

**MEETING OF THE CITY COUNCIL**  
**JUNE 19, 2018**

The Butler City Council met in regular session on Tuesday, June 19, 2018 at 7:00 p.m. in the Council Chambers at City Hall, 22 West Ohio with Mayor Henry presiding. The following Councilmen were present:

**ROLL CALL**

Jim Garnett	Craig Irwin
David Brown	Jeff Hall
Mike Irick	Gayle Cook
Gayle Stark	Carolyn Jett

**OTHERS PRESENT**

Others present were City Administrator Casey Koehn, City Clerk Corey Snead, City Attorney Joe Lauber, Code Enforcement Officer Brian Boyd and Police Chief Randy Beshore.

**OTHER GUESTS**

Betty Irwin, Tonya Williams, Lance Sergeant, and Kermit Kauffman

**APPROVE CONSENT AGENDA**

Motion by Stark, seconded by Jett to correct the minutes of the June 5, 2018 closed session. To remove Terry Agnew name from the council roll and add Jeff Hall. Motion passed unanimously by a show of hands.

Motion by Jett, seconded by Garnett to approve the minutes of the June 5, 2018 regular session, June 5, 2018 closed session and June 7, 2018 closed session. Motion passed unanimously by a show of hands.

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

**DELETION/ADDITION TO AGENDA**

To add Department of Energy loan application to new business, add Ordinance 1070 to the agenda and Sheriff Chad Anderson to scheduled guests. Motion by Stark to add the above items to the agenda, seconded by Irick. Motion passed unanimously by a show of hands.

**SCHEDULED GUESTS**

**Electric City Downtown**

Tonya Williams, President of Electric City Downtown came before City Council and gave an update of the organization. That many exciting things have been happening for the organization over the past several months. They have raised over \$2,000.00 from investors, the annual Spring Clean-Up around the square, Luau investor drive and Downtown Farmers Market. They have many more activities planned this year to help promote and revitalize the downtown area.

**Lance Sergeant**

Lance Sergeant who lives at 12 Courtney Drive would like to gift the street that is in front of his house to the city. Mr. Sergeant has become aware that he actually owns the street in front of his house. He had thought for years that it was a city street and for many years the city had taken care of it. A survey has shown that the city does not own the street, and Mr. Sergeant would like to gift the street to the city. Currently the street is not up to city code for streets and would need repair before it could be gifted. City Council would like to investigate this issue further before a decision can be made. The matter was referred to the City Owned Facilities committee for further review.

**Bates County Fair Board**

Kermit Kauffman came before council for the Bates County Fair Board. They are asking for permission to have a beer garden during the Bates County Fair. They have been before the Special Event Committee about the beer garden and did receive approval. Adrian Optimist Club will be running the beer garden during the fair. There will be three areas around the fairgrounds that beer will be sold at. All volunteers will be wearing special vest that are working the beer garden. Motion by Stark to approve the beer garden for the Bates County Fair, seconded by Irick. Motion passed unanimously by a show of hands.

**Sheriff Anderson**

Sheriff Chad Anderson came before City Council to say Thank You for all the emergency personnel that responded to the power outage at the county jail. Those emergency responders from the city arrived at 11:00 a.m. and stayed until midnight making sure power was back on and everything was safe. That this was a total team effort from everyone. We should be proud of everyone that helped with the situation.

None

**COMMITTEES****BOARDS AND COMMISSIONS****Airport Commission**

Irwin reported that the Airport Commission met on June 14. They will not be having air show this year, but still plan on the open house. That will take place on September 29<sup>th</sup>. They are also looking at a new tractor mower for the airport at this time.

**Planning Commission**

Koehn reported that the Planning Commission met on June 11. They are currently working on gravel driveways, carports and home occupancy permits.

**Zoning Board of Adjustment**

Koehn reported that Zoning Board of Adjustments met and approved a variance for a fence at 5 S. Olive.

**Park Commission**

Jett reported that the Park Commission met on June 7. Concern that the concession stand at the East Field has not been built yet. The Lions Club is upset since they donated \$7,000.00 for the concession stand and nothing has been done yet. Sunset Park is still being looked into there are possible designs already out there for the park.

## UNFINISHED BUSINESS

**BILL NO. 2018-19**  
**Ordinance NO. 1069**

### **BILL NO 2018-19 ORDINANCE NO 1069 AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE TOLLING AGREEMENTS AND GRANTING FURTHER AUTHORITY**

#### 1<sup>st</sup> Reading

**Bill NO. 2018-19**  
**Ordinance NO. 1069**

Motion by Irick for first reading by title only, seconded by Jett  
**BILL NO 2018-19 ORDINANCE NO 1069 AN ORDINANCE  
AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE  
TOLLING AGREEMENTS AND GRANTING FURTHER  
AUTHORITY**

Brown – Aye Irick – Aye Irwin – Aye Cook – Aye  
Garnett – Aye Stark – Aye Hall – Aye Jett – Aye

#### 2<sup>nd</sup> Reading

**Bill NO. 2018-19**  
**Ordinance NO. 1069**

Motion by Jett for second reading by title only, seconded by Irick  
**BILL NO 2018-19 ORDINANCE NO 1069 AN ORDINANCE  
AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE  
TOLLING AGREEMENTS AND GRANTING FURTHER  
AUTHORITY**

Brown – Aye Irick – Aye Irwin – Aye Cook – Aye  
Garnett – Aye Stark – Aye Hall – Aye Jett – Aye

#### Adoption

**Bill NO. 2018-19**  
**Ordinance NO. 1069**

Motion by Irick to adopt, seconded by Garnett  
**BILL NO 2018-19 ORDINANCE NO 1069 AN ORDINANCE  
AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE  
TOLLING AGREEMENTS AND GRANTING FURTHER  
AUTHORITY**

