



City of Butler, Indiana
215 South Broadway
Butler, IN 46721

Phone: 260-868-5200
cityofbutler.in.gov

All members of the Common Council are elected by the voters of Butler, Indiana.

FOR LIVESTREAM GO TO: <https://www.youtube.com/@CityofButlerIN>

COMMON COUNCIL AGENDA MEETING ON SEPTEMBER 21, 2026 7:00 PM

1. Pledge of Allegiance
2. Public Questions or Comments Pertaining to Agenda Items Only
3. Minutes of previous meeting – September 8th
4. Proposed Ordinances and Resolutions
 - a. Proposed Ordinance 1818, Amending Paid Time Off – 3rd Reading
 - b. Proposed Ordinance 1822, Rezoning for 618 East Main – 2nd Reading
 - c. Proposed Ordinance 1823, updating Trip Fee for non-payment turn offs – 2nd Reading
 - d. Proposed Ordinance 1824, Additional Appropriations – 1st Reading
 - e. Proposed Resolution 26-679, DeKalb County Multi-Hazard Mitigation Plan Update
 - f. Proposed Resolution 26-680, Create RDC Façade Grant Fund
5. Department Reports
 - a. Fire
 - b. Police
 - c. Code Enforcement
 - d. Streets
 - e. Parks
 - f. Information Technology
 - g. Water
 - h. Wastewater
6. City Attorney
7. Clerk-Treasurer



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8. Council Members

- a. Power Chairs & E-Bikes
- b. Leashing of dogs
- c. Right of Way Utility Permit Fees

9. Mayor

- a. Trick or Treat times, sunset is at 6:38 pm

10. Audience and/or Public Comments

11. Adjourn



September 8, 2026
Common Council

Present:

Mike Hartman, Mayor
Tracey Hawkins, Council District 1
Kristie Laub, Council District 2, Council President
Gale Ryan, Council District 4
Gerald Eldridge, Council as Large
Angela Eck, Clerk-Treasurer
Gavyn Aden, Wastewater Superintendent
Andy Cintron, Water Superintendent
Braxton Minkey, IT Specialist
Stuart Mutzfeld, Code Enforcement
Donald Stuckey, City Attorney
Kris Tadsen, Street Superintendent
Matt Traster, Police Chief

Absent:

Darren Alloway, Council District 3
Ron Mausteller, Fire Chief

This meeting is being Livestreamed and can be found at www.youtube.com@CityofButlerIN. These meetings will be available for viewing for at least 90 days past the date of the recording.

Mayor Hartman opened the regular session of the Common Council at 7:30 pm at 215 South Broadway.

Pledge of Allegiance

Mayor Hartman asked for comments or questions from the audience pertaining to the agenda items. None



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The minutes from the August 17th meeting were presented. Council Member Eldridge made a motion to approve the minutes and Council Member Ryan seconded the motion. The motion passed with all in favor.

Proposed **Ordinance 1818, Amending Paid Time Off**, was presented for its second reading. Clerk-Treasurer Eck stated that she and Mayor Hartman added a line at the end, highlighted in yellow, that states: "paid time off does not count towards the calculation of overtime pay."

There was discussion about making the changes effective on January 1.

Council Member Eldridge made a motion to approve Ordinance 1818 on its second reading with the change of the effective date to January 1. Council Member Hawkins seconded the motion. The motion passed with all in favor.

Proposed **Ordinance 1822, Rezoning of 618 East Main**, was presented for its first reading by title. The Plan Commission actually approved this rezoning at their June meeting. There was discussion. The owner of the property plans on putting in townhomes catering to the hourly workforce. Council Member Ryan made a motion to approve Ordinance 1822 on its first reading and Council Member Eldridge seconded the motion. The motion passed with all in favor.

Proposed **Ordinance 1823, Updating the Trip Fee for Non-Payment Turn-Offs**, was presented for its first reading by title. Council Member Hawkins made a motion to approve Ordinance 1823 on its first reading and Council Member Ryan seconded the motion. The motion passed with all in favor.

