

**MEETING OF THE CITY COUNCIL  
APRIL 21, 2026**

The Butler City Council met in regular session on Tuesday, April 21, 2026, at 7:00 p.m. in the Council Chambers at City Hall, 22 West Ohio with Mayor Henry presiding. The following Councilmen were present:

**ROLL CALL**

Denny Rich  
Timothy Young  
Doncella Liggins  
Jeffery Hall

Marlene Wainscott  
Fawn Alkire  
Carmen Behringer  
Scott Mallatt

**OTHERS PRESENT**

Others present were Attorney James Newell, City Clerk Gayle Alexander, Police Chief Jerret Wheatley, Street Foreman Chris Kantor, Electrical Foreman Travis Gillis, and Parks & Recreation Superintendent Scott Bitner.

**OTHER GUESTS**

Melvin Ewing, Layne Anderson, Jon Dudley, Trey Douty, Doug Mager, Samantha Stump, Lee McLain, Derek Barr, Morgan Webb, and Don Malan.

**PLEDGE OF ALLEGIANCE**

Mayor Henry led the pledge of allegiance.

**APPROVE CONSENT  
AGENDA**

Motion by Wainscott, seconded by Rich, to approve the Minutes of the Regular City Council Meeting of April 7, 2026, and the Minutes of the Closed Session Meeting of April 7, 2026. Motion passed unanimously by ayes.

Motion by Liggins, seconded by Rich, to approve the bills as presented. Motion passed unanimously by ayes.

Motion by Rich, seconded by Liggins, to approve the Travel and Training Requests for the Police Department. Motion passed unanimously by ayes.

Motion by Mallatt, seconded by Wainscott, to approve the Travel and Training Requests for the City Officials Training. Motion passed unanimously by ayes.

Motion by Mallatt, seconded by Liggins, to approve the Travel and Training Requests for Trish Thomas and Barbara Scroggins to Belton. Motion passed unanimously by ayes.

**PRESENTATION OF SERVICE PLAQUE**

Mayor Henry presented Fawn Alkire with a Years of Service Plaque for serving on City Council for the City of Butler.

**ELECTION RESULTS**

Alexander read the Official Certified Election results of the April 7, 2026, Election by the Bates County Clerk.

Motion by Wainscott, seconded Rich to accept the Certified Election results by the Bates County Clerk. Motion passed unanimously by ayes.

**MOTION TO ADJOURN**

Motion to adjourn the regular city council meeting by Liggins, seconded by Rich. Motion passed unanimously by ayes.

**CALL TO ORDER**

New meeting called to order by Mayor Henry.

**OATH OF OFFICE**

Alexander administered the Oath of Office to the newly elected City Council members Jim Henry, Denny Rich, Doncella Liggins, Jon Dudley, and Carmen Behringer.

**ROLL CALL OF NEW CITY COUNCIL**

Denny Rich  
Timothy Young  
Doncella Liggins  
Jeffery Hall

Marlene Wainscott  
Jon Dudley  
Carmen Behringer  
Scott Mallatt

**ELECT MAYOR PRO-TEM**

Mayor Henry opened nominations to elect the Mayor Pro-Tem. Doncella Liggins was nominated for the position by Denny Rich. No other suggestions were presented.

Motion by Wainscott, seconded by Behringer to cease nominations. The motion passed unanimously by ayes.

Doncella Liggins was approved as mayor Pro-Tem.

**ADDITION/DELETION TO AGENDA**

None.

## SCHEDULED GUESTS

### **Jacob Wren**

Had submitted a request for a Carnival to be held at the First Baptist Church but was not in attendance. Police Chief Wheatley stepped forward and reported that the event would be held on their own property and there should be no problems with parking. The Special Events Committee had met with Wren and the event had been approved by them.

Motion by Rich, seconded by Mallatt to approve the Special Events Request for the First Baptist Church Carnival. Motion passed unanimously by ayes.

### **Tray Douty**

Requested approval for the Car Show of Wheels to be held on May 16. He explained the details of where it would be held at Orange and Lee streets and that the Special Events Committee had approved the request.

Motion by Mallatt, seconded by Rich to approve the Car Show of Wheels special event request. Motion passed unanimously by ayes.

## COMMITTEE REPORTS

### **Student Advisory Committee**

Rich reported that this committee met on April 13. Those attending decided to pursue setting up a basketball tournament to be held on June 13. They also decided to hold meetings once per month, unless there was an activity planned. They will hold the next meeting on May 4, and it is a mandatory meeting in order to determine who still wants to be on the committee. Other items of discussion were setting up a Pickleball tournament, a movie at the soccer field, an event that would include kids from the Juvenile Center, and perhaps a talent show.

Liggins noted that the new councilman, Jon Dudley, wanted to join and welcomed him to the committee.

## BOARDS AND COMMISSIONS

### **Planning Commission**

Mallatt reports that the Planning Commission had met, held a Public Hearing, and approved the Re-Zoning Request from Lee McLain for 102 N. Street. He then remarked that council will consider the request during the New Business section of the agenda.

