

**MEETING OF THE CITY COUNCIL  
JUNE 6, 2017**

The Butler City Council met in regular session on Tuesday, June 6th, 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 and Code Enforcement Officer Brian Boyd.

**OTHER GUESTS**

Gayle Alexander, Susan Anderson, Kathleen Mireles, Ronny Dungan and Brandon Conger

**APPROVE CONSENT AGENDA**

Motion by Garnett, seconded by Agnew to approve the minutes of the regular session of May 16th, 2017 and the closed session minutes of May 16<sup>th</sup>, 2017  
Motion passed unanimously by a show of hands.

Motion by Jett, seconded by Irwin 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/Training request presented. Motion passed unanimously by a show of hands.

**DELETION/ADDITION TO  
AGENDA**

None

**SCHEDULED GUESTS**

**Susan Anderson – Saddle Club**

Susan Anderson from the Bates County Saddle Club came before council requesting to have a 5K run on June 17<sup>th</sup> starting at 7:30 p.m. This has been an annual event to start the rodeo weekend and the 5K benefits the mammogram program at the Bates County Memorial Hospital. The run will start at the fairgrounds go down Nursery to Delaware turn onto Delaware come up and go around the square exit on to Ft Scott to Broadway and head back out to the fairgrounds. Motion by Brown to approve the Saddle Club 5K run, seconded by Garnett. Motion passed unanimously by a show of hands.

**Ronny Dungan**

Ronny Dungan came before council about the speeding on Wix Lane. Cars are not obeying the speed limit on this street and he is afraid that someone will get hurt. Will pass this along to the Police Chief about extra patrols in the area. Koehn will also look and see what it would cost for speed bumps.

**Brandon Conger – Union Restaurant**

Brandon Conger came before council requesting to use the square for a concert July 14th, 2017. The event would run from 7:00 – 11:00 p.m. with a movie starting at 7:00 p.m. called Light up to Live. Then the band JC All-stars will take the stage. Operation Rock the Troops will benefit from the event they help wounded warriors with Red Light Therapy. Conger has requested that the city help with a movie screen, projector, orange cones, trash cans, construction fence and the ability to hold a beer garden on the square. Motion by Irick to approve the items needed for the event, allow the use of the square and conduct a beer garden during the event per the approval of the Police Chief, seconded by Cook. Motion passed by a 7-1 vote.

**Kathleen Mireles**

Kathleen Mireles came before council about the use of the Butler Aquatic Center for her autistic daughter. The current pool policy does not allow anyone to wear life vest or any other safety devices in the pool. Mireles was hoping that this policy could be changed; her daughter likes to swim however she still needs to wear a life vest. Currently because of this she is not allowed to use the pool. Koehn had spoken with Mireles last week and wrote a letter allowing her to use the pool with the life vest. Mireles is hoping that something can be done so more children who need safety equipment could use the pool. An alternative solution that came up by council was to allow a Sensory Friendly Swim Time each day from 6:00-7:00 p.m. This is normally the lap swim time at the pool and would have a lower volume of people during this time and safety equipment could be used the children during this time must be accompanied by an adult. Motion by Jett to have the Sensory Friendly Swim Time from 6:00-7:00 each day and allow safety equipment for the children, they must be accompanied by an adult this is pending approval from the Parks Supervisor and the Pool Manager, seconded by Irick. Motion passed unanimously by a show of hands.

**COMMITTEES**

None

**BOARDS AND COMMISSIONS**

**Park Commission**

Koehn gave the report from the June 1st Park Commission meeting. Dana Bridges had made a request to the Park Commission about helping with the weed eating along the Trail of Memories. The Park Department already cuts the grass along this area. Motion by Cook to weed eat around the benches, seconded by Jett. Motion passed unanimously by a show of hands.

**UNFINISHED BUSINESS**

**Columbus Day**

Snead reported that 49 cities responded back to him and that 25 cities did have Columbus day off and 24 cities did not have the day off. It was also reported that on average most cities have 12 scheduled holidays when asked as well. Snead also reported that since it was a federal holiday that all banks, law offices, post offices, federal, state and county offices are closed. Because of these offices being closed very little transactions can happen at the city level. Motion by Irick to allow all city employees to be off for Columbus Day going forward, seconded by Brown. Motion passed with a 5-2-1 vote.

