

**CITY OF BUTLER
MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL
JUNE 4, 2013**

The Butler City Council met in regular session on Tuesday, June 4, 2013 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	Terry Agnew
Thom Burg	Brian Boyd
Gayle Stark-Absent	

OTHERS PRESENT

Others present were City Administrator Mark Arbuthnot, Public Works Director Trent Diehl, City Clerk Mary Jo Cook, Deputy City Clerk Barb Scrogam, Fire Chief Jim Henry, City Attorney Tom Addleman, Chief Randy Beshore and Officer Victor Correa.

OTHER GUESTS

Allison Hockaday, Trevor Hockaday, Tom Davis, Bud Hayes, Martin Bone, Benjamin Bone, Cynthia Breiner and Logan Graham were also in attendance.

APPROVE CONSENT AGENDA

Motion by Phillips, seconded by Boyd to approve the minutes of the regular session of May 21, 2013 and closed session of May 21, 2013. Motion passed unanimously with a show of hands.

Motion by Brown, seconded by Phillips to approve the bills presented for payment. Motion passed unanimously with a show of hands.

Motion by Brown, seconded by Phillips to approve travel/training. Motion passed unanimously with a show of hands.

**APPROVAL OF AGENDA-
ADDITIONS OR DELETIONS**

Motion by Boyd, seconded by Brown to add travel/training for Donna Hutton. Motion passed unanimously by a show of hands.

**SCHEDULED GUESTS
TRAVIS HOCKADAY AND
LOGAN GRAHAM-SKATE PARK**

Trevor Hockaday and Logan Graham approached Council concerning the Butler skate park. Hockaday and Graham inquired if it would be possible to convert two of the tennis courts, which are seldom used, into a skate park. City Administrator Arbuthnot stated this issue needs to be referred to the Park and Recreation Commission for further study and Council agreed.

BUD HAYES/TEXTCASTER

Bud Hayes with TextCaster presented to Council information concerning secure mass notification services via text messages. The application also supports content delivery via email, voice, mobile web and web syndication (RSS). Mr. Hayes explained the cost for this service is \$1,000.00 annually which includes unlimited text, \$300.00 annually for NWS severe weather alerts and \$200.00 initially system implementation fee. City Administrator Arbuthnot stated the Public Works Director, Fire Chief and Police Chief have all seen a demonstration of TextCaster and feel it would be beneficial to their

department and to the citizens of Butler. City Administrator Arbuthnot informed Council Fire Chief Henry included the cost of \$1500.00 in his FY 2013-2014 budget for this service. City Administrator Arbuthnot explained the City would also have to add text messaging to the City's current cell phone plan with AT&T. Motion by Burg, seconded by Phillips to approve the purchase of TextCaster's service. Motion passed unanimously by a show of hands.

**TOM DAVIS/MC POWER
EXTENSION**

Tom Davis with MC Power Companies requested another extension to the purchase agreement for the City's property they are purchasing in the Butler Industrial Park for the Development of the Solar Farm. This extension is to allow them to submit an Enhanced Enterprise Zone tax abatement application to Bates County for approval. The Missouri Department of Economic Development approved the Enhanced Enterprise Zone designation for Bates County in November of 2012, and the City of Butler agreed to participate in the program so the Butler Industrial Park property is eligible for the program.

Motion by Burg, seconded by Phillips to approve the extension to the original real estate purchase agreement with MC Power Company, Inc to extend the closing to August 7, 2013. Motion passed unanimously by a show of hands.

FINANCE COMMITTEE

Finance Committee met on June 4, 2013 at 6:30pm to discuss the purchase of police vehicles. Councilman Weil reported the recommendation from the Finance Committee is to purchase three new police vehicles. Motions by Weil, seconded by Brown to purchase three new police vehicles as funds become available. Motion passed 4-2 with Phillips and Burg voting no.

