

**MEETING OF THE CITY COUNCIL  
OCTOBER 3RD, 2017**

The Butler City Council met in regular session on Tuesday, October 3, 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 Joe Lauber, Code Enforcement Officer Brain Boyd and Police Chief Randy Beshore.

**OTHER GUESTS**

Mikie Irick and Gayle Alexander

**APPROVE CONSENT AGENDA**

The minutes from the September 19, 2017 will be approved during the October 17, 2017 meeting. The wrong set of minutes was downloaded into the council packet for approval.

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

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

**DELETION/ADDITION TO  
AGENDA**

Add to new business the appraisal of a city owned building. Motion by Stark to add the appraisal of a city owned building to new business, seconded by Jett. Motion passed unanimously by a show of hands.

**SCHEDULED GUESTS**

None

**COMMITTEES**

None

**BOARDS AND COMMISSIONS**

None

**UNFINISHED BUSINESS**

None

**PUBLIC HEARINGS**

None

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

**Bill NO 2017-20 Ord. 1043**

**BILL NO 2017-20 ORDINANCE NO. 1043**

ORDINANCE AUTHORIZING FILING OF APPLICATIONS WITH THE FEDERAL ENERGY REGULATORY COMMISSION (FERC) BY THE MISSOURI JOINT MUNICIPAL ELECTRIC UTILITY COMMISSION (MJMEUC) ON BEHALF OF THE CITY OF BUTLER (CITY), A MEMBER CITY OF MJMEUC, FOR WAIVERS UNDER THE PUBLIC UTILITY REGULATORY POLICIES ACT OF 1978 (PURPA) FOR FACILITIES GREATER THAN 20MW AND EXEMPTING CITY FROM PURCHASE REQUIREMENTS REGARDING QUALIFYING FACILITIES AND ADOPTING RULES FOR COMPLIANCE WITH FERC'S PURPA REGULATIONS

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

**Bill NO. 2017-20**

**Ordinance NO. 1043**

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

**BILL NO 2017-20 ORDINANCE NO. 1043**

ORDINANCE AUTHORIZING FILING OF APPLICATIONS WITH THE FEDERAL ENERGY REGULATORY COMMISSION (FERC) BY THE MISSOURI JOINT MUNICIPAL ELECTRIC UTILITY COMMISSION (MJMEUC) ON BEHALF OF THE CITY OF BUTLER (CITY), A MEMBER CITY OF MJMEUC, FOR WAIVERS UNDER THE PUBLIC UTILITY REGULATORY POLICIES ACT OF 1978 (PURPA) FOR FACILITIES GREATER THAN 20MW AND EXEMPTING CITY FROM PURCHASE REQUIREMENTS REGARDING QUALIFYING FACILITIES AND ADOPTING RULES FOR COMPLIANCE WITH FERC'S PURPA REGULATIONS

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

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

**Bill NO. 2017-20**

**Ordinance NO. 1043**

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

**BILL NO 2017-20 ORDINANCE NO. 1043**

ORDINANCE AUTHORIZING FILING OF APPLICATIONS WITH THE FEDERAL ENERGY REGULATORY COMMISSION (FERC) BY THE MISSOURI JOINT MUNICIPAL ELECTRIC UTILITY COMMISSION (MJMEUC) ON BEHALF OF THE CITY OF BUTLER (CITY), A MEMBER CITY OF MJMEUC, FOR WAIVERS UNDER THE PUBLIC UTILITY

REGULATORY POLICIES ACT OF 1978 (PURPA) FOR FACILITIES  
GREATER THAN 20MW AND EXEMPTING CITY FROM PURCHASE  
REQUIREMENTS REGARDING QUALIFYING FACILITIES AND  
ADOPTING RULES FOR COMPLIANCE WITH FERC'S PURPA  
REGULATIONS

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

Motion by Jett to adopt, seconded by Stark.

**Adoption**  
**Bill NO. 2017-20**  
**Ordinance NO. 1043**

**BILL NO 2017-20 ORDINANCE NO. 1043**

ORDINANCE AUTHORIZING FILING OF APPLICATIONS WITH THE  
FEDERAL ENERGY REGULATORY COMMISSION (FERC) BY THE  
MISSOURI JOINT MUNICIPAL ELECTRIC UTILITY COMMISSION  
(MJMEUC) ON BEHALF OF THE CITY OF BUTLER (CITY), A MEMBER  
CITY OF MJMEUC, FOR WAIVERS UNDER THE PUBLIC UTILITY  
REGULATORY POLICIES ACT OF 1978 (PURPA) FOR FACILITIES  
GREATER THAN 20MW AND EXEMPTING CITY FROM PURCHASE  
REQUIREMENTS REGARDING QUALIFYING FACILITIES AND  
ADOPTING RULES FOR COMPLIANCE WITH FERC'S PURPA  
REGULATIONS

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

**Reports**

**CITY CLERK**

That the audit should be ready in November for council approval.

