

# December 20, 2018

BY CITY OF BUTLER ON DECEMBER 27, 2018 · [ADD COMMENT](#)

## MINUTES

**City Council Meeting  
City of Butler, Pennsylvania  
December 20, 2018**

Mayor Smith called the meeting to order at 7:03 PM. Mayor Smith and Council members Walter, Smith, Bonus and Roche were present. The pledge of allegiance to the flag followed an invocation given by Pastor Ben Ogle, Community Life Church.

### *The following action took place at the City's Forum Meeting held on December 18, 2018:*

City Council, acting as the Board of Health, and under the provisions of the Third Class City Code, Section XXIII, (b) Abatement of Public Nuisances, Section 2321, finds the following subject structures detrimental to public health and orders their removal by demolition:

522 Forcht Way

239 Cleveland Street

Motion by Mayor Smith. Second by CM Bonus. All voted aye.

## PERSONS TO BE HEARD:

**John Pro, Butler Old Stone House Region** presented a list of public events to council where the Jeep and Huselton were displayed in 2018. He requested support for the purchase of new tires and tubes for the Huselton in 2019.

Motion by Mayor Smith with a second from CM Walter to approve the minutes of the regular meeting of November 15, 2018. All voted aye.

Motion by Mayor Smith with a second from CM Walter to acknowledge receipt of the monthly minutes from RACB, including the CDBG/HOME Program activities. All voted aye.

## MONTHLY BOARDS AND AUTHORITIES LIAISON REPORTS

Liaisons gave brief reports from boards and authorities that met in November.

## MONTHLY DEPARTMENT REPORTS

*(Note: Department Reports Distributed to Council at Tuesday's Forum Meeting for Review)*

Department reports for the month of November were approved by individual, unanimous votes. The monthly report for October from the City Clerk was also approved by individual, unanimous votes.

## COUNCIL REPORTS/ACTIONS

**Councilman Walter**

1. Motion for the second reading and adoption of **City Ordinance No. 1771**, an ordinance of the City of Butler fixing the tax rate for Fiscal Year 2019. Second by Mayor Smith. All voted aye.
2. Motion for the second reading and adoption of **City Ordinance No. 1772**, an ordinance of the City of Butler adopting the annual budget and appropriating specific sums estimated to be required for the specific purposes of the City government as set forth therein during Fiscal Year 2019. Second by CM Roche. All voted aye.
3. Motion for the second reading and adoption of **City Ordinance No. 1773**, an ordinance of the City of Butler fixing the wages and salaries of employees of the City in conformance with the budget for Fiscal Year 2019. Second by CM Bonus. All voted aye.
4. Motion to accept a proposal submitted by **PNC Bank** for a **2019 Tax Revenue Anticipation Note** in the amount of \$1,000,000.00 at an annual interest rate of **3.13%** percent per annum and to adopt the Note Resolution as prepared by PNC Bank. Second by CM Roche. All voted aye.
5. Motion to approve **City Resolution 2018-12-20**, a resolution of the City of Butler authorizing the issuance of a Tax Revenue Anticipation Note Series 2019 in the amount of \$1,000,000.00. Second by Mayor Smith. All voted aye.
6. Motion to designate Veronica Walker as the **City's Fair Housing Officer** for 2019. Second by Mayor Smith. All voted aye.
7. Motion to approve the recommendation of our consultant (BidURenergy) and enter into the contract with **Dynegy Energy Services** to be the City's electrical supplier for a period of 36 months beginning November, 2019 through December, 2022 at a contract rate of \$0.04880. Second by CM Roche. Motion to table by CM Walter. Second by CM Bonus. All voted aye. Motion tabled.

**Councilman Bonus**

8. Motion to approve payment for application #2, #3 & #4, to **Gregor Contracting, Inc.** in the amount of \$55,506.20 for the North Monroe Street Culvert Replacement Project. LIN 18 430 436. Second by Mayor Smith. All voted aye.
9. Motion to approve payment to **A. Liberoni, Inc.** for Contract #1, curb ramps, in the amount of \$88,874.45 and Contract #2, paving, in the amount of \$104,974.88 for a total of **\$193,849.33** for the 2018 Street Paving Project. LIN 18 430 439. Second by CM Walter. All voted aye.
10. Motion to approve an additional \$3,000.00 to be paid to the **US Army Corps of Engineers** for the cleanup and repair project as a result of the high water event with Sullivan Run 18 months. Second by Mayor Smith. All voted aye.

**Councilman Roche**

11. Motion to approve **City Resolution 2018-12-20A** revising the City's administrative fee schedule and the parking rates as of January 1, 2019. Second by CM Bonus. All voted aye.
12. Motion to approve the conditional hiring of two part-time firefighters from the 2018 Civil Service Examinations Certified List. Second by Mayor Smith. All voted aye.

