

MEETING OF THE CITY COUNCIL
May 16th, 2017

The Butler City Council met in regular session on Tuesday, May 16th, 2017 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	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, City Attorney Tom Addleman, Public Works Director Trent Diehl, Code Enforcement Officer Brian Boyd and Police Chief Randy Beshore.

OTHER GUESTS

Gayle Alexander and Rodger Koehn

APPROVE CONSENT AGENDA

Motion by Jett, seconded by Irick to approve the minutes of the regular session of May 2nd, 2017 Motion passed unanimously by a show of hands.

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

DELETION/ADDITION TO AGENDA

To add Pole Change Out to New Business. Motion by Garnett to add Pole Change Out to New Business, seconded by Irick. Motion passed unanimously by a show of hands.

SCHEDULED GUESTS

None

COMMITTEES

None

BOARDS AND COMMISSIONS

Park Commission

Koehn gave the report from the May 5th Park Commission meeting. Sunset Park, Sensory Park and the ball fields were all discussed during the meeting. During the Park Commission meeting it was recommend that the city move forward with Sunset Park. Motion by Jett to move forward with Sunset Park and build the shelter house and have the one play structure installed, seconded by Cook. Motion passed unanimously by a show of hands.

Planning Commission

Jett gave the report from the May 9th Planning Commission meeting. They talked about shipping containers during the meeting and separating residential from commercial properties on the issue. The CLG ordinance will be coming in the future to city council.

Neighborhood Advisory

Irick gave the report from the May 15th Neighborhood Advisory meeting. They talked about different code violations with the Code Enforcement Officer.

Airport Commission

Koehn gave the report from the May 11th Airport Commission meeting. They meet to discuss the recommendations for a contractor for the drainage project. The project is scheduled to start in June.

UNFINISHED BUSINESS

None

PUBLIC HEARINGS

None

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

Bill NO. 2017-11 ORD NO. 1034

Bill No. 2017-11 Ordinance No. 1034

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A NATURAL GAS FRANCHISE AGREEMENT FOR A PERIOD OF TEN (10) YEARS WITH LIBERTY UTILITIES (MIDSTATES NATURAL GAS) CORP. FOR NON-EXCLUSIVE USE OF THE PUBLIC RIGHTS-OF-WAY WITHIN THE CITY OF BUTLER, MISSOURI

1st Reading

Bill NO. 2017-11

Ordinance NO. 1034

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

Bill No. 2017-11 Ordinance No. 1034

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A NATURAL GAS FRANCHISE AGREEMENT FOR A PERIOD OF TEN (10) YEARS WITH LIBERTY UTILITIES (MIDSTATES NATURAL GAS) CORP. FOR NON-EXCLUSIVE USE OF THE PUBLIC RIGHTS-OF-WAY WITHIN THE CITY OF BUTLER, MISSOURI

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

2nd Reading

Bill NO. 2017-11

Ordinance NO. 1034

Motion by Jett for seconded reading by title only, seconded by Stark.

Bill No. 2017-11 Ordinance No. 1034

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A NATURAL GAS FRANCHISE AGREEMENT FOR A PERIOD OF TEN (10) YEARS WITH LIBERTY UTILITIES (MIDSTATES NATURAL GAS) CORP. FOR NON-EXCLUSIVE USE OF THE PUBLIC RIGHTS-OF-WAY WITHIN THE CITY OF BUTLER, MISSOURI

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

Motion by Garnett to adopt, seconded by Jett.

Bill No. 2017-11 Ordinance No. 1034

**AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A
NATURAL GAS FRANCHISE AGREEMENT FOR A PERIOD OF TEN
(10) YEARS WITH LIBERTY UTILITIES (MIDSTATES NATURAL
GAS) CORP. FOR NON-EXCLUSIVE USE OF THE PUBLIC RIGHTS-
OF-WAY WITHIN THE CITY OF BUTLER, MISSOURI**

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

Adoption

Bill NO. 2017-11

Ordinance NO. 1034

Reports

CITY CLERK

Snead reported that he had been appointed to three state wide committees for MoCCFOA the state wide city clerk association. Snead will also be a chair of a committee this year and is asking for support from the city council. Snead must attend a retreat on June 9-10th to be trained for these appointments. Motion by Cook that we support Snead with these appointments and allow him to attend these meetings, seconded by Irick. Motion passed unanimously by a show of hands.

ECONOMIC DEVELOPER

Nothing to Report

POLICE CHIEF

Reported about recent traffic stops that had guns and meth involved.