Code Enforcement Officer Stuart Mutzfeld reported that he isn't having a lot of issues currently. He is continuing to work on some long-term projects.

Wastewater Superintendent Gavyn Aden reported that the new SDI Lift Station panel has been installed. His department was able to reuse part of the panel to replace one at the wastewater plant.

Clerk-Treasurer Eck presented the proposed Budget for 2027. She went over the summary and requested that the Council reach out to her or the Mayor if they have any questions.



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Mayor Hartman reported that he and Clerk-Treasurer Eck met with all of the department heads at least once to prepare the proposed budget. They were able to reduce the budget in multiple places. This demonstrates to the legislature that the City of Butler is doing its part to cut back on spending.

Council Member Ryan asked how much money was in the Emerick Donation Fund and what the Mayor planned on doing with it. Clerk-Treasurer Eck stated that there is currently \$186,000 in the fund.

Mayor Hartman reported that he would like to spend the money on an outdoor fitness center and splash pad. He will propose to replace the Hathaway Ball Diamond with it. The Little League Youth League only played 10 or 12 games there this past season and the water pressure would be ideal for a splash pad.

Council Member Laub asked if the Butler Company site could be used for the splash pad. Mayor Hartman said that it has restrictive covenants on it that limit what it can be used for.

Mayor Hartman reported that he has received several complaints about e-bikes. He would like the Council to begin thinking about this and to plan on drafting an ordinance in the near future.

Mayor Hartman asked the Council if they had any questions about his proposal to begin requiring Utility Permit Fees. This will be a good tool to keep track of who is doing the work and who to go after if problems occur.

Mr. Cintron asked if the City could refuse a permit to a fiber company wanting to install if there were already several installed. City Attorney Don Stuckey stated that the only way to deny them is if there isn't room for them in the right of ways.

There was discussion. Council member Hawkins made a motion to have Mr. Stuckey proceed with drafting an ordinance for Utility Permit Fees. Council Member Eldridge seconded the motion. The motion passed with all in favor.

City Attorney Don Stuckey reported that he received an email from the attorney that is handling the Bohn Aluminum site. PHSH has stated that they need reimbursement for fees that they claim to have incurred while trying to work with City to reach an agreement. They



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are also claiming that Mayor Hartman told them they needed to take the property off the market.

Council Member Eldridge made a motion to adjourn at 8:11 pm and Council Member Hawkins seconded the motion. The motion passed with all in favor.

Mayor

Common Council


Clerk-Treasurer

ORDINANCE 1818

AN ORDINANCE AMENDING SECTION 37.02 OF THE BUTLER CITY CODE

WHEREAS the Employee Earned Time-Off Policy has not been updated since 2018;

BE IT ORDAINED by the Common Council of the City of Butler, DeKalb County, State of Indiana that Section 37.02 of the Butler City Code be amended as follows:

The new
schedule for
Vacation
accelerates
the awarding
of time.

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It benefits
all employees.

I did not change
the ordinance to
make it effective

Jan. 1 Angela

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time off.

off.

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1. Vacation Schedule

OLD

NEW

After 90 days of employment

~~6 months~~

~~40 hours~~

20 hours

20 hours

2 to 4 Years

80 hours

~~2 to 9 years~~

~~80 hours~~

5 to 9 years

120 hours

10 to 14 years

140 hours

~~10 to 19 years~~

~~120 hours~~

15 to 19 years

160 hours

~~20 to 29 years~~

~~160 hours~~

20 to 24 years

180 hours

~~30 years and over~~

~~200 hours~~

25 plus years

200 hours

ORDINANCE 1818

AN ORDINANCE AMENDING SECTION 37.02 OF THE BUTLER CITY CODE

WHEREAS the Employee Earned Time-Off Policy has not been updated since 2018;

BE IT ORDAINED by the Common Council of the City of Butler, DeKalb County, State of Indiana that Section 37.02 of the Butler City Code be amended as follows:

§ Section 37.02 Employee Earned Time-Off Policy

Full-Time Employees are to receive 100% of the below listed paid time off categories.

