

**CITY OF BUTLER
MINUTES OF A MEETING OF THE CITY COUNCIL
MARCH 20, 2012**

The Butler City Council met in regular session on Tuesday, March 20, 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, City Clerk Casey Koehn, Police Chief Jerry Boyd, Codes Officer Jim Wheatley, City Attorney Tom Adleman and Public Works Director Trent Diehl.

OTHER GUESTS

Eugene Miller, Mike Gallagher, Jon McCoy, Kathy Henderson, Linn Nitsche, Terry Agnew, Officer Victor Correa, Officer Brandon Plunkett, Officer Matt Weiss, Officer Denny Rich and Officer Jack Bearce.

APPROVE CONSENT AGENDA

Motion by Phillips, seconded by Wix to approve the minutes of the regular session of March 6, 2012. Motion passed unanimously with a show of hands. Motion by Burg, seconded by Boyd to approve the bills presented for payment. Motion passed unanimously with a show of hands. Motion by Wix, seconded by Fisher to approve travel/training. Motion passed unanimously with a show of hands. Motion by Wix, seconded by Brown to add the renewal of the City's insurance with Cook Insurance to new business. Motion passed unanimously with a show of hands.

**SCHEDULED GUEST
KATHY HENDERSON-GIRL
SCOUTS**

Kathy Henderson with the Girl Scouts requested to host a recycling event on April 14, 2012 from 10am to 2pm on the Butler Square. Bates County Industries will be helping them with the event. Motion was made by Simons, seconded by Burg to approve request. Motion passed unanimously with a show of hands.

**SHANNON BARTH- RELAY FOR
LIFE**

Shannon Barth with Relay for Life requested to use the entire inside of the Butler Square on June 9, 2012 for the Relay for Life event. They will be setting up two stages for bands to perform and other events as well. Motion was made by Burg, seconded by Fisher to approve the request. Motion passed unanimously with a show of hands.

JOHN MCCOY- MCKINSTRY

John McCoy with McKinstry presented the energy efficient project to Mayor and Council and asked to move ahead with the projects not including the WW TP. Motion was made by Fisher, seconded by Burg to approve request. Motion passed unanimously with a show of hands.

**COMMITTEES
VISIONING COMMITTEE**

Phillips reported that the Visioning Committee met and is asking for Council's approval to provide a survey to citizens pertaining to a sales tax and a

community center. Motion was made by Simons, seconded by Fisher to approve survey. Motion passed unanimously with a show of hands.

PLANNING COMMISSION

Burg reported that the Planning Commission met and discussed several items and will need another meeting or two to continue discussions.

POLICE COMMISSION

Arbuthnot reported that the Police Commission met to certify four applicants for the position of police officer. He stated that an individual was hired.

Neighborhood Advisory Commission did not meet.

**PUBLIC HEARING FOR FY 12-13
BUDGET YEAR**

A public hearing was opened to discuss the FY12-13 Budget year. Arbuthnot reported on the budget. The floor was opened to questions. The public meeting was closed.

**BILL NO. 2012-4
ORD NO. 942
1ST READING**

Motion by Phillips, seconded by Wix for the first reading by title only of **BILL NO 2012-4 ORD NO 942 AN ORDINANCE APPROVING THE 2012-2013 FISCAL YEAR BUDGET OF THE CITY OF BUTLER, MISSOURI, APPROPRIATING THE REQUISITE FUNDS FROM THE REVENUE OF THE CITY, PROVIDING FOR THE ADJUSTMENTS THEREOF, AND PROVIDING THE SALARIES OF THE CITY OFFICERS AND EMPLOYEES** 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. 2012-4
ORD NO. 942
2ND READING**

Motion by Phillips, seconded by Wix for the second reading by title only of : **BILL NO 2012-4 ORD NO 942 AN ORDINANCE APPROVING THE 2012 -2013 FISCAL YEAR BUDGET OF THE CITY OF BUTLER, MISSOURI, APPROPRIATING THE REQUISITE FUNDS FROM THE REVENUE OF THE CITY, PROVIDING FOR THE ADJUSTMENTS THEREOF, AND PROVIDING THE SALARIES OF THE CITY OFFICERS AND EMPLOYEES** 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. 2012-4
ORD NO. 942
ADOPTION**