### **Parks & Recreation Commission**

Mallatt also attended this meeting and pointed out that Parks & Recreation Superintendent Bitner will be presenting the new Rules and Regulations that they created for the Trail of Memories; also, in New Business this evening. Rich reported that the Commission had met with a quorum of the members

**Airport Commission**

present. They decided to hire a person to mow for the summer and will be looking for contractors. There is currently a standstill on the open manager’s position, but Dennis Jacobs will advertise for an airplane mechanic in a Kansas City forum. The Commission voted to increase hangar rents by \$25.00 each and new rental agreements be signed by all lessors Also presented was a current waiting list for hangars and a list for those who want upgrades. The fuel tank has a leaking handle and has been ordered for replacement. They discussed negotiating a new contract be with the Skydivers and at least charge for a tie-down fee and parking for their tanker.

**Historic Preservation Commission**

Mayor Henry attended the Commission meeting and listed the matters that they were considering. He suggested that the members mark out where they wanted the fire hydrant and that they get together with Foreman Berry for the installation. Mayor Henry and Foreman Kantor had met with some of the members and agreed to gets some dirt work at the Pocket Park they want to begin on. Work is still continuing at the Main Street Park for finish coating the murals and planting vegetation underneath. They will present Council with a Proclamation later concerning the name change to Heritage Park.

None

**UNFINISHED BUSINESS**

**PUBLIC HEARING**

**Re-Zoning Request**

Mayor Henry opened the Public Hearing at 7:25 pm for a Re-zoning Request from Lee McLain for 102 N. West Street from R-2 to I-1. He explained that there is one house there that is going to be torn down and would like to get the area rezoned to Industrial, which is what is already there. Mayor Henry invited anyone who would like to speak on the re-zoning request to come forward.

McLain

He owned a house at 102 N. West Street where he and his wife once lived. It is falling into disrepair and is not suitable as a rental in his name. The foundation is not proper and he could only throw so much money in it, so he wanted to tear it down and build a storage building there later. He thought to do the grading for the storage units when he tore the house down, but due to rising metal costs he put the brakes on the building plans for now. During this time, he had discovered that not just where the house sits, but the entire property was all zoned residential and wanted the zoning corrected. Building permits before his time and those before him for storage buildings had always been signed off on in an area that was all residential and he wanted all of this corrected.

Wainscott

Is this Bob Higgins old house?

No, that house is still good. This house is the little tan house that sits on the north

McLain side of the storage buildings. He had thrown enough money in it, that it was time to tear it down, but that opened the door to issues with the permitting and so wanted to get the proper zoning on it.

Rich Asked if there was a reason that he wanted it zoned to I-1.

McLain That was what he was told was the proper zoning for it for the storage buildings.

Rich It only has to be a C-3.

McLain They were telling me that it should be Industrial all along. I'm following what they told me to do. The Zoning Committee said the same thing and it was my understanding of what it needed to be and that it had been this way all along.

Mallatt That is a Light Industrial zone.

Rich Understood that but it only has to be a C-3.

Mallatt But it doesn't hurt for it to be Industrial.

Rich I guess it doesn't matter, we can do anything.

Mallatt Apparently, they didn't do anything when this whole thing started, so as long as we get something settled and McLain feels comfortable with it, he can get started.

McLain Yes, moving ahead and getting it zoned properly.

Mayor Any more comments from the public? Hearing none, Mayor Henry concluded the public hearing at 7:30 pm.

**BILLS, ORDINANCES,  
RESOLUTIONS, POLICIES  
AND PROCLAMATIONS**

None.

**REPORTS**

**City Clerk**

**Auditing Bid**

The agreement with Troutt Beeman & Co. for the annual audit shows that their auditing services will end after the Fiscal Years 23-24 and 24-25. At this point, they haven't completed the audit for 24-25 and it is time to gather things for the FY 25-26 audit, so I have put together an auditing bid to send out. Chief Wheatley had nothing to report and the Code Officer had submitted hers.

**Police Chief/Code Enforcement**

Nothing to report.

**City Attorney**

Reports were submitted.

**Public Works**

Not their week.

**Alliance Water Resources**

Report was submitted.

**Fire Chief**

**Mayor**

I submitted my report and if no one has any questions on anything I will go on.

**Report**

Remember that Grand Opening for Hertzog's and he had a couple of emails that said it was at 9:15am on Friday so see if you can make it to that.

**Hertzog Grand Opening**

Thanked all the City departments for their work. There was lots of wind and flooding recently and the employees go to work in spite of the weather.

**Departments Work**

**COUNCIL MEMBERS**

Nothing to report.

**Rich**

**Young**

Commented that the storms have been going on for quite a bit and that we continue to have flooding issues. He thought that our stormwater management seemed to be below what it should be, so he would like to see some kind of task forced be put together to address the matter.

Mayor Henry replied that council had budgeted for a stormwater study this year.