Part-Time Employees are to receive 50% of the below listed paid time off.

Seasonal and Temporary Employees are not eligible for paid time off.

(A) VACATION

On their anniversary hire date, each employee will be awarded vacation time according to the schedule below.

1. Vacation Schedule

90 days	20 hours
6 months	20 hours
2 to 4 Years	80 hours
5 to 9 years	120 hours
10 to 14 years	140 hours
15 to 19 years	160 hours
20 to 24 years	180 hours
25 plus years	200 hours

2. Vacation pay will be computed at the employee's hourly rate of pay.

3. Vacations are to be applied for at least 14 days in advance, if possible.

4. All vacations must be approved by the employee's supervisor, with the supervisor giving consideration to seniority, workload, and training schedules.
5. Vacation time may be split with the approval of the employee's supervisor.
6. Rescheduling of vacation may be done with the approval of the employee's supervisor
7. If an employee is terminated, the employee will be paid for any accrued vacation time that has not been used.
8. If an employee dies, his/her current spouse will be paid for his/her accrued vacation.
9. If there is a break in service, the employee's amount of vacation upon rehiring will be decided by the appropriate Department Head.
10. All vacation days that are not used by the employee's anniversary hire date will be paid to the employee.
11. If an employee is injured, any scheduled vacation can be rescheduled.
12. Vacation pay can be a negotiable item when hiring for lateral transfers from another municipality or when hiring an employee with the required job experience.

(B) SICK LEAVE

All sick leave will be awarded on each employee's anniversary hire date.

1. Each employee will be awarded seven sick days per year.
2. If a sickness exceeds five (5) consecutive days, a doctor's excuse must be presented to the employee's supervisor. A copy of said doctor's excuse must be attached to the employee's time sheet and forwarded to the Clerk-Treasurer.
3. If an employee needs to use more than 7 sick days in a year, he/she must have a doctor's note and the approval of his/her supervisor and the Clerk-Treasurer. If the supervisor and the Clerk-Treasurer deny the paid sick leave, the issue may be taken before the Board of Works if the employee so desires.
4. Sick days are cumulative. An employee is allowed to accumulate all unused sick days up to 40 working days. These 40 working days will include the seven annual days each employee is allowed.
5. If an employee is injured on the job, said employee will be allowed to use time off days for the first 7 days. If the disability/injury lasts 21 days, the first 7 days can be retroactively returned to the employee.

6. If an employee leaves the City's employment due to retirement, the employee has the option of using up the accumulated sick leave or being paid for the unused days.
7. If an employee dies, his/her current spouse will be paid for his/her unused sick leave.
8. Any employee who leaves the City for any reason, excluding retirement or death, receives no compensation for unused sick leave.
9. The City has the right to subrogation against any recovery made by an employee from a third party who is responsible for the employee's illness or injuries.

(C) PERSONAL LEAVE

All personal leave will be awarded on each employee's anniversary hire date.

1. After 60 days of employment, all City employees shall receive 3 days' leave per year for personal reasons.
2. Personal leave shall be awarded on each employee's anniversary hire date
3. Each personal day shall be with regular pay.
4. Personal days are non-cumulative and must be used by the employee's anniversary hire date.
5. No employee who leaves the City's employment will be compensated for unused personal days.

(D) The Clerk-Treasurer is the official record keeper of all time off.

BE IT ALSO ORDAINED THAT paid time off does not count towards the calculation of overtime pay.

BE IT ALSO ORDAINED THAT the corresponding sections in the Employee Handbook be updated to reflect the above changes.

This Ordinance shall become effective upon passage.

THIS ORDINANCE PASSED AND ADOPTED by the Common Council of the City of Butler, Dekalb County, Indiana, at a regular meeting held in Butler City Hall, on this _____ day of _____, 2026.

