

**CITY OF BUTLER
MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL
OCTOBER 15, 2013**

The Butler City Council met in regular session on Tuesday, October 15, 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, City Clerk Casey Koehn, Public Works Director Trent Diehl, City Attorney Tom Addleman, Lt Jerret Wheatley and Code Enforcement Officer Jim Wheatley.

OTHER GUESTS

Connie White, Ray White, Brian Boyd and Gayla Boyd were also in attendance.

APPROVE CONSENT AGENDA

Motion by Phillips, seconded by McVey to approve the minutes of the regular session of October 1, 2013. Motion passed unanimously by a show of hands. Motion by Phillips, seconded by Brown to approve the bills presented for payment. Motion passed unanimously by a show of hands. Motion by Brown, seconded by Dubray to approve travel/training. Motion passed unanimously with a show of hands.

**APPROVAL OF AGENDA-
ADDITIONS OR DELETIONS
REAPPOINTMENT OF CITY
CLERK**

Motion by Phillips, seconded by Burg to reappoint Casey Koehn as the City Clerk and Mary Jo Cook as the Deputy City Clerk. Motion passed unanimously by a show of hands

**SCHEDULED GUESTS
BRIAN BOYD**

Mayor Malan and the City Council presented former Councilman Brian Boyd with a plaque for his time served as Councilman for Ward 4.

**COMMITTEES
PUBLIC SAFETY**

Phillips reported that the Public Safety Committee met prior to the Council meeting to discuss codes and inspections for rental properties.

**BOARDS & COMMISSIONS
PARK AND REC**

The Parks and Recreation Commission had a meeting on Thursday, October 3, 2013 at noon at City Hall. Agenda items included: 1) advised that skate park work to install concrete at bottom of ramps as a temporary fix to improve the surface at the bottom of the ramps had been completed and that funding for a new surface for the entire Skate Park is included in the (5) Year Capital Improvement Plan for completion next year contingent on funding, 2) approved to sponsor a haunted house/party at Old High School on Halloween, 3) discussed commission approval process for use of funds from fund raising events for the completion of special projects, 4) approved revision to pricing for banners to allow for a special event 3'x5' banner for a fee of \$50, 5) discussed changes in the development plan for Sunset Park by making parking

adjacent to the street and moving shelter to the south end of the property to provide for more open space and discussed installation of the play ground equipment and the requirement for fall zone materials under the equipment and a fence along the north property line, 6) Park Superintendent presented his monthly report.

PLANNING

The Planning Commission had a meeting on Tuesday, October 8, 2013 at 7:30 p.m. at City Hall. They held a public hearing to consider an application for rezoning the property at 104 Sunset View Drive from R-2 Single Family Residential District to C-3 Highway Commercial District. The applicant for the rezoning is Brad Stephens the owner of the property. The Planning Commission is recommending the approval of the rezoning which will need to be considered by the City Council at a public hearing on November 5, 2013.

AIRPORT

The Airport Commission had a meeting on Thursday, October 10, 2013 at 6:30 p.m. at City Hall. Agenda items included: 1) monthly financial reports, 2) terminal building remodeling project, 3) hangar maintenance projects, and 4) Airport Manager Report.

BILLS ORDS RES

BILL NO 2013-21 ORD NO 982

Motion by Brown, seconded by Phillips for the first reading by title only of **Bill No 2013-21 Ord No 982 AN ORDINANCE AMENDING THE CITY CODE CHAPTER 7. BUILDINGS AND BUILDING REGULATIONS OF THE CITY OF BUTLER, MISSOURI** Motion passed with the

following votes:

David Brown-Aye	Harold Weil-Aye
Brian Phillips-Aye	Terry Agnew-Aye
Thom Burg-Aye	Shawn McVey-Aye
Gayle Stark-Aye	Kyle Dubray-Aye

Motion by Phillips, seconded by McVey for the second reading by title only of **Bill No 2013-21 Ord No 982 AN ORDINANCE AMENDING THE CITY CODE CHAPTER 7. BUILDINGS AND BUILDING REGULATIONS OF THE CITY OF BUTLER, MISSOURI** Motion passed with the

following votes:

Kyle Dubray-Aye	Gayle Stark-Aye
Shawn McVey-Aye	Thom Burg-Aye
Terry Agnew-Aye	Brian Phillips-Aye
Harold Weil-Aye	David Brown-Aye

Motion by Brown, seconded by Phillips to adopt.

