

**MEETING OF THE CITY COUNCIL  
JANUARY 16, 2018**

The Butler City Council met in regular session on Tuesday, January 16, 2018 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**

|                     |              |
|---------------------|--------------|
| Jim Garnett -Absent | Craig Irwin  |
| David Brown         | Terry Agnew  |
| Mike Irick          | Gayle Cook   |
| Gayle Stark         | Carolyn Jett |

**OTHERS PRESENT**

Others present were City Administrator Casey Koehn, City Clerk Corey Snead, Code Enforcement Officer Brian Boyd, City Attorney Jennifer Baird and Police Deputy Caleb Platt.

**OTHER GUESTS**

Linn Nitsche, Erin Armentrout and Tonya Williams

**APPROVE CONSENT AGENDA**

Motion by Stark, seconded by Irick to approve the minutes of the January 2, 2018 regular session. Motion passed unanimously by a show of hands.

Motion by Irwin, seconded by Agnew to approve the bills presented for payment Motion passed unanimously by a show of hands.

Motion by Stark, seconded by Irick to approve the Travel and Training request. Motion passed unanimously by a show of hands.

**DELETION/ADDITION TO  
AGENDA**

None

**SCHEDULED GUESTS**

None

**COMMITTEES**

Finance

Jett reported that the Finance Committee met before council at 4:00 p.m. to talk about the 2018-2019 budget.

## **BOARDS AND COMMISSIONS**

|                              |  |
|------------------------------|--|
| <b>Park</b>                  | Koehn reported that the Park Commission met on January 4, 2018. There was very little discussed at the meeting.  |
| <b>Planning Commission</b>   | Koehn reported that the Planning Commission met on January 1, 2018. They approved three resolutions that will come forth later in an ordinance for City Council to approve for the Zoning Board of Adjustment. |
| <b>Neighborhood Advisory</b> | Malan reported that the Neighborhood Advisory did not have quorum for the January 15, 2018 meeting.  |

## **UNFINISHED BUSINESS**

None

## **PUBLIC HEARING**

AMENDMENTS TO CHAPTER 26, ARTICLE II, DIVISION 2 OF THE MUNICIPAL CODE OF THE CITY OF BUTLER, MISSOURI REGARDING THE COMPOSITION, ORGANIZATION, AND POWERS OF THE ZONING BOARD OF ADJUSTMENT. Mayor Malan opened the public hearing at 7:04 p.m. Jennifer Baird from Lauber Municipal Law Firm spoke. The last planning commission meeting a public hearing was held, on the powers and duties of the Zoning Board of Adjustment (ZBA). To make the city's ordinance confirm with state statute. Koehn asked for clarification from Baird on the changes to the ZBA. That the term of members be five years, that it was very vague on what kind of notice should be given and what kind of powers and decisions the ZBA could make. That a city councilman could not sit on the ZBA, since city council makes legislative decision and ZBA is quasi judicial. There has to be a separation of powers. Jennifer Baird from Lauber Municipal Law Firm entered the following information into exhibit staff report, Resolution approved by the Planning Commission, application for text and amendment to Chapter 26. Mayor Malan closed the public hearing at 7:09 p.m.

## **BILLS, ORDINANCES, RESOLUTIONS, POLICES and PROCLAMATIONS**

**BILL NO. 2018-2  
Ordinance NO. 1052**

**BILL NO. 2018-02 ORDINANCE NO: 1052  
AN ORDINANCE APPROVING AMENDMENTS TO CHAPTER 26,  
ARTICLE II, DIVISION 2 OF THE MUNICIPAL CODE OF THE CITY OF  
BUTLER, MISSOURI REGARDING THE COMPOSITION,  
ORGANIZATION, AND POWERS OF THE ZONING BOARD OF  
ADJUSTMENT**

**1<sup>st</sup> Reading  
Bill NO. 2018-2  
Ordinance NO. 1052**

Motion by Jett for first reading by title only, seconded by Irwin.