Mike Hartman, Mayor

First Reading: 8/17/26

Yes votes 4 No votes 0

Attest:

Angela M. Eck
Clerk-Treasurer

Second Reading: 9/8/26

Yes votes 4 No votes 0

Attest:

Angela M. Eck
Clerk-Treasurer

Third Reading: _____

Yes votes _____ No votes _____

Attest:

Clerk-Treasurer

Approved by me this _____ day of _____, 2026.

Mike Hartman, Mayor

Ordinance 1822

REZONING LOCATED AT 618 EAST MAIN STREET BUTLER, INDIANA PARCELS 23-07-12-127-016 AND 23-07-12-127-019

WHEREAS, The General Assembly of the State of Indiana granted powers to the municipalities to adopt ordinances and zone maps for their jurisdiction according to IC 36-7-4-600 series; and

WHEREAS, the City of Butler has adopted the Butler Zoning Ordinance which became effective on April 4, 2005, and has had subsequent amendments to the Butler Zoning Ordinance; and

WHEREAS, The General Assembly of the State of Indiana granted powers to municipalities to amend the zone maps according to IC 36-7-4-608, and Section 8.13 of the Butler Zoning Ordinances allows for the amendment of said Ordinance; and

WHEREAS, The City of Butler Plan Commission, in accordance with law, held a public hearing on June 11, 2026, to consider the zone map amendment for approximately 1.1 acres on the properties at 618 East Main Street, Butler, Indiana, Parcels 23-07-12-127-016 and 23-07-12-127-019, and voted to certify a favorable recommendation to the City of Butler Common Council; and

WHEREAS, The proposed zoning will be changed from Single Family Residential, SFR to Multi Family Residential, MFR; and

WHEREAS, Said certification has been duly considered by the City of Butler Common Council and the zone map amendment is deemed to be in the public interest; now therefore, be it

ORDAINED by the City of Butler Common Council that the District Zone Map adopted as a part of the Butler Zoning Ordinance, as amended, is hereby amended to include:

SECTION 1: To change the zoning classifications of approximately 1.1 acres at 618 East Main Street, Parcels 23-07-12-127-016 and 23-07-12-127-019 from Single Family Residential, SFR to Multi Family Residential, MFR; and

SECTION 2: That this amendment shall be in full force and effect upon its approval by the City of Butler Common Council.

THIS ORDINANCE PASSED AND ADOPTED by the Common Council of the City of Butler,
DeKalb County, Indiana, at a regular meeting held in Butler City Hall, on this _____ day of
_____, 2026.

Mike Hartman, Mayor

First Reading: 9/8/26

Yes votes 4 No votes 0

Attest:

Angela M. Eck
Clerk-Treasurer

Second Reading: _____

Yes votes _____ No votes _____

Attest:

Clerk-Treasurer

Third Reading: _____

Yes votes _____ No votes _____

Attest:

Clerk-Treasurer

Approved by me this _____ day of _____, 2026.

Mike Hartman, Mayor

Prepared by: Andrew Provines "I affirm under the penalties of perjury, that I have taken
reasonable care to redact each social security number in this document, unless required by law."

ORDINANCE 1823

AN ORDINANCE AMENDING BUTLER CITY CODE §50.021(E)

WHEREAS, the current City Ordinance fails to provide for trip fees if water is not shut off but merely tagged; and

WHEREAS, where there is an expense to the City Water Department whether water is shut off or not:

IT IS HEREBY ORDAINED by the Butler City Council that §50.021(E) of the Butler City Code is amended as follows:

§50.021(E) Trip Fee: A \$50.00 trip fee will be applied, payable to the Butler Water Department. Said fee will be assessed upon shut off or tagged delivery.

This Ordinance shall take effect upon passage.

THIS ORDINANCE passed and adopted by the Common Council of the City of Butler, DeKalb County, Indiana, at a regular session held on the ____ day of _____, 2026.

Mike Hartman, Mayor

First Reading: 9/8/26

Yes votes 4 No votes 0

Attest:

Angela M. Ecks
Clerk-Treasurer

Second Reading: _____

Yes votes _____ No votes _____

Attest:

Clerk-Treasurer

Third Reading: _____

Yes votes _____ No votes _____

Attest:

Clerk-Treasurer

Approved by me this _____ day of _____, 2026.

