

**CITY OF BUTLER**  
**MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL**  
**December 16, 2014**

The Butler City Council met in regular session on Tuesday, December 16, 2014 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 - Absent	Harold Weil
Brian Phillips	Terry Agnew
Thom Burg - Absent	
Gayle Stark	Kyle Dubray

**OTHERS PRESENT**

Others present were City Clerk Casey Koehn, Police Chief Randy Beshore, Public Works Director Trent Diehl, Code Enforcement Officer Jim Wheatley, Fire Chief Jim Henry and Deputy City Clerk Corey Snead.

**OTHER GUESTS**

Jon Dudley, Linn Nitsche and Edwin Nelson were also in attendance.

**APPROVE CONSENT AGENDA**

Motion by Phillips, seconded by Dubray to approve the minutes of the regular session of December 2nd. Motion passed unanimously by a show of hands.

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

Motion was made by Phillips, seconded by Stark to add Mayor's appointment for the Ward Four vacancy to the agenda and the City being closed the day after Christmas to new business. Motion passed unanimously by a show of hands.

**SCHEDULED GUESTS**

The Mayor introduced his appointment for the Ward Four vacancy, Gayle Cook. The Mayor stated Gayle would be a wonderful addition to council. Motion was made by Phillips to confirm Gayle Cook at councilwoman for Ward Four seconded by Stark. Motion passed by roll call vote.

Brown – Absent, Phillips – Yes, Burg – Absent, Stark – Yes, Weil – Yes  
Agnew – Yes, Dubray – Yes

City Clerk Casey Koehn swore in Gayle Cook to represent Ward Four.

**Edwin Nelson**

Mr. Nelson requested another building permit extension for his property on Mechanic street. After some discussion it was determined that the work Mr. Nelson was doing right now did not need a permit and that when he was ready to do work again that required a permit, to apply for one.

**Dillion Deems**

A request was made by the Butler Optimist to waive the fee for use of the Old High School gym. The Optimist Club is having a Dodge Ball fundraiser and is requesting the space. Motion was made by Phillips, seconded by Stark to allow the Optimist Club to use the Old High School gym, but they would be responsible if any damage was done to the gym floor. Motion passed unanimously by a show of hands

**COMMITTEE REPORTS**

**Personnel Committee**

The Personnel Committee met before council to discuss the Senior Taxi Service. After much discussion, it was decided that a written policy needs to be put in place. The City Attorney has been asked to see if any other cities have a service like this and what their policies are.

It was also discussed during the meeting to allow City employees to be off the Friday after Christmas.

**BOARDS AND COMMISSIONS**

**PARK AND REC**

The renaming of South Park is still under discussion. Research has been done and the land was donated by the Ott family, and at this time we are trying to find a family member to ask about renaming the park.

**UNFINISHED BUSINESS**

None

**PUBLIC HEARINGS**

None

**OLD BUSINESS**

None

**REPORTS**

**CITY CLERK  
CDBG DEMO**

The CDBG demo project is still slowly underway. Ashley with Kaysinger has sent the notarized bond information to the bond company and as soon as we hear something back from them we can get moving. I am still waiting on some of the home owners to pay their back taxes but this will not hold up the asbestos removal process.

**FIRE RESCUE TRUCK**

Fire Rescue Truck bids- As reported at the last Council meeting, \$140,000 was included in this year's budget for the purchase of a Light Duty Rescue Apparatus to replace a 1987 unit currently in service. Fire Chief Henry formed a committee within the department to formulate specs for the vehicle. On November 19, requests for bids were sent to six manufacturers on the Light Duty Rescue with a 12' Walk-around body on a 2014 or later Dodge 5500 4X4a Cummins engine and Allison Automatic transmission. Of the six, two submitted bids. The bids will be presented in new business.