Motion by Wix, seconded by Phillips to adopt **BILL NO 2012-4 ORD NO 942 AN ORDINANCE APPROVING THE 2012-2013 FISCAL YEAR BUDGET OF THE CITY OF BUTLER, MISSOURI, APPROPRIATING THE REQUISITE FUNDS FROM THE REVENUE OF THE CITY, PROVIDING FOR THE ADJUSTMENTS THEREOF, AND PROVIDING THE SALARIES OF THE CITY OFFICERS AND EMPLOYEES** Motion passed with the following votes:

David Brown-Aye	Harold Weil-Aye
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Brian Phillips-Aye
Thom Burg-Aye
Pat Simons-Aye

Jim Fisher-Aye
Brian Boyd-Aye
Doug Wix-Aye

REPORTS

CITY CLERK

Koehn reported that the 'In God We Trust' plaques are now hanging in City Hall. She also reported that Jason Melton withdrew from the race for Councilman Ward 3.

CITY ADMINISTRATOR

SALES TAX HOLIDAY

City Administrator Arbuthnot reported that the Show Me Green Sales Tax Holiday that provides for state and city sales tax exemption for energy star certified new appliances will be between April 19th and April 25th.

PUBLIC HEARING FOR CDBG

A public hearing will be held on Tuesday, April 3, 2012 at the City Council meeting to provide for public comments regarding the proposed Community Development Block Grant (CDBG) application to be submitted for grant funds to be used for the demolition of unsafe residential and commercial structures. A letter is being sent to (33) property owners concerning unsafe structures located on their properties and they have been invited to attend the public hearing. The Fire Chief and Code Enforcement Officer will be working to contact the property owners and explain the application and how the demolition of the unsafe structures would be funded.

**PUBLIC HEARINGS FOR
WASTEWATER SYSTEM
IMPROVEMENTS, SEWER USER
FEE, ENVIRO IMPACTS OF THE
PROJECT**

Three public hearings will need to be held on Tuesday, April 17, 2012 at the City Council meeting starting at 6:00 p.m. to address 1) Wastewater System Improvements, 2) sewer user fee increase and 3) environmental impacts of the projects. These public hearings are required for the City to utilize \$209,402 in construction funds that were left over from the Wastewater Treatment Plant improvements that were completed in 2003. A copy of the public hearing notice is included in the meeting packet. The City Council will need to change their meeting time on April 17th to start at 6:00 p.m. Vance Neal the engineer with the Larkin Group will be at the public hearings to provide information and answer questions. Motion was made by Burg, seconded by Brown to begin the Apr 17, 2012 Council meeting at 6pm. . Motion passed unanimously with a show of hands.

JEFFERSON BUS LINES

**DONATION TO CEMETERY BY
M.J. CHANDLER ESTATE**

The Jefferson bus lines will no longer be stopping in Butler.

A check was given to the City by the Martha Jane Chandler Estate for Oakhill Cemetery.

**PUBLIC WORKS/UTILITY
DIRECTOR**

Public Works/Utility Director Diehl had nothing to report.

CODE ENFORCEMENT

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

MAYOR

Mayor Malan presented to Council an Employee of the month program. After some discussion, a motion was made by Phillips, seconded by Burg to implement the program. Motion passed unanimously with a show of hands.

**COUNCIL MEMBERS
BROWN**

PHILLIPS

Brown-NTR

BURG

Phillips-NTR

SIMONS

Burg- Commented that funds are needed for the streets.

WEIL

Simons- Voiced concerns about the budget.

FISHER

Weil- Voiced concerns about the budget.

BOYD

Fisher- NTR

WIX

Boyd- Voiced concerns about the budget.

NEW BUSINESS

Wix-Called for a Finance Committee meeting on March 20, 2012 after the council meeting.

COOK INS RENEWAL

Arbuthnot presented the insurance renewal from Cook Ins. Motion was made by Wix, seconded by Phillips to approve the renewal. Motion passed unanimously with a show of hands.

AMERICAN RED CROSS

Request from the American Red Cross to use the Old High School as a shelter in case of disaster. Motion was made by Burg, seconded by Phillips to approve request. Motion passed unanimously with a show of hands.

CITY ATTORNEY/PROSECUTOR SERVICES

Arbuthnot presented the contract for City Attorney/City Prosecutor services to Council. Addleman requested a 3 year contract. After much discussion, a motion was made by Burg, seconded by Phillips to renew contract for 3 years with no increase in fees. Motion passed with a vote of 7 to 1 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:

Mayor Don H. Malan

City Clerk Casey Koehn