**Liggins**

Kudos to the city workers and thanked council for their confidence in her for her election to serve as Mayor Pro Tem.

**Hall**

Thanks to the employees. We need to do something about the flood waters. He congratulated the new councilman and thanked Fawn for her service.

Nothing to report.

**Wainscott**

**Dudley**

Thanked the citizens of Ward 3 who elected him. He had gone to almost 500 homes during his campaign. He will bring his concerns to the next meeting.

Thanked the Fire and Police Departments for their participation in the High

**Behringer**

School program's mock auto accident event. She was glad they took part in it.

**Mallatt**

Asked about the downed tree on North Broadway. Mayor Henry explained that it is the cable television's duty to remove the tree. He had spoken with them and was told they had no intention of fixing the issue because of too much tension in the lines. Efforts to contact the bigger boss had yielded no response. Attorney Newell advised that the city cut it up and remove it along with notifying the cable company and asking their representative to be there.

## **NEW BUSINESS**

**Ft. Scott St. Culvert Bids**

Mayor Henry noted that the Engineering Firm Allgeier Martin had submitted their list of bids received for the Ft. Scott Street culvert replacement and their recommendation for the Contract Award. They endorsed Cardinal Sitework from Pittsburg, Kansas with their lowest responsive bid with the amount of \$223,207.54.

Motion by Mallatt, seconded by Hall to accept the bid by Cardinal Sitework in the amount of \$223,204.54. Motion passed unanimously by ayes.

**Trail of Memories Guidelines**

Parks & Recreation Superintendent Bitner presented the recommendation by the Parks & Recreation Commission's Guidelines for the Trail of Memories. He explained that the group who had been in charge is now gone and there is no organization in charge of the Trail now, so it has fallen to the Parks Department to do the setting up and maintenance for it now. He indicated that the city would be responsible for the Trail beginning at the Pickleball court all the way to the end of the soccer fields. He asked to purchase ten trees to get started in the fall versus buying one tree at a time and watering them as they were ordered and planted.

Motion by Mallatt, seconded by Wainscott to approve the Trail of Memories Guidelines and to purchase ten trees for planting this fall. Motion passed unanimously by ayes.

**Re-zoning Request for  
102 N. West Street**

After a heated discussion about whether the property should be classified as C-3 or I-1, the matter was tabled for debate at the next council meeting. Councilman Young left the meeting at 8:00 pm.

**Bucket Truck Bids**

Foreman Gillis presented Council with bids for a F600 Bucket Truck. Mayor Henry noted that the department needed it as a safety factor and that this is a budgeted item. A lease/purchase was recommended and it may be three months or more before delivery. They thought to move the current bucket truck to the

Parks Department for their use and modifying it for pulling the chipper.

Motion by Hall, seconded by Wainscott to accept the quote of the F600 Bucket Truck from Work Truck Depot for \$170,000.00. Motion passed unanimously by ayes.

### **Diagnostic Service Tool**

Mayor Henry presented an updated bid from the Noregon Company for a Diagnostic Service Tool requested by the Shop Department. Senior Shop Mechanic Agnew had received a reduced bid of \$9,707.68 for the type of tool that he wanted. This should save the city time and money for sending out vehicles for diagnostic services.

Motion by Liggins, seconded by Hall to accept the bid of \$9,707.68 from Noregon. Motion passed unanimously by ayes.

### **Street Department Truck**

Foreman Kantor and Sr. Mechanic Agnew had notified Mayor Henry that one of the Street Department's trucks had blown an engine. The cost to replace the engine was just over \$41,000.00 and they could not justify putting that much money into this used vehicle. They found a 2018 truck at Landmark for \$30,000.00 and would include changing the steel flatbed to an aluminum one, plus adding a snowplow and spreader bed.

Motion by Mallatt, seconded by Hall to accept the quote from Landmark for the 2018 Truck for \$30,000.00. Motion passed unanimously by ayes.

### **MEDIA QUESTIONS**

Doug Mager

Asked about the latest news on the Old High School Building.

Mayor Henry

Replied that the City had reached out to our Economic Development agents and that they were looking into it. There is also another party who is interested in trying to save it.

Doug Mager

Asked if the city had hired a new administrator.

Mayor Henry

The city would make a new announcement soon, and he would be the first to know.

Motion by Wainscott, seconded by Mallatt to go into closed session at 8:15 p.m.

**CLOSED SESSION**

Motion passed with the following votes:

Denny Rich - Aye  
Timothy Young – Absent  
Doncella Liggins – Aye  
Jeffery Hall – Aye

Marlene Wainscott - Aye  
Jon Dudley - Aye  
Carmen Behringer - Aye  
Scott Mallatt – Aye

**ADJOURN**

There being no further business, motion by Behringer, seconded by Mallatt to adjourn the regular session of the council meeting. Motion passed unanimously by Ayes.

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James W. Henry, Mayor

**ATTEST**

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Gayle Alexander, City Clerk