along with repairing deteriorated spots in the street and drop boxes. They have been sweeping up the ice control off the streets that was applied during the earlier snow. The crew has also assisted the brush crew with tree debris removal. The dry winter has given the crew a chance to do several outdoor projects. They have completed the installation of a storm drain at Pioneer Park Football Field (with assistance from the Street Department). A “poured in place” drop box will be completed soon, which will complete the project. They have also installed canopies above the dugouts at the baseball fields and constructing concrete pads to secure the porta-pots at all the City facilities. The mild winter has slowed down progress on the Police Station. We plan to return to the P.D. soon, and hope to stay on until it’s completed. The gutter and down spouts have been installed on the Police Station. He spoke with the painter and he recommends waiting until temperatures stay above 55 degrees to put on the second coat of paint. We are in the process of preparing for this year’s pool season.

STREET DEPT

POLICE DEPT

COUNTRY CLUB WATER LINE

CODE ENFORCEMENT

MAYOR

COUNCIL MEMBERS

BROWN

Motion by Phillips, seconded by Simons to relocate water line on South Country Club Drive. Motion passed unanimously with a show of hands.

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

PHILLIPS

Mayor Malan extended great appreciation to all the Councilmen and to all City Employees.

BURG

Brown- extended appreciation to all City Employees.

SIMONS

Phillips-no complaints

WEIL

Burg- extended appreciation to all City Employees.

Simons-requested to go into closed session for personnel issue after regular

FISHER

meeting.

BOYD

Weil-reported to City Administrator Mark Arbuthnot and Chief Boyd a yield issue concerning a bus parked on High St.

WIX

Fisher-no complaints

NEW BUSINESS
BROKER AGREEMENT HEISE-MEYER

Boyd-no complaints

Wix-called for a Finance Committee meeting on February 21, 2012 after the council meeting.

Consider a one year extension of the broker agreement with Heise-Meyer, LLC to assist the City in marketing the City Spec. Building and the undeveloped City property in the Butler Industrial Park.

HNTB/TABLED

Motion by Wix, seconded by Simons to approve a one year extension of the broker agreement with Heise-Meyer LLC. Motion passed unanimously with a show of hands.

CLOSED SESSION

Consider approval of consultant services to be provided by HNTB for the Butler Downtown Improvement Project. After some discussion it was decided to table the proposal.

ROLL CALL

Motion by Wix, seconded by Brown to go into closed session to discuss personnel issues under RSMo 610.021 (13). Roll call.

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

CLOSED SESSION ADJOURNMENT

ROLL CALL

There being no further business, motion was made by Brown, seconded by Boyd to adjourn the closed meeting and go back to regular session. Roll call.

JOB OPENING

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

ADJOURNMENT

Motion by Simons, seconded by Burg to place an ad in the paper taking applications for cleaning position at City Hall. Motion passed unanimously with a show of hands.

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.

ATTEST:

City Clerk Casey Koehn

Mayor Don H. Malan

FISHER

BOYD

WIX

NEW BUSINESS
BROKER AGREEMENT HEISE-
MEYER

HNTB/TABLED

CLOSED SESSION

ROLL CALL

CLOSED SESSION ADJOURNME
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ROLL CALL

JOB OPENING

ADJOURNMENT

ATTEST:

City Clerk Casey Koehn