Bill No 2013-21 Ord No 982 AN ORDINANCE AMENDING THE CITY CODE CHAPTER 7. BUILDINGS AND BUILDING REGULATIONS OF THE CITY OF BUTLER, MISSOURI Motion passed with the

following votes:

Harold Weil-Aye	Gayle Stark-Aye
Terry Agnew-Aye	Thom Burg-Aye
Shawn McVey-Aye	Brian Phillips-Aye
Kyle Dubray-Aye	David Brown-Aye

BILL NO 2013-22 ORD NO 983

Motion by Phillips, seconded by Brown for the first reading by title only of **Bill No 2013-22 Ord No 983 AN ORDINANCE AMENDING THE CITY**

CODE CHAPTER 11. FIRE PREVENTION AN PROTECTION, OF THE CITY OF BUTLER, MISSOURI Motion passed with the following votes:

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

Harold Weil-Aye
Terry Agnew-Aye
Shawn McVey-Aye
Kyle Dubray-Aye

Motion by Brown, seconded by McVey for the second reading by title only of **Bill No 2013-22 Ord No 983 AN ORDINANCE AMENDING THE CITY CODE CHAPTER 11. FIRE PREVENTION AN PROTECTION, OF THE CITY OF BUTLER, MISSOURI** Motion passed with the following votes:

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

Kyle Dubray -Aye
Shawn McVey -Aye
Terry Agnew -Aye
Harold Weil -Aye

Motion by Phillips, seconded by Dubray to adopt.

Bill No 2013-22 Ord No 983 AN ORDINANCE AMENDING THE CITY CODE CHAPTER 11. FIRE PREVENTION AN PROTECTION, OF THE CITY OF BUTLER, MISSOURI Motion passed with the following votes:

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

Harold Weil-Aye
Terry Agnew-Aye
Shawn McVey-Aye
Kyle Dubray-Aye

Res No. 404 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUTLER, MISSOURI, REGARDING THE INTENT TO REIMBURSE FOR CAPITAL EXPENDITURES IN CONNECTION WITH THE RECONSTRUCTION, MICRO-SEALING AND OTHER IMPROVEMENTS TO CITY STREETS TO EXTEND THEIR USEFUL LIFE AND TO PROVIDE FOR VEHICLE SAFETY was presented.

Motion was made by McVey, seconded by Dubray to approve. Motion passed unanimously by a show of hands.

REPORTS
CITY CLERK

CITY ADMINISTRATOR

Res No. 405 A RESOLUTION AUTHORIZING TRANSFER AND ASSIGNMENT OF THE GENERAL AGREEMENT FOR NON-EXCLUSIVE USE OF CITY UTILITY POLES WITH OSAGE VALLEY ELECTRIC COOPERATIVE ASSOCIATION TO KAMO POWER/K-POWER NET, LLC AUTHORIZING THEIR USE OF CITY UTILITY POLES was presented. Motion was made by Phillips, seconded by Burg to approve. Motion passed unanimously by a show of hands.

Clerk Koehn asked Council to bring in their new tablets for inventory.

PUBLIC HEARING

City Administrator Arbuthnot reported that the two new Ford Police Vehicles

have been delivered and the one new Dodge Charger Police Vehicle has been picked up and equipment will be installed in them before they are put into service.

The installation of the UV disinfection system and the basin mixers at the Wastewater Treatment Plant and the installation of the catalytic convertors on two of the Caterpillar generators at the Light Plant are almost completed.

BILL NO 2013-20 ORD NO 981

A Public Hearing was open to consider the rezoning of the property located at 8 N. Fulton St. from R-4 Multiple - Family Residential District to C-2 General Business District. The applicant is Connie White. The Planning Commission is recommending the approval of the rezoning. No oppositions were made to the rezoning. The Public Hearing was closed.

Motion by McVey, seconded by Phillips for the first reading by title only of **Bill No 2013-20 Ord No 981 AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY WITHIN THE CITY OF BUTLER, MISSOURI**

Motion passed with the following votes:

David Brown-Aye	Harold Weil-Aye
Brian Phillips-Aye	Terry Agnew-Aye
Thom Burg-Aye	Shawn McVey-Aye
Gayle Stark-Aye	Kyle Dubray-Aye

Motion by McVey, seconded by Agnew for the second reading by title only of **Bill No 2013-20 Ord No 981 AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY WITHIN THE CITY OF BUTLER, MISSOURI**

Motion passed with the following votes:

Kyle Dubray-Aye	Gayle Stark-Aye
Shawn McVey-Aye	Thom Burg-Aye
Terry Agnew-Aye	Brian Phillips-Aye
Harold Weil-Aye	David Brown-Aye

Motion by Phillips, seconded by Agnew to adopt.

Bill No 2013-20 Ord No 981 AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY WITHIN THE CITY OF BUTLER, MISSOURI

Motion passed with the following votes:

David Brown-Aye	Harold Weil-Aye
Brian Phillips-Aye	Terry Agnew-Aye
Thom Burg-Aye	Shawn McVey-Aye
Gayle Stark-Aye	Kyle Dubray-Aye

Code Enforcement Officer Wheatley gave the code enforcement report.

Mayor Malan had nothing to report.

Brown welcomed back City Clerk Casey Koehn.

CODE ENFORCEMENT

MAYOR

COUNCIL MEMBERS

BROWN

PHILLIPS

BURG

STARK

WEIL

AGNEW

MCVEY

DUBRAY

Phillips welcomed back City Clerk Casey Koehn.

Burg had nothing to report.

Stark had nothing to report.

Weil had nothing to report.

ADJOURNMENT

Agnew welcomed back City Clerk Casey Koehn.

McVey welcomed back City Clerk Casey Koehn.

DuBray welcomed back City Clerk Casey Koehn.

ATTEST

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.

Casey Koehn
City Clerk

Mayor Don H. Malan