

**CITY OF BUTLER
MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL
OCTOBER 1, 2013**

The Butler City Council met in regular session on Tuesday, October 1, 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	Shawn McVey
Gayle Stark	Kyle DuBray

OTHERS PRESENT

Others present were City Administrator Mark Arbuthnot, Public Works Director Trent Diehl, Deputy City Clerk Barb Scrogam, City Attorney Tom Addleman, Police Chief Randy Beshore and Code Enforcement Officer Jim Wheatley.

OTHER GUESTS

Andrew Culbertson, Edwin Nelson, Austin Mount and Elizabeth Ogg were also in attendance.

APPROVE CONSENT AGENDA

Motion by Phillips, seconded by Brown to approve the minutes of the regular session of September 17, 2013 and the closed session of September 17, 2013. Motion passed unanimously by a show of hands.
Motion by McVey, seconded by Phillips to approve the bills presented for payment. Motion passed unanimously by a show of hands.
Motion by Brown, seconded by Stark to approve travel/training. Motion passed unanimously with a show of hands.

**APPROVAL OF AGENDA-
ADDITIONS OR DELETIONS**

Motion by Phillips, seconded by Brown to add under new business a litigation funding agreement with the City of Liberty, MO and an amendment to the listing agreement for the Industrial Park property with Heise Myer to the agenda. Motion passed unanimously by a show of hands.

**SCHEDULED GUESTS
ANDREW CULBERTSON
BUILDING PERMIT**

Andrew Culbertson attended the council meeting to discuss the remodeling work on his residential property at 206 N. Fulton Street. Mr. Culbertson previously received a six month extension on April 2, 2013 for his building permit and it expires on October 2, 2013. Motion by Brown, seconded by Phillips to extend Mr. Culbertson's building permit another six months. Motion passed unanimously by a show of hands.

**EDWIN NELSON BUILDING
PERMIT**

Edwin Nelson attended the council meeting to discuss the remodeling work on his residential property at 305 S. Mechanic Street. Mr. Nelson previously received a sixty day extension on August 6, 2013 for his building permit and it expires on October 6, 2013. Motion by Phillips, seconded by Burg to extend Mr. Nelson's building permit 60 days with evidence of serious progress. Motion passed unanimously by a show of hands.

**ELIZABETH OGG NEW BATES
COUNTY ECONOMIC**

Elizabeth Ogg the new Bates County Economic Developer attended the council meeting stating she is excited to be here and has received a warm

DEVELOPER

welcome to Bates County. Mrs. Ogg reported she is working on obtaining a grant to do renovations at the courthouse. She is also working on bringing jobs to Bates County.

BOARDS & COMMISSIONS
NEIGHBORHOOD ADVISORY COMMISSION

Councilman Burg reported the Neighborhood Advisory Commission did not meet on September 30, 2013 but will be meeting on October 14, 2013 at 7:00 pm.

REPORTS
CITY ADMINISTRATOR

City Administrator reported Mary Welston has paid the \$2,000 Special Tax Lien owed to the City for the property at 704 W. Ft. Scott Street that she purchased at the property tax sale for the demolition and cleanup of a house on this property. City Administrator also reported Casey Koehn will be returning to work on October 7, 2013.

CODE ENFORCEMENT

Code Enforcement Officer Wheatley gave the code enforcement report. He also reported for Chief Beshore that the calls are going up and the new Officers are doing well.

MAYOR

Mayor Malan stated he is happy about Miss Ogg being here and being on top of things. Mayor Malan expressed his appreciation to the Councilmen for all their hard work.

COUNCIL MEMBERS
BROWN

Brown-nothing to report.

PHILLIPS

Phillips-nothing to report.

BURG

Burg-reported he has received favorable comments concerning the work on the square.

STARK

Stark-nothing to report.

WEIL

Weil-received complaints concerning chickens in town.

AGNEW

Agnew-nothing to report.

MCVEY

McVey-nothing to report.

DUBRAY

DuBray-nothing to report.

NEW BUSINESS
2013 CHARGER

Consider purchase of a 2013 Charger for the Police Department. Motion by Burg, seconded by Brown to approve the purchase of a 2013 Charger. Motion passed unanimously by a show of hands.

ALLGEIER, MARTIN AND ASSOCIATES

Consider an engineering services agreement with Allgeier, Martin and Associates for development of the plans/specifications, bidding and inspection services for the road improvement and micro seal projects to be completed next year. Once the final plans/specifications are completed then a final engineer's estimate will be completed and this will be used in applying for funding for the project. Motion by Phillips, seconded by McVey to approve the engineering service agreement with Allgeier, Martin and Associates. Motion passed unanimously by a show of hands.

CITY OF LIBERTY, MO

Consider litigation funding agreement with the City of Liberty, MO concerning House Bill 331 and 345. Motion by Burg, seconded by McVey to approve litigation funding agreement with the City of Liberty, MO. Motion passed unanimously by a show of hands.

INDUSTRIAL PARK PROPERTY

Consider an amendment to the listing agreement for the Industrial Park property with Heise Myer to restate the lots listed. Motion by Phillips, seconded by Burg to approve the amendment to the listing agreement for the Industrial Park property with Heise Myer. Motion passed unanimously by a show of hands.

ADJOURNMENT

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

Mayor Don H. Malan

ATTEST

Casey Koehn
City Clerk