**PUBLIC HEARINGS**

None

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

**Bill NO. 2017-12 ORD NO. 1035**

**BILL NO. 2017-12 ORDINANCE NO. 1035**  
**AN ORDINANCE OF THE CITY OF BUTLER, MISSOURI, TO**  
**RE-ESTABLISH A PROCEDURE TO DISCLOSE POTENTIAL**  
**CONFLICTS OF INTEREST AND SUBSTANTIAL INTERESTS**  
**FOR CERTAIN OFFICIALS.**

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

**1<sup>st</sup> Reading**  
**Bill NO. 2017-12**  
**Ordinance NO. 1035**

**BILL NO. 2017-12 ORDINANCE NO. 1035**  
**AN ORDINANCE OF THE CITY OF BUTLER, MISSOURI, TO**  
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**CONFLICTS OF INTEREST AND SUBSTANTIAL INTERESTS**  
**FOR CERTAIN OFFICIALS.**

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

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

**2<sup>nd</sup> Reading**  
**Bill NO. 2017-12**  
**Ordinance NO. 1035**

**BILL NO. 2017-12 ORDINANCE NO. 1035**  
**AN ORDINANCE OF THE CITY OF BUTLER, MISSOURI, TO**  
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**CONFLICTS OF INTEREST AND SUBSTANTIAL INTERESTS**  
**FOR CERTAIN OFFICIALS.**

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

Motion by Jett to adopt, seconded by Irick.

**Adoption**  
**Bill NO. 2017-12**  
**Ordinance NO. 1035**

**BILL NO. 2017-12 ORDINANCE NO. 1035**  
**AN ORDINANCE OF THE CITY OF BUTLER, MISSOURI, TO**  
**RE-ESTABLISH A PROCEDURE TO DISCLOSE POTENTIAL**

**CONFLICTS OF INTEREST AND SUBSTANTIAL INTERESTS  
FOR CERTAIN OFFICIALS.**

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

**Bill NO. 2017-13 ORD NO. 1036**

**Bill No. 2017-13 Ordinance No. 1036**

**AN ORDINANCE OF THE CITY OF BUTLER, MISSOURI, TO  
BAN THE USE OF LEAD MATERIALS IN THE PUBLIC DRINKING  
WATER SYSTEM AND PRIVATE PLUMBING CONNECTED TO  
THE PUBLIC DRINKING WATER SYSTEM; AND TO PROTECT  
CITY RESIDENTS FROM LEAD CONTAMINATION IN THE  
CITY'S PUBLIC DRINKING WATER SYSTEM AND THEIR OWN  
PRIVATE PLUMBING SYSTEMS.**

**1<sup>st</sup> Reading**

**Bill NO. 2017-13**

**Ordinance NO. 1036**

Motion by Irwin for first reading by title only, seconded by Stark

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CITY'S PUBLIC DRINKING WATER SYSTEM AND THEIR OWN  
PRIVATE PLUMBING SYSTEMS.**

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

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

**Bill NO. 2017-13**

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

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CITY'S PUBLIC DRINKING WATER SYSTEM AND THEIR OWN  
PRIVATE PLUMBING SYSTEMS.**

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

**Adoption**

**Bill NO. 2017-13**

**Ordinance NO. 1036**

Motion by Garnett to adopt, seconded by Brown.

**Bill No. 2017-13 Ordinance No. 1036**

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THE PUBLIC DRINKING WATER SYSTEM; AND TO PROTECT  
CITY RESIDENTS FROM LEAD CONTAMINATION IN THE**

## **CITY'S PUBLIC DRINKING WATER SYSTEM AND THEIR OWN PRIVATE PLUMBING SYSTEMS.**

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

### **Resolution 430**

Resolution 430 died do to a lack of a motion.

### **Reports**

#### **CITY CLERK**

Snead reported that he is looking into a new system for city council packets going forward.

#### **POLICE CHIEF**

Nothing to Report.