**APRIL ELECTION**

Election filings begin Dec 16, 2014 and will run through Jan 20, 2015. There is a new form that needs to be completed this year and sent in to the state. As you know, any person who files as a candidate for election to a public office will be disqualified in the election if he/she is delinquent in the payment of any state income taxes, personal property taxes, real property taxes on the place of residence as stated on the declaration of candidacy, or if the person is a past or present corporate officer of any fee office that owes any taxes to the state. Mo Form 5120 will be signed in my office and notarized for each candidate filing for the April 2015 election.

## **UTILITY POLICY**

Changes to the Utility policy need to be made. The current policy allows for a customer to bring in a medical statement from a physician stating that utilities are required for their medical condition. The customer is required to pay only 50% of their bill and to enter into a payment agreement with the City on the balance of the past due bill if there is one. More often than not, the payment agreement is not honored and only paying 50% of the bill puts the customer even further behind. I have reached out to other cities in the state and the most lenient medical policy allows for the customer to receive a courtesy shut-off notice with a past due bill. The customer has until the next billing cycle to pay or utilities will be shut off. The City of Butler's policy has caused us to transfer over \$22,000 in the past 5 years to uncollected past due accounts that are still owed to the City in the case where a medical letter is involved. We need to tighten the policy on our medicals. The other utility policy that has caused the City to lose a significant amount of revenue pertains to water adjustments. Our current policy allows for a customer to receive an adjustment on their water bill in the case of a leak that caused their bill to be 2x the average consumption for the previous twelve months. The resident must provide copies of any and all repair bills from contractors that made repairs to fix the leak. The water and sewer consumption may then be adjusted by reducing the amount of consumption by fifty percent for all usage over and above the average consumption. Again, I reached out to other cities and found that water adjustments are not given and sewer adjustments are only given if it can be found that the water did not enter the sewer. The City has to pay for the water and sewer and cannot afford not to change this policy. I asked the utility girls to pull numbers for me and the City has adjusted over \$92,000.00 in lost water and sewer revenue over the past 10 years. I would like to get Council approval to sit down with department heads to rewrite policy to then bring back to Council for discussion and or approval.

Phillips made a motion for Koehn to go ahead and meet with department heads on rewriting the utility policy. Dubray seconded the motion. Motion passed unanimously by a show of hands.

## **SOUTH PARK**

Discussion was held at the last Council meeting to consider renaming South Park to C.A. Moore Park. Trent Diehl and Mary Jo Cook researched minutes and ordinances from 1966 and found a set of minutes from Jan 18, 1966 that read: 'Mr. Ott advised the council that he and Mrs. Ott are purchasing \$2,000

worth of land from Butler Enterprises to enlarge the Jaycee Park. This is to be added to the south side of the park. Mr. and Mrs. Ott further offered to place in escrow in the First National Bank the amount of \$25,000 with the stipulation that the City use the money to build a public swimming pool on this property during the year of 1966.

The land that was purchased to extend Jaycee Park according to the legal description is currently called South Park. We feel that the Ott family needs to be reached in order to discuss the renaming of the Park. We are currently in the process of trying to locate family members

**AIRPORT**

Airport RFPs for SOQs. I will be meeting with the Airport Commission on Dec 18<sup>th</sup> at 6 pm to discuss the way forward for the Airport and to discuss sending out RFPs for SOQs. The City's contract with Burns and McDonnell expires April 2015.

**FINANCE**

A Finance Committee needs to be called prior to the next Council meeting to begin the budget process with City Council. I would recommend a start time of 6:00 pm.

**ECONOMIC DEVELOPMENT**  
**VISION COMMITTEE**

On Wednesday, December 3, the Vision Committee met to come up with a vision statement, determine stakeholders to interview and start planning the movie night event. The vision statement that they came up with was: "The vision for the City of Butler is to promote growth in business, employment, and community harmony for progress for all citizens of the Butler area."

She also attended the Parks and Recs meeting to discuss working jointly to have the movie night. The biggest issue they see is funding, so as long as the Vision Committee works that out it could work.