Brown – Aye Irick – Aye Irwin – Aye Cook – Aye  
Garnett – Aye Stark – Aye Hall – Aye Jett – Aye

## PUBLIC HEARING

None

## BILLS, ORDINANCES, RESOLUTIONS, POLICES and PROCLAMATIONS

**BILL NO. 2018-20**  
**Ordinance NO. 1070**

### **BILL NO. 2018-20 ORDINANCE NO. 1070 ORDINANCE APPROVING SUPPLEMENTS TO CERTAIN AGREEMENTS ENTERED INTO IN CONNECTION WITH A LEASE PURCHASE FINANCING BETWEEN THE CITY AND CAPITAL ONE PUBLIC FUNDING, LLC.**

#### 1<sup>st</sup> Reading

**Bill NO. 2018-20**  
**Ordinance NO. 1070**

Motion by Irick for first reading by title only, seconded by Stark  
**BILL NO. 2018-20 ORDINANCE NO. 1070  
ORDINANCE APPROVING SUPPLEMENTS TO CERTAIN  
AGREEMENTS ENTERED INTO IN CONNECTION WITH A**

**LEASE PURCHASE FINANCING BETWEEN THE CITY AND  
CAPITAL ONE PUBLIC FUNDING, LLC.**

Brown – Aye Irick – Aye Irwin – Aye Cook – Aye  
Garnett – Aye Stark – Aye Hall – Aye Jett – Aye

Motion by Jett for second reading by title only, seconded by Stark  
**BILL NO. 2018-20 ORDINANCE NO. 1070**

**ORDINANCE APPROVING SUPPLEMENTS TO CERTAIN  
AGREEMENTS ENTERED INTO IN CONNECTION WITH A  
LEASE PURCHASE FINANCING BETWEEN THE CITY AND  
CAPITAL ONE PUBLIC FUNDING, LLC.**

Brown – Aye Irick – Aye Irwin – Aye Cook – Aye  
Garnett – Aye Stark – Aye Hall – Aye Jett – Aye

Motion by Stark to adopt, seconded by Irick

**BILL NO. 2018-20 ORDINANCE NO. 1070**

**ORDINANCE APPROVING SUPPLEMENTS TO CERTAIN  
AGREEMENTS ENTERED INTO IN CONNECTION WITH A  
LEASE PURCHASE FINANCING BETWEEN THE CITY AND  
CAPITAL ONE PUBLIC FUNDING, LLC.**

Brown – Aye Irick – Aye Irwin – Aye Cook – Aye  
Garnett – Aye Stark – Aye Hall – Aye Jett – Aye

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

**Bill NO. 2018-20**

**Ordinance NO. 1070**

**Adoption**

**Bill NO. 2018-20**

**Ordinance NO. 1070**

**Reports**

**CITY CLERK**

No Report.

**POLICE CHIEF**

New 911 and phone system is being installed at the Police Department. There was no issue at the rodeo with the beer garden. Remodeling the bathrooms at the Police Department.

**CITY ATTORNEY**

No Report.

**CITY ADMIN**

No Report.

**PUBLIC WORKS**

No Report.

**CODE ENFORCEMENT**

No Report.

**MAYOR**

No Report.

**COUNCIL MEMBERS**

**GARNETT**

Nothing to Report.

**BROWN**

Called for a City Owned Facility Meeting at 6:30 p.m. before the next council meeting. Having problems with solicitors and peddlers around town harassing people. Had complaints about dogs running around with no leash.

IRICK	Make sure we check on the elderly with all of this heat.
STARK	Need to look at pulling out the shrubs on Old Business 71. They are becoming a distraction for drivers.
IRWIN	The concession at the East Field will not be built this summer? Koehn does not believe it will happen this year.
HALL	Nothing to Report.
COOK	Nothing to Report.
JETT	City Council will be doing the Community Café on October 9 <sup>th</sup> .
<b><u>New Business</u></b>	
Equipment Purchases	Public Works Director Trent Diehl submitted a bid proposal to purchase a new bucket truck, dump truck and street sweeper for the city.
Bucket Truck	Two bids for the bucket truck Altec for \$107,697.00 and Terex for \$125,497.00. Diehl made a recommendation to go with Altec for the bucket truck. Motion by Jett to accept the bid from Altec of \$107,697.00 for the bucket truck, seconded by Garnett. Motion passed unanimously by a show of hands.
Dump Truck	Three bids for the dump truck Summit Truck Group for \$85,672.00, Custom Truck \$94,400.00 and Battlefield Ford Truck \$84,827.00. Diehl made a recommendation of going with Summit Truck Group. Motion by Garnett to accept the bid from Summit Truck Group of \$85,672.00, seconded by Brown. Motion passed unanimously by a show of hands.
Street Sweeper	Three bids for the street sweeper Elliott Equipment Co. \$69,000.00, Armor Equipment \$59,500 and Elliot Equipment Co. \$237,000.00. Diehl made a recommendation of going with Elliot Equipment Co. with a used 2007 model. Motion by Irick to accept the bid from Elliot Equipment Co. for \$69,000.00 for the used 2007 model, seconded by Jett. Motion passed unanimously by a show of hands.
Department of Energy	Koehn requested that City Council allow her to fill out an application with the Department of Energy for a loan application. Motion by Garnett to allow Koehn to proceed with the Department of Energy application, seconded by Stark. Motion passes with a 4-3 vote.

**ADJOURN**

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

**ATTEST**

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Mayor James W. Henry

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Corey Snead  
City Clerk