CITY ATTORNEY

Will be gone May 22-25 for the Municipal Prosecutors Conference.

CITY ADMIN

Fiber

Fiber conversation- Koehn will be meeting with Kurt Higgins and James Lightfoot. A telecommunications engineer who has also been brought in for the project. For a possible feasibility study on Monday.

Christmas Light's

Representatives from ECD are continuing to fine tune their Christmas light proposal. All property owners that plan to participate have signed forms allowing the City to install if approved by Council. The City Clerk is also meeting with the County to talk about their involvement and how the City and County will work together regarding the installation of the lights on the Courthouse.

Project Lemonade

Project Lemonade- (proposed park on the corner) – Koehn is finishing the final paperwork to submit to the state for the grant. Koehn will be conferencing with the state to finalize the grant next week.

206 N Fulton	Abatement for 206 N. Fulton- the 30 day extension that was given will expire May 18 th . Koehn has not heard from the property owner with an update
DNR Grant	DNR Engineering grant- We received notice that more information is requested including the city sending out an RFQ for engineering services. We previously started this process and added an amendment in order to comply with the requirements of the grant. Proposals are due back May 19 th .
MO Housing	Please notice the MO Housing document in the packet. Discussion needs to be held by City Council concerning this letter and the application that was made to the state. Koehn took questions that council members have and will respond back to the state.
Columbus Day	Koehn and Snead requested that the city take Columbus Day off as a paid holiday. It is a federal holiday and all federal, state and county government offices are closed. Council requested that Snead see if other cities have the day off and report back at the next meeting.
PUBLIC WORKS	No Report
CODE ENFORCEMENT	Boyd reported that grass is starting to be a major issue around the city. Four work orders have been signed for grass mowing by the city already. Continuing to work on unsafe structures and would like to see 4-5 come down this year. 106 S Havana is looking into having the house torn down that sits on this property. They are asking that the city tear down the house and they pay for the dumpster fees. Boyd will bring this back once he has more information from the property owner.
MAYOR	Thanked everyone for their hard work.
<u>COUNCIL MEMBERS</u>	
GARNETT	Nothing to Report.
BROWN	307 E. Pine and Willow has a street light out.
IRICK	Nothing to Report.
STARK	Nothing to Report.
IRWIN	Nothing to Report.
AGNEW	Had a complaint about the smell from the dog food plant.

COOK	Spoofing is being used by sales people in the area.
JETT	The alley way parallel to Ft. Scott would like a street light placed along that back alley. There is a lot of traffic at night going up and down the alley.
<u>New Business</u> 25 Day Pool Passes	The Butler Public Library has a Summer Reading program and is requesting that 25 day pool passes be donated for the program. The Park Commission has approved the request and it is being presented to city council for final approval. Motion by Jett to approve the 25 day pool passes for the Butler Library, seconded by Irick. Motion passed unanimously by a show of hands.
Fidelity Agreement	The City of Butler to enter into an agreement with Fidelity Cablevision Inc. The non-exclusive use of city utility poles. Motion by Stark for the city to enter into the agreement with Fidelity Cablevision Inc, seconded by Agnew. Motion passed unanimously by a show of hands.
Airport Project	The airport drainage project bids had come back and DWD as being the low bid. Our engineering firm Burns & McDonnell did not think we should use DWD for the project. DWD did not provide a complete and signed proposal. The Airport Commission agreed with Burns & McDonnell and made the recommendation to go with Capital Paving and Construction. The cost would be \$290,112.30 for the construction of the project. Motion by Irick to move forward with the drainage project and hire Capital Paving and Construction for the cost of \$290,112.30, seconded by Irwin. Motion passed unanimously by a show of hands.
Liberty Utilities	The city goes into a franchise agreement with Liberty Utilities; the length of the franchise agreement is for ten years. Motion by Jett to move forward and go into agreement with Liberty Utilities, seconded by Irwin. Motion passed unanimously by a show of hands.
Pole Change Outs	The City has five poles change out that need to be completed this year. Low bid was from BBC for \$25,941.00 to do the pole change outs. Motion by Irick to accept the bid from BBC for \$25,941.00 for the pole change outs, seconded by Garnett. Motion passed unanimously by a show of hands.
ADJOURN	There being no further business, motion was made by Brown, seconded by Irick to adjourn the regular meeting and go into closed session.
	Brown – Aye Irick – Aye Irwin – Aye Cook – Aye Garnett – Aye Stark – Aye Agnew – Aye Jett – Aye

Mayor Don H. Malan

ATTEST

Corey Snead
City Clerk