

**MEETING OF THE CITY COUNCIL  
JULY 6TH, 2017**

The Butler City Council met in regular session on Thursday, July 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, Police Officer Kaleb Platt and Code Enforcement Officer Brian Boyd.

**OTHER GUESTS**

Crystal Treadwell, Linn Nitsche, Teresa Shobe, Betty Irwin, Joe Lauber and Diana Dee Thomas

**APPROVE CONSENT AGENDA**

Motion by Irwin, seconded by Agnew to approve the minutes of the regular session of June 20, 2017 and the closed session minutes of June 20, 2017  
Motion passed unanimously by a show of hands.

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

Motion by Stark, seconded by Cook to approve the Travel/Training request presented. Motion passed unanimously by a show of hands.

**DELETION/ADDITION TO  
AGENDA**

To add Ordinance 1037 and Ordinance 1038 to the agenda, also add City Attorney contract under unfinished business. To add Burns & McDonnell Aviation Project Supplemental Agreement 1 Construction Services to new business. Delete all three items listed under new business. Motion by Garnett to accept all items that need to be added and deleted to the agenda, seconded by Stark. Motion passed unanimously by a show of hands.

**SCHEDULED GUESTS**

**Diana Dee Thomas**

Diana Dee Thomas was representing Marcene Irwin who could not be at council. Mrs. Thomas was concerned about the code violation that Ms. Irwin received on June 13<sup>th</sup>. That the area the city wants Ms. Irwin to mow could not

be mowed with a normal mower. That the area is not a ditch it is a natural water way. Ms. Irwin has had someone come out to see if it could be mowed and it would take special equipment at this point to get the area cleaned up. Ms. Irwin has spent close to \$300.00 already trying to get the situation under control. They are asking that the City look at the ordinance and make an amendment to it for situations like Ms. Irwin. Mrs. Thomas passed out proposed amendments that she has drafted for the ordinance for city council to review.

**Teresa Shobe**

Mrs. Shobe came before council requesting that the porta potties be placed back at Douglas Park. Mrs. Shobe has noticed that other parks in town still have porta potties in them. She also knows that vandalism has caused the ones at Douglas Park to be removed. However people use that park still and need a restroom. Mrs. Shobe asked if a concrete slab could be poured so the porta potties could be secured. Public Works Director Trent Diehl will look into this matter further on getting one installed at the park.

**COMMITTEES**

**Public Safety**

Garnett reported that the Public Safety Committee met before city council to talk about brush and city wide clean up. The current ordinance does need to be looked at because it does not reference everything correctly the city does for brush pick up. They also want civic organizations to get involved with possibly helping citizens that cannot pick up brush or help mowing. The Mayor also wants to start a group with the help of the Neighborhood Advisory Commission that would go out and tackle some problem areas in the community and get them cleaned up.

**BOARDS AND COMMISSIONS**

**Park and Recreation**

Koehn gave the report from the July 6th Park and Recreation Commission meeting. The Park Commission approved that infield mix be purchased for the ladies softball field. The cost of the infield mix would be \$10,000.00. Motion by Jett to approve the infield mix for the softball field for \$10,000.00, seconded by Cook. Motion passed unanimously by a show of hands.

**UNFINISHED BUSINESS**

**City Attorney Contract**

Tom Addleman has requested that the City Attorney and City Prosecutor duties be split up going forward. Mr. Addleman would still be the City Prosecutor and the City would need to hire a new City Attorney. Mr. Addleman has presented a contract to the City for his work going forward as the City Prosecutor. Motion by Jett to split the duties and have a City Attorney and City Prosecutor and accept the contract presented by Mr. Addleman to be the City Prosecutor, seconded by Cook. Motion passes with a 6-2 vote.

A packet was presented to City Council for the services of Joe Lauber as the City Attorney. Motion by Jett to accept the recommendation and appoint Joe

Lauber as City Attorney, seconded by Cook. Motion passes with a 7-1 vote.