#### **CITY ATTORNEY**

Nothing to Report.

### **CITY ADMIN**

#### **Jeans Day at City Hall**

Koehn asked City Council if City Hall employees could wear jeans on Thursday and Friday. Currently staff is allowed to wear jeans on Friday, Koehn has been asked by staff if this could be extended. That even though they would be allowed to wear jeans they still must obtain a professional look. The jeans may not be torn or ragged looking. Motion by Agnew to allow jeans to be worn on Thursday for the City Hall employees, that they must keep a professional look and jeans cannot be torn or ragged, seconded by Jett. Motion passes with a 6-2 vote.

#### **Fiber**

Fiber conversation- No updates at this time.

#### **Project Lemonade**

Project Lemonade- The final paperwork for the proposed park has been submitted. Koehn is waiting to hear back from SHPO concerning any additional information that is needed. If all goes well, Koehn expects to hear something back by the middle of July.

#### **Freedom's Frontier**

Freedom's Frontier signage- Koehn will be meeting with Darin Hamelink from MoDOT and Doug from Freedom's Frontier to finalize placement of the signs that have the possibility of being placed in MoDOT's ROW on June 7<sup>th</sup>.

#### **206 N. Fulton**

Abatement for 206 N. Fulton- the 30 day extension has expired and we are still trying to reach out to the owner. More work has been done on the property since the last update

#### **Airport Project**

Airport drainage project- Authorization to approve the contractor has been signed and sent to the State for approval. We are waiting to hear back from them for the project to be awarded to the chosen contractor and for a notice to proceed to be issued. The addendum to the contract for the addition to the tarmac has been discussed by the chosen contractor, the public works director

and Koehn. A walk through was held on May 23<sup>rd</sup> with the group in order to better assess the needs and the way forward with the project.

**310 S. Main**

A warrant has been served on the property located at 310 S. Main and has been inspected by Jim Henry. Koehn is currently working on the statement of violation to be filed at the Recorder's Office.

**RFI**

Koehn completed an RFI on May 31<sup>st</sup> for a company looking for property to build a manufacturing facility that would create 150 jobs. Koehn received word back that 22 submittals were received. Koehn will keep everyone updated on the progress.

**PUBLIC WORKS**

No Report

**CODE ENFORCEMENT**

Boyd reported that grass is starting to be a major issue around the city.

**MAYOR**

Thanked everyone for their hard work. Read a thank you card from the Garnett family and Diehl family for flowers sent to them.

**COUNCIL MEMBERS**

**GARNETT**

Nothing to Report.

**BROWN**

That people have not received their electric bill yet. There is an open water meter lid on Walnut and Austin that needs to be filled. The cemetery looked wonderful during Memorial Day.

**IRICK**

That an Animal Control officer is needed. Dogs are running around loose and owners are not obeying the leash laws. Koehn stated that the Police Department is working on hiring someone part time.

**STARK**

Nothing to Report.

**IRWIN**

Nothing to Report.

**AGNEW**

Nothing to Report.

**COOK**

Nothing to Report.

**JETT**

Thanked Brian Boyd for the hard work he is doing.

**New Business**

**Airport Lease - Davenport**

Koehn reported that the lease agreement is not ready yet for council approval. It will be presented at the Airport Commission on Thursday, should be ready

for city council by the next meeting.

**Airport Lease - Musick**

Koehn reported that the full lease agreement is not ready but asked council to approve the terms of the lease so Musick could move forward with their bank. A 20 year term for \$840 per year was presented to council by Koehn. Motion by Irick to approve a 20 year term for \$840 per year for the lease agreement with Musick, seconded by Jett. Motion passed unanimously by a show of hands.

**Safety Village**

The Bates County Elks Lodge has requested a donation for Safety Village this year in the amount of \$300.00. This has been an annual donation that the city has made for Safety Village. Motion by Brown to approve the \$300.00 donation to Safety Village, seconded by Irick. Motion passed unanimously by a show of hands.

**ADJOURN**

There being no further business, motion was made by Brown, seconded by Garnett 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

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Mayor Don H. Malan

**ATTEST**

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Corey Snead  
City Clerk