

CITY OF BUTLER
MINUTES OF A MEETING OF THE CITY COUNCIL
JANUARY 3, 2013

The Butler City Council met in regular session on Tuesday, January 3, 2013 at 6:30 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	Brian Boyd
Pat Simons	Doug Wix

OTHERS PRESENT

Others present were City Administrator Mark Arbuthnot, Police Chief Randy Beshore, City Attorney Tom Addleman, Officer Jim Wheatley, and Barb Scroggins.

OTHER GUESTS

Dave Meyer, Chris Foresee, Loren Williamson, Tom Davis, Lee Ullman and Jeff Hall.

APPROVE CONSENT AGENDA

Motion by Phillips, seconded by Wix to approve the minutes of the regular session of December 18, 2012. Motion passed unanimously by a show of hands. Motion by Burg, seconded by Simons to approve the bills presented for payment. Motion passed unanimously by a show of hands. Motion by Wix, seconded by Boyd to approve travel/training. Motion passed unanimously by a show of hands.

SCHEDULED GUEST
TOM DAVIS, LOREN
WILLIAMSON AND LEE
ULLMAN WITH MC POWER

Tom Davis, Loren Williamson and Lee Ullman with MC Power presented a slide show showing the progression of the Solar Farm from the beginning to present time. The proposed Property Purchase Agreement with the City for 12.48 acres of property in the Butler Industrial Park for the installation of the 3 MW Solar Farm was discussed. Motion by Phillips, seconded by Wix to approve entering into a real estate purchase agreement with MC Power. Motion passed unanimously by a show of hands.

DAVE MEYER AND CHRIS
FORESEE WITH HEISE-MEYER

Dave Meyer and Chris Foresee with Heise-Meyer informed council the listing agreement ends February 2013. Dave Meyer and Chris Foresee also discussed with council ways to promote the remaining lots at the Industrial Park.

JEFF HALL-CERTIFICATION OF
APPERICATION

Mayor Malan presented a certificate of appreciation to Jeff Hall for his help with the Neighborhood Pride Commission cleanup efforts.

BOARDS AND COMMISSION
PARK & RECREATIONS

The Park and Recreation Commission met at 12:00 p.m. Thursday, January 3, 2013 at City Hall. Councilman Boyd reported a quorum was not present. Councilman Boyd also reported there is a proposal from the Masonic Lodge to host a haunted house. Boyd informed council a request has been made to finish the playground behind Don's Tow Service. Boyd stated there will be more discussion on the request at the next Park & Recreation meeting. The Park & Recreation Superintendent Bitner's report was presented at the meeting.

BILL NO. 2013-1
ORD NO. 962
1ST READING

Motion by Phillips, seconded by Wix for the first reading by title only of
BILL NO. 2013-1 ORDINANCE NO. 962
AN ORDINANCE CALLING AN ELECTION IN 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	Brian Boyd-Aye
Pat Simons-Aye	Doug Wix-Aye

BILL NO. 2013-1
ORD NO. 962
2ND READING

Motion by Brown, seconded by Boyd for the second reading by title only of

BILL NO. 2013-1 ORDINANCE NO. 962

AN ORDINANCE CALLING AN ELECTION IN 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	Brian Boyd-Aye
Pat Simons-Aye	Doug Wix-Aye

BILL NO. 2013-1
ORD NO. 962
ADOPTION

Motion by Wix, seconded by Phillips to adopt.

BILL NO. 2013-1 ORDINANCE NO. 962

AN ORDINANCE CALLING AN ELECTION IN 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	Brian Boyd-Aye
Pat Simons-Aye	Doug Wix-Aye

BILL NO. 2013-2
ORD NO. 963
1ST READING

Motion by Phillips, seconded by Burg for the first reading by title only of

BILL NO. 2013-2 ORDINANCE NO.963

AN ORDINANCE AMENDING CHAPTER 2. ADMINISTRATION, ARTICLE III. OFFICERS AND EMPLOYEES, DIVISION 6. PERSONNEL POLICY, SECTION 2-120.6. HOURS OF WORK , OVERTIME, TIME AND ATTENDANCE RECORDS OF THE BUTLER CITY CODE.

Motion passed with the following votes:

David Brown-Aye	Harold Weil-Aye
Brian Phillips-Aye	Terry Agnew-Aye
Thom Burg-Aye	Brian Boyd-Aye
Pat Simons-Aye	Doug Wix-Aye

BILL NO. 2013-2
ORD NO. 963
2ND READING

Motion by Burg, seconded by Phillips for the second reading by title only

BILL NO. 2013-2 ORDINANCE NO.963

AN ORDINANCE AMENDING CHAPTER 2. ADMINISTRATION, ARTICLE III. OFFICERS AND EMPLOYEES, DIVISION 6. PERSONNEL POLICY, SECTION 2-120.6. HOURS OF WORK , OVERTIME, TIME AND ATTENDANCE RECORDS OF THE BUTLER CITY CODE.