**Mayor Smith**

13. Motion to approve **City Council's 2019 meeting schedule**, a copy of which will be published in a local newspaper to comply with the Sunshine Act and attached to the minutes of this meeting. Second by CM Roche. All voted aye.

14. Motion to authorize **Mindy F. Gall, City Clerk**, with official signing authority for the online electronic invoicing forms associated with the CDBG and HOME programs in the event of the Mayor's absence. Second by CM Walter. All voted aye.
15. Motion to update the City of Butler's **Open Records Policy Statement**. Second by CM Roche. All voted aye.
16. Motion to direct the City Clerk to advertise for sale one used **2005 Ford Crown Victoria** from the City's Bureau of Police that is surplus to the needs of the Police Department. Second by CM Walter. All voted aye.
17. Motion to direct the City Clerk to advertise for sale one used **2006 Ford Explorer** from the City's Bureau of Police that is surplus to the needs of the Police Department. Second by CM Bonus. All voted aye.
18. Motion to direct the City Clerk to advertise for sale one used **2013 Chevrolet Impala** from the City's Bureau of Police that is surplus to the needs of the Police Department. Second by CM Walter. All voted aye.
19. Motion to designate the **2013 Chevrolet Impala** police cruiser – **VIN #2G1WD5E36D1259707** to be of no value to the City of Butler and to relinquish the title to Butler Tires for Less. Second by CM Bonus. All voted aye.
20. Motion to approve an agreement with **County Festivals, LLC** for a festival to be held in 2019. Second by CM Roche. All voted aye.
21. Motion to approve **City Resolution 2018-12-20B**, a resolution created by American Promise, calling upon the United States Congress to propose and send to the states for ratification a constitutional amendment to restore constitutional rights and fair elections to the people. Second by CM Walter.

Councilman Smith commented, "first, I would like to commend Dane Winkler on his advocacy of this issue. I don't know Dane well, but I have followed his efforts on a number of projects and recognized his passion for those projects. But until he brought this resolution forward, I never had the chance to appreciate that, in addition to his passion, he is a very reasoned individual who can articulate his position without losing the ability to listen.

In today's world, too many people talk at others rather than to others. People just spout their positions instead of discussing them. Dane is the exception to that rule. He is a true example of how advocacy should work and I commend him for it.

Concerning the resolution. When I ran for City Council, I did it largely on a platform of saving our neighborhoods and growing the residential base of the City in order to make Butler economically viable. That included finding ways to better fight drugs, to hold absentee landlords to standard that protects all residents from substandard housing, and to encourage more owner-occupied housing. The majority of the voters agreed with me and I was fortunate enough to be elected to City Council.

Personally, I cannot vote in favor of this resolution. Not because of the content, but because it is not a City issue.

If I was to vote in favor of this resolution, it would only be because I personally agreed with it and wanted to further promote it. And while I do recognize the problems inherent with our political process today, I do not feel that my voice should be heard any louder than any other City resident on purely federal issues.

To vote in favor of this resolution would, in my opinion, be taking advantage of my position as a Council person to promote a personal agenda. I would be speaking for nearly 14,000 people without their consent as I believe the voters only granted their consent for me to vote on matters pertaining to the City.

Some of you may have a broader interpretation of your role on Council, and that is OK.

Finally, out of respect for Dane's approach to what I believe is a legitimate issue, I am willing to work with him and others to try and arrange a meeting with our Congressman or our Senators to share his resolution.

They are the people who can affect change and they need to hear it from individuals, not just five members of City Council. Thank you.”

CM Walter, CM Bonus, CM Roche and Mayor Smith voted aye. CM Smith voted no. Motion passed.

### **Appointments:**

Wilma West has been appointed to the **Shade Tree Commission** to replace Diane Bowman, whose term expires June, 2022.

In the absence of the City Treasurer, Councilman Bonus presented a Monthly Intake Report for November, 2018.

The City Controller presented bills for payment as follows: from the general fund – \$330,061.16; from the parking fund – \$36,020.12; from the capital projects fund – \$259,977.53; from the liquid fuels tax fund – \$37,167.53; and from the 2015-Series Bonds fund – \$355,955.80 for a grand total of \$1,019,182.14. Motion by Mayor Smith with second from CM Bonus to approve payment of bills as presented. All voted aye.

### **ANNOUNCEMENTS:**

- WISR City Hall – Mayor Smith and Chief O’Neill
- First Responder Light Up Night – Saturday, December 22<sup>nd</sup>
- City Building Closed – December 25<sup>th</sup> and January 1<sup>st</sup>

Jennifer Gilliland Vanasdale, candidate for Judge; Butler County Court of Common Pleas, introduced herself to council.

Mayor Smith adjourned the meeting at 7:46 PM.