**POLICE CHIEF**

Received a \$500.00 safety belt grant that will cover OT for the Police  
Department. The Chief also responded to the letter that was written by the  
Butler Chamber about Huckster's Day. That Adrian, Rich Hill and Butler all  
had court and that and the square could not be totally blocked off. The  
Chamber never did contact the Police Department about blocking off the  
square until two days before the event. That better communication needs to  
happen if we are going to keep having events like this on the square. Koehn  
did advise the event form will be before council soon for approval and this  
would help solve many of the issues that happened.

**CITY ATTORNEY**

Lauber will not be at the next City Council meeting do to a conference he is  
attending.

**CITY ADMIN**

**Fiber**

The paper survey was sent out in the bills for September. We have launched

the online survey through survey monkey for those that want to complete the survey online. We have received about 12% of the surveys back and continue to see them trickle in. To date, we have a 75% yes to fiber. We are continuing to collect the surveys and would encourage those who have not completed one, to do so. We would also like to see more surveys from the businesses. Councilman Brown would also like us to go visit Chanute Kansas and ask them about their experience with fiber.

**Hilltop Trailer Court**

Abatement for Hilltop trailer court Koehn received notice from a potential buyer that negotiations are in place for the purchase of the property. Koehn will continue to work with the individual on the matter.

**Airport Project**

The NTP was sent. Koehn received notification from the engineer that the contractor is still waiting on supplies in order to start the project. The north end of the project will start on time, but the south end will have to be pushed to the right.

**310 S. Main**

Koehn has a hearing scheduled for October 4, 2017 at City Hall.

**304 E. Ft Scott**

Koehn has a hearing scheduled for October 4, 2017 at City Hall.

**DNR Grant**

All documentation has been sent to DNR. Koehn has received correspondence that all documentation looks to be correct and the final documents are being drafted by DNR for approval. Koehn was told that the approval process takes a little while.

**Event Forms**

Koehn met with City staff to begin the event form. Koehn has completed revisions suggested by the team and will be getting back with them to finalize. We will bring the final event form to Council for approval once we are finished.

**Listening Post**

On Wednesday September 20<sup>th</sup> at 12 pm, Koehn attended a listening post hosted by Representative Patricia Pike. MODOT's area engineer, Darin Hamelink was on sight and gave a presentation on the status of funding and answered many questions from the attendants.

**CLG**

The Mayor needs to appoint five people for the Certified Local Government.

**MoPEP Grant**

The City will be submitting a grant application to MoPEP for a project for the electrical distribution system in the amount of \$45,668. The Public Works Director and the Electric Superintendent are working on the project to submit.

**PUBLIC WORKS**

No Report.

**CODE ENFORCEMENT**

No Report.

**MAYOR**

Thank all the city employees for their hard work and dedication.

**COUNCIL MEMBERS**

GARNETT

Nothing to Report.

BROWN

East side of square a street light is out. Austin and Smith streets a street light is out.

IRICK

Ohio Street continues to be a mess after school with pick up.

STARK

Nothing to Report.

IRWIN

Nothing to Report.

AGNEW

Had a problem on South High Street this week but Diehl is working on it.

COOK

Nothing to Report.

JETT

Nothing to Report.

**New Business**

**Appraisal**

Koehn asked for an appraisal to be done on a city owned property The Old High School Building. Appraisal would only be done if we sold the building. Motion by Stark to allow Koehn to do the appraisal if need be and spend up to \$3,000.00 for the appraisal, seconded by Jett. Motion passed unanimously by a show of hands.

**ADJOURN**

There being no further business, motion was made by Jett, seconded by Garnett to go into closed session. Roll Call Vote  
Brown – Aye Irick – Aye Irwin – Aye Cook – Aye  
Garnett – Aye Stark – Aye Agnew – Aye Jett – Aye

Motion by Stark to adjourn the regular session council meeting, seconded by Garnett. 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