Motion passed with the following votes:

David Brown-Aye	Harold Weil-Aye
Brian Phillips-Aye	Terry Agnew-Aye
Thom Burg-Aye	Brian Boyd-Aye
Pat Simons-Aye	Doug Wix-Aye

BILL NO. 2013-2
ORD NO. 963
ADOPTION

Motion by Wix, seconded by Boyd to adopt

BILL NO. 2013-2 ORDINANCE NO.963

AN ORDINANCE AMENDING CHAPTER 2. ADMINISTRATION, ARTICLE III. OFFICERS AND EMPLOYEES, DIVISION 6. PERSONNEL POLICY, SECTION 2-120.6. HOURS OF WORK , OVERTIME, TIME AND ATTENDANCE RECORDS OF THE BUTLER CITY CODE.

Motion passed with the following votes:

David Brown-Aye	Harold Weil-Aye
Brian Phillips-Aye	Terry Agnew-Aye
Thom Burg-Aye	Brian Boyd-Aye
Pat Simons-Aye	Doug Wix-Aye

**REPORTS
POLICE CHIEF**

Police Chief Beshore reported the Police Board will meet on January 10, 2013 to interview five applicants for the open positions. Chief Beshore also presented to council the Police Department end of year report for 2012.

**CITY ATTORNEY
SMOKEY**

City Attorney Addleman reported a letter of release would be sent to Mr. Matt Weiss releasing the drug dog Smokey to his care.

AMNESTY PROGRAM

City Attorney Addleman requested approval to do another amnesty program from 1-1-2013 to 4-15-2013. Motion by Wix, seconded by Boyd to approve the amnesty program from 1-1-2013 to 4-15-2013. Motion passed unanimously by a show hands.

**CITY ADMINISTRATOR
DOWNTOWN IMPROVEMENT
PROJECT**

City Administrator Arbuthnot informed council the Notice to Contractors for the Downtown Improvement Project will be published in the newspaper on January 4, 2013. Bids are due back on February 1, 2013.

BUDGET

City Administrator Arbuthnot and City Clerk Koehn met with the department heads to discuss the proposed FY 2013-14 City Budget.

COUNCIL SEATS

City Administrator Arbuthnot reminded council the filing deadline for City Council seats is January 15, 2013 no later than 5:00 p.m. The individuals whose terms will be up are: Councilman Wix, Ward 4; Councilman Weil, Ward 3; Councilman Simons, Ward 2 and Councilman Phillips, Ward 1.

BOB NOEL

City Administrator Arbuthnot requested approval for Bob Noel to move ahead with the engineering design for attachment facilities for 3 MW Solar Farm to finalize what the actual cost will be. Motion by Simons, seconded by Burg to proceed with the engineering design attachment facility. Motion passed unanimously by a show of hands.

CODE ENFORCEMENT

Code Enforcement Officer Wheatley gave the code enforcement report.

MAYOR

Mayor Malan stated he is looking forward to a good 2013.

**COUNCIL MEMBERS
BROWN**

Nothing to report.

PHILLIPS

Phillips reported a request from Melissa Phillips on behalf of the Jefferson Highway Origination to paint and letter 6-8 utility poles with the letters JH and blue & white paint on South Main through North Main. Motion by Phillips, seconded by Simons to approve 6-8 utility poles to be painted blue & white and lettered JH.

Phillips reported Lisa Hager inquired about parking two buses on the backside of the old Fire Department with the ability to plug block heaters. Motion by

Phillips, seconded by Burg to allow the parking of the two buses with an agreement to release the City of any liability. Motion passed unanimously by a show of hands.

BURG

Nothing to report.

SIMONS

Simons stated the need to address the issue of burnt houses in the City of Butler.

WEIL

Weil thanked Public Works Director Diehl for the prompt attention to the lights on the square.

AGNEW

BOYD

Nothing to report.

Boyd stated we need to show appreciation to the church groups for all their hard work helping the Neighborhood Pride Commission.

WIX

Called for a Finance Committee meeting on January 15, 2013 at 6:00pm.

NEW BUSINESS
LARKIN GROUP

Consider an agreement with the Larkin Group regarding their merger with Lamp Rynearson & Associates, Inc. an engineering company located in Omaha, Nebraska. Motion by Wix, seconded by Simons to approve an agreement with Larkin Group. Motion passed unanimously by a show of hands.

FARM LEASE AMENDMENT

Consider an amendment to the Farm Lease Agreement for a reduction of 12.48 acres in the Butler Industrial Park. Motion by Boyd, seconded by Simons to approve the amendment to the Farm Lease Agreement. Motion passed unanimously by a show of hands.

SELF INSURANCE
DEDUCTIBLE/AIRPORT

Consider approval of City's self insurance deductible amount of \$10,000 for the fuel storage tank at the Butler Memorial Airport. The pollution liability insurance policy that the City has with the Missouri Petroleum Storage Tank Insurance Fund requires that the City provide a guarantee to meet the deductible amount with the renewal of the policy. Motion by Simons, seconded by Wix to approve City's self insurance deductible amount of \$10,000 for the fuel storage tank at the Butler Memorial Airport. Motion passed unanimously by a show of hands.

ADJOURN

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

ATTEST:

City Clerk Casey Koehn

Mayor Don H. Malan