Mike Hartman, Mayor

ORDINANCE 1824

AN ORDINANCE FOR ADDITIONAL APPROPRIATIONS

WHEREAS, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget;

NOW THEREFORE BE IT ORDAINED by the Common Council of the City of Butler, DeKalb County, Indiana that the following additional sums of money are hereby appropriated out of the funds named and for the purposes specified, subject to the laws of the governing same:

Reason: Unexpected Fire Truck Repairs & An Increase in Diesel Fuel Prices

	Amount Requested	Amount Appropriated
<u>Public Safety Local Income Tax (2240)</u>		
Major budget classification		
Personnel	\$0.00	_____
Supplies	\$15,000	_____
Other Services	\$0.00	_____
Capital Outlays	\$0.00	_____

PSLIT: up to \$15,000 _____

THIS ORDINANCE passed and adopted by the Common Council of the City of Butler, DeKalb County, Indiana, at a regular session held on the ____ day of _____, 2026.

Mike Hartman, Mayor

First Reading: _____

Yes Votes: _____ No Votes: _____

Attest: _____
Angela M. Eck, Clerk-Treasurer

Second Reading: _____

Yes Votes: _____ No Votes: _____

Attest: _____
Angela M. Eck, Clerk-Treasurer

Third Reading: _____

Yes Votes: _____ No Votes: _____

Attest: _____
Angela M. Eck, Clerk-Treasurer

Approved by me this _____ day of _____, 2026.

Mike Hartman, Mayor

RESOLUTION 26-679

A RESOLUTION OF THE CITY OF BUTLER ADOPTING THE DEKALB COUNTY MULTI-HAZARD MITIGATION PLAN UPDATE

WHEREAS, the City of Butler recognizes the threat that natural hazards pose to people and property within the City of Butler;

WHEREAS, the City of Butler has prepared a Multi-Hazard Mitigation Plan, hereby known as (DeKalb County MHMP June 2026) in accordance with federal laws, including the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended; the National Flood Insurance Act of 1968, as amended; and the National Dam Safety Program Act, as amended;

WHEREAS, DeKalb County Multi-Hazard Mitigation Plan Update, June 2026, identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in the City of Butler from the impacts of future hazards and disasters; and,

WHEREAS, adoption by the City of Butler demonstrates its commitment to hazard mitigation and achieving the goals outlined in the DeKalb County Multi-Hazard Mitigation Plan Update, June 2026:

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF BUTLER,
INDIANA, THAT:

Section 1. The City of Butler adopts the DeKalb County Multi-Hazard Mitigation Plan Update, June 2026.

This Resolution passed and adopted by the Common Council of the City of Butler, DeKalb County, Indiana at a regular session held on September 21, 2026.

Mike Hartman, Mayor

Yes Votes: ____ No Votes: ____

Attest: _____
Angela M. Eck, Clerk-Treasurer

RESOLUTION 26-680

A RESOLUTION TO CREATE A FUND AND TRANSFER FUNDS

WHEREAS the Redevelopment Commission of the City of Butler has created a Façade Grant Program to assist businesses and owners located in the downtown area;

WHEREAS, the Redevelopment Commission has budgeted \$20,000 for this grant program; and

WHEREAS, the Redevelopment Commission has now finalized and approved the grant application.

BE IT RESOLVED by the Common Council of the City of Butler, DeKalb County, Indiana that the Clerk-Treasurer creates a fund labeled Downtown RDC Façade Grant Program (4500);

BE IT ALSO RESOLVED that the Clerk-Treasurer transfer \$20,000 from the Redevelopment Commission Operating Fund (4406) to the new RDC Façade Grant Program (4500).

This Resolution passed and adopted by the Common Council of the City of Butler, DeKalb County, Indiana, at a regular session held on the 21ST day of September 2026.

Mike Hartman, Mayor

Yes Votes: ____ No Votes: ____

Attest:

Angela M. Eck, Clerk-Treasurer