None

**PUBLIC HEARINGS**

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

Bill NO 2017-14 Ord. 1037

**BILL NO 2017-14 ORD NO 1037  
APPROVING MISSOURI HIGHWAYS AND TRANSPORTATION  
COMMISSION AMENDMENT TO STATE BLOCK GRANT  
AGREEMENT**

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

**Bill NO. 2017-14**

**Ordinance NO. 1037**

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

**BILL NO 2017-14 ORD NO 1037  
APPROVING MISSOURI HIGHWAYS AND TRANSPORTATION  
COMMISSION AMENDMENT TO STATE BLOCK GRANT  
AGREEMENT**

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

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

**Bill NO. 2017-14**

**Ordinance NO. 1037**

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

**BILL NO 2017-14 ORD NO 1037  
APPROVING MISSOURI HIGHWAYS AND TRANSPORTATION  
COMMISSION AMENDMENT TO STATE BLOCK GRANT  
AGREEMENT**

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

**Adoption**

**Bill NO. 2017-14**

**Ordinance NO. 1037**

Motion by Jett to adopt, seconded by Garnett.

**BILL NO 2017-14 ORD NO 1037  
APPROVING MISSOURI HIGHWAYS AND TRANSPORTATION  
COMMISSION AMENDMENT TO STATE BLOCK GRANT  
AGREEMENT**

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

Bill NO 2017-15 Ord. 1038

**BILL NO 2017-15 ORD NO 1038  
AGREEMENT BETWEEN CITY of BUTLER AND ALLGEIER, MARTIN AND  
ASSOCIATES, INC. FOR PROFESSIONAL SERVICES**

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

**Bill NO. 2017-15**

**Ordinance NO. 1038**

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

**BILL NO 2017-15 ORD NO 1038  
AGREEMENT BETWEEN CITY of BUTLER AND ALLGEIER, MARTIN AND  
ASSOCIATES, INC. FOR PROFESSIONAL SERVICES**

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

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

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

**Bill NO. 2017-15**

**Ordinance NO. 1038**

**BILL NO 2017-15 ORD NO 1038**

**AGREEMENT BETWEEN CITY of BUTLER AND ALLGEIER, MARTIN AND ASSOCIATES, INC. FOR PROFESSIONAL SERVICES**

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 2017-15 ORD NO 1038**

**AGREEMENT BETWEEN CITY of BUTLER AND ALLGEIER, MARTIN AND ASSOCIATES, INC. FOR PROFESSIONAL SERVICES**

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

**Adoption**

**Bill NO. 2017-15**

**Ordinance NO. 1038**

**Reports**

**CITY CLERK**

Snead reported that the preliminary audit work had been completed and the auditors will be here the week of July 24 to start the audit.

**POLICE CHIEF**

Nothing to Report.

**CITY ATTORNEY**

Nothing to Report.

**CITY ADMIN**

**Fiber**

Koehn reported that Allgeier Martin would be working with ACRS LLC to start the work on the feasibility study and survey for fiber. The total cost of the project would be \$28,000.00 if ACRS did everything from design, cost estimates, market analysis and financial forecast. Since the city only has \$17,000.00 for the project Koehn has suggested we just go forward with the feasibility study and survey. Motion by Jett to move forward with the feasibility study and survey for fiber for the \$17,000.00, seconded by Irick. Motion passes with a 6-2 vote.

**PUBLIC WORKS**

No Report.

**CODE ENFORCEMENT**

No Report.

Thanked all the employees for all their hard work.

**MAYOR**

**COUNCIL MEMBERS**

GARNETT	Nothing to Report.
BROWN	The pavement at the pavilion in Douglas Park is badly cracked and needs replaced.
IRICK	Nothing to Report.
STARK	Nothing to Report.
IRWIN	Would like to know when Sunset Park would be completed? It was reported that the Parks Dept. would not be able to work on the project until after the pool had closed and mowing had slowed down.
AGNEW	Nothing to Report.
COOK	Nothing to Report.
JETT	Citizens are very thankful that the street light had been put in.

**New Business**

**Burns & McDonnell**

To approve the aviation project consultant supplemental agreement NO.1 for construction services. This would start the construction process on the drainage project at the airport. Motion Jett to approve the agreement with Burns & McDonnell, seconded by Stark. 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. Motion passed unanimously by a show of hands.

**ATTEST**

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Mayor Don H. Malan

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Corey Snead  
City Clerk