Our next meeting is Wednesday, January 7, and we will be discussing a possible community building and an incentive plan for Butler.

**INCENTIVE PLAN**

She has been working with Casey to put together an incentive plan from the City, industrial park and spec building. She has been working with Tom Addleman to make sure that anything we would like to implement is legal in Missouri. She wants to be able to present a complete incentive plan to the Council for review and I am hoping to do that by the 2<sup>nd</sup> meeting in January. By then Casey and I should have our ideas worked out, plus there will be input from the Vision Committee and Tom.

Koehn also reported that we could not just give away the Spec building. That the building must be sold for fair market value. Councilman Phillips asked if we could auction off the building. City Attorney Tom Addleman thinks we could do this but would need to be researched further.

**POLICE CHIEF**

The department had a \$8,800 grant awarded to them this past week. New cages

have been bought for the two new police cars.

**CITY ATTORNEY**

City Attorney Tom Addleman will be looking over several other cities' utility policies to help craft the new one for Butler.

**CODE ENFORCEMENT**

Jim Wheatley gave his report that 32 notices and 75 citations have been issued.

**MAYOR**

Mayor Malan welcomed Gayle Cook to council

**COUNCIL MEMBERS**

**BROWN**

Brown was absent.

**PHILLIPS**

Phillips welcomed Gayle Cook to council

**BURG**

Burg was absent

**STARK**

Stark also welcomed Gayle Cook to council

**WEIL**

Weil welcomed Gayle Cook to council

**AGNEW**

Agnew welcomed Gayle Cook to council

**DUBRAY**

Dubray welcomed Gayle Cook to council

**NEW BUSINESS**

**COMPUTER/SERVER FOR PD**

In the FY 14-15 budget, The Police Department budgeted \$11,235 for a new phone system. The phone bids came in well over the projected amount for the year. In the 5 year CIP, the Police Chief has also requested a much needed upgrade to their server and computers. The current system they have is not compatible with body cam software and will be obsolete soon. In light of the phone system bids coming in so high, Chief Beshore is requesting to purchase the server and computers in this budget year.

Two complete bids came back one from Computer Isle for \$8,599.00 and Computers 4-U for \$9,898.90

Motion was made by Phillips and seconded by Stark to go ahead and buy the new computers and server that is needed by the Police Department and accept the bid from Computer Isle. Motion passed unanimously by a show of hands.

**FIRE RESCUE TRUCK BIDS**

Chief Henry reported about the bids for the fire rescue truck. In this year's budget, \$140,000.00 was approved for the purchase of a Light Duty Rescue Apparatus to replace a 1987 unit in service at this time. Two bids were received and were as follows:

Feld Fire: 2015 Dodge 5500 4X4 12' Walk-around Body Built to Specifications \$189,998.00  
Maintainer Custom Bodies: 2014 Dodge 5500 4X4 12' Walk-around Body Built to Specifications \$150,323.00

Maintainer Custom Bodies offered us 3 alternatives to their bid, with the following changes and decreases in cost:

Change on installed generator:	\$3,111.93
Change chassis to 2014 Ford F-550	\$3,408.00
Change manufacturer for body doors	\$3,604.29
Total savings for alternative bid:	<u>\$10,124.22</u>

Feld Fire was also given a chance to offer alternative bids, but none were submitted. Maintainer Custom is the recommendation with the changes to the 2014 Dodge 5000 4x4 the bid would come in at \$143,606.78. Phillips made a motion and Stark seconded it to go with Maintainer Custom for the new truck. Motion passed unanimously by a show of hands

**FRIDAY AFTER CHRISTMAS**

Stark made a motion and Phillips seconded that City Employees would have the Friday off following Christmas with pay. Motion passed unanimously by a show of hands

**ADJOURN**

There being no further business, motion was made by Phillips, seconded by Stark to adjourn the meeting

**ATTEST**

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Mayor Don H. Malan

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Corey Snead  
Deputy City Clerk