**BILL NO. 2018-02 ORDINANCE NO: 1052  
AN ORDINANCE APPROVING AMENDMENTS TO CHAPTER 26,  
ARTICLE II, DIVISION 2 OF THE MUNICIPAL CODE OF THE CITY OF  
BUTLER, MISSOURI REGARDING THE COMPOSITION,  
ORGANIZATION, AND POWERS OF THE ZONING BOARD OF  
ADJUSTMENT**

Brown – Aye Irick – Aye Irwin – Aye Cook – Aye  
Garnett – Absent Stark – Aye Agnew – Aye Jett – Aye

Motion by Irwin for second reading by title only, seconded by Jett.

**2<sup>nd</sup> Reading**

**Bill NO. 2018-2**

**Ordinance NO. 1052**

**BILL NO. 2018-02 ORDINANCE NO: 1052**

**AN ORDINANCE APPROVING AMENDMENTS TO CHAPTER 26, ARTICLE II, DIVISION 2 OF THE MUNICIPAL CODE OF THE CITY OF BUTLER, MISSOURI REGARDING THE COMPOSITION, ORGANIZATION, AND POWERS OF THE ZONING BOARD OF ADJUSTMENT**

Brown – Aye Irick – Aye Irwin – Aye Cook – Aye  
Garnett – Absent Stark – Aye Agnew – Aye Jett – Aye

Motion by Jett to adopt, seconded by Irwin.

**Adoption**

**Bill NO. 2018-2**

**Ordinance NO. 1052**

**BILL NO. 2018-02 ORDINANCE NO: 1052**

**AN ORDINANCE APPROVING AMENDMENTS TO CHAPTER 26, ARTICLE II, DIVISION 2 OF THE MUNICIPAL CODE OF THE CITY OF BUTLER, MISSOURI REGARDING THE COMPOSITION, ORGANIZATION, AND POWERS OF THE ZONING BOARD OF ADJUSTMENT**

Brown – Aye Irick – Aye Irwin – Aye Cook – Aye  
Garnett – Absent Stark – Aye Agnew – Aye Jett – Aye

**Reports**

**CITY CLERK**

Working Shayla Sparks on a banner to be placed at the corner lot for the new park. Electric City Downtown will be purchasing the new banner. Snead informed City Council about a Department Head Leadership training that will take place on March 1<sup>st</sup>. Snead also gave the final list of candidates for the April 3<sup>rd</sup> election.

**Mayor**

Jim Henry

**Ward 1**

Jim Garnett

Stephanie Evans-Barton

Denny Rich

**Ward 2**

Mike Irick

Martin Ghery

**Ward 3**

Jeff Hall

Terry Agnew

Linn Nitsche

**Ward 4**

Gayle Cook

Cassandra Driskel

**POLICE CHIEF**

No Report.

**CITY ATTORNEY**

No Report.

**CITY ADMIN**

**Budget**

Koehn continues to work on the budget, employee evaluations, training for employees and a capital improvement plan for infrastructure. The finance meeting went very well.

**Work Session**

The possibility of having a work session the first council meeting of each month. This way everyone would be more informed about the information coming before council.

**BATES COUNTY ECONOMIC DEVELOPER**

No Report.

**PUBLIC WORKS**

No Report.

**CODE ENFORCEMENT**

No Report.

**MAYOR**

Would like to wish everyone the best of luck in the April election. Good luck to Jim Henry on being the next Mayor.

**COUNCIL MEMBERS**

**GARNETT**

Nothing to Report.

**BROWN**

Thank you to the Street Department on the roads during the snow.

**IRICK**

Thank you to the Water Department on the main breaks during the cold.

**STARK**

Can smell gas out in front of the hospital. Might be a possible gas leak.

**IRWIN**

Nothing to Report.

**AGNEW**

Nothing to Report,

**COOK**

Had lots of complements about the streets.

**JETT**

Thank you for everyone coming early to the finance meeting. Jett called for another finance committee meeting on 2-6-18 starting at 4:00 p.m. The City Council will be serving at the Community Café on January 30<sup>th</sup>. The event will be held at Happy Hill Church and people need to be there by 5:00 p.m.

**New Business**

None

**ADJOURN**

There being no further business, motion by Brown to adjourn the regular session council meeting, seconded by Cook. Motion passed unanimously by a show of hands.

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Mayor Don H. Malan

**ATTEST**

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Corey Snead  
City Clerk