AIRPORT COMMISSION

Airport Commission held a special meeting Friday, May 31, 2013 at 12:00pm to consider bids submitted for the hangar roof repairs at the Airport. City Administrator Arbuthnot reported the Airport Commission accepted the bid from Sunlife Roofing System to replace the roof on the blue hangar and to allow \$500.00 for the roof repairs on the orange hangar using a local business.

**BILL, ORDINANCES,
RESOLUTIONS AND POLICIES
RESOLUTION NO.400**

**RESOLUTION NO.400
KAYSINGER BASIN REGIONAL PLANNING COMMISSION
RESOLUTION OF MEMBERSHIP.**

Motion by Boyd, seconded by Brown to pass Resolution No.400.
Motion passed unanimously by a show of hands.

**REPORTS
CITY ADMINISTRATOR**

City Administrator Arbuthnot reported to Council MoDOT and FHWA have both approved Change Order #1 for the Downtown Improvement Project so National Streetscape started on June 3, 2013. City Administrator Arbuthnot reported the completion date is set for August 5, 2013.

City Administrator Arbuthnot recommended the City continue to participate in the statewide back-to-school tax free weekend August 3rd and August 4th 2013. The consensus was to continue to participate in the sales tax free weekend.

CODE ENFORCEMENT

Code Enforcement Officer Wheatley gave the code enforcement report.

MAYOR

Mayor Malan stated he would have his appointment next Council meeting for ward four Councilmen.

COUNCIL MEMBERS

BROWN

Reported tall grass at 306 E. Pine and bushes needing trimmed back at Pine & Water St.

PHILLIPS

Stated he had no public complaints but would like to have it noted that the reason he voted against the purchase of three vehicles as funds become available is because it seems like the Police Department gets back burner for everything. We fall all over ourselves spending \$5,000.00 dollars for a baseball field. I'm not against that. I voted in favor of it. I voted in favor of doing the text thing we need to get on that too, but with the Police Department it seems like as funds become available. We don't pay City employees as the funds become available. We don't pay the utility bills as funds become available. But when it's time to buy a new car, well, let's wait till the funds become available, and if anyone on this Council is supportive of new police cars or at least have shot their mouth off, the most it's me. But that's the reason I voted no-not because I'm against it, but because I think if we are going to buy them, we should buy them instead of putting that contingency. Because I think that's the fastest way not to get new police cars.

BURG

I agree with Councilman Phillips. I would like to see more police cars. I think we would all like to see that. The reason I voted against it is I'm not sure if we are biting off enough there for the Police Department. Code Officer is making changes and will be stepping on toes but will be making progress.

STARK

Absent

WEIL

Inquired if brush is still being picked up. Public Works Director Diehl stated that yes, at this time brush is still being picked up.

AGNEW

Water drainage issues. He has spoken to Public Works Director Diehl, and he is looking into the problem.

BOYD

Received a complaint concerning the rates charged at the pool. It was stated to Boyd our rates are twice what other cities charge.

NEW BUSINESS

TRAINING DONNA HUTTON

Motion by Boyd, seconded by Brown to approve travel/training for Donna Hutton. Motion passed unanimously by a show of hand.

SURPLUS PROPERTY

Consider taking bids on surplus City property. The City has several properties located in the City limits that are not needed for City operations or services. These are recommended to be designated as surplus property and then bids requested for selling them. A survey will be required on two of the properties as the City will need to retain part of these for street right of way. Motion by Phillips, seconded by Brown to authorize City Administrator Arbuthnot to pursue surveying and advertising for bids on surplus property. Motion passed unanimously by a show of hands.

ADJOURNMENT

Motion by Brown, seconded by Phillips to adjourn the regular session and enter into closed session. Legal Actions and/or Communication from the City

CLOSED SESSION

Attorney as provided under Section 610.021 (1),

David Brown-Aye
Brian Phillips-Aye
Thom Burg-Aye
Gayle Stark-Absent

Harold Weil-Aye
Terry Agnew-Aye
Brian Boyd-Aye

ATTEST

Mayor Don H. Malan

Barbara Scrogam
Deputy City Clerk