

WILLIAM B WHITLEY,  
MAYOR  
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CITY ATTORNEY  
VICKI WAINWRIGHT, CLERK

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EDWARD GUINN,  
MAYOR, PRO-TEM  
CHAS GASSETT  
GLENN HARRIS  
AMANZIE JENKINS  
DEBORAH WILLIAMS

**Council Meeting**  
**June 9, 2015**

**Present**

Mayor Barry Whitley  
Ed Guinn  
Glenn Harris  
Chas Gasset  
Deborah Williams  
Amanzie Jenkins  
Vicki Wainwright

**Media Present**

Taylor County News  
Flint Cable TV

**Invocation** – Councilman Chas Gasset

**Old Business:**

**Sewer Easement Condemnation Paperwork:**

Attorney Joel Sherlock came before the Mayor and Council with the Declaration of Taking and the Orders to the Court paperwork on the two properties that the City will have to condemn due to problems with the titles. The property is being condemned due to the 2013 CDBG sewer work. The two properties are the Tookes property and the Roquemore property.

**Minutes:**

Motion made by Councilwoman Deborah Williams, seconded by Councilman Chas Gasset to approve the minutes of the May 12th regular council meeting. Vote was unanimous.

**New Business:**

**Tobie Scott Montfort**

Mr. Montfort came before the Mayor and Council with two complaints. After a lengthy speech covering over 40 years of various history and issues, Mr. Montfort's complaint was that he has sewage running into his yard and according to him this has been an ongoing problem since 1969 or 1970. He feels that the issue is that the lines were installed many, many years ago incorrectly and every time that he complains nothing is done because "it was done before our time" (the current administration at the time of his

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complaints). Council woman Williams has been to Mr. Montfort's home and states that there is indeed a serious issue there. Public Works Director David Windham stated that every time Mr. Montfort calls he does send someone out there to blow the line, but he is aware that it is not a long term solution. The 2015 CDBG that the City has applied for is for the area that Mr. Montfort lives in. Mr. Windham had Ashley Lawhorn type a letter stating that Mr. Montfort has a serious sewage issue at his home and took it to Mr. Montfort to sign, which he did not do. Mr. Windham explained that the letter would have been beneficial to turn in with the CDBG application by showing the extreme need of a sewer rehab in that particular area. Mr. Montfort stated that he would not sign the letter because he feels that if the City did receive grant funds to rehab the sewer that it would not be used in his area but would go to wherever the City wanted it to go. Mr. Montfort also stated that he did not understand why the City does not have the money to fix the sewage issue when they can afford to put sidewalks and benches up along the roadway. Public Works Director Windham told Mr. Montfort that the funds for the sidewalks came from TE-Project funds, and have to be used for the purpose of street enhancement and could not be used for infrastructure issues. It was also explained to him that the CDBG grant funds are for a particular area and if received has to be used in that particular area. After more in-depth discussion the Mayor and Council assured Mr. Montfort that the City would check to see what could be done to help resolve the sewer issue. (The sewer issue is at Mr. Montfort's home (120 Martin Luther King Rd, which is outside of the city limits)

The main reason that Mr. Montfort came before the Mayor and Council was because he had set up a fruit and vegetable stand at 19 Martin Luther King Rd. Ms. Cindy Moulton and Chief Towns went to Mr. Montfort and explained to him that he could not operate a business there as that property is zoned R2. Mr. Montfort use to have a business there but it has not been in operation for many years, and as explained by Ms. Moulton, once he stopped having a business there the property reverted back to R2 and therefore he could not operate a business there any longer. After hearing from Mr. Montfort and Ms. Moulton, the Mayor and Council informed Mr. Montfort that he can not operate a business there unless he comes before them requesting a variance. Ms. Moulton told Mr. Montfort that if he does want to apply for a variance she would help him with the paperwork.

### **Department Head Reports:**

**Public Works Director David Windham** stated that the 2013 CDBG is running a little behind but is in progress. The City is trying to get a large portion of the funds drawn down on the project in order to be eligible for the 2015 CDBG.

**Chief Jimmy Towns** stated that the police department had 292 calls last month, 150 was traffic stops, with 104 citations being written. He informed them that Officer Paige

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Johnson attended a four day training in Forsyth and is now a certified child safety seat tech. He also said that he plans to get with Eddie Moulton and David Windham and have a training class in Butler to get all of the police and firemen trained on child safety seats. David Windham stated that this a very good program, and that making sure car seats are installed properly is a very big deal. He also said that if a vehicle is involved in an accident and has a car seat in it, then that car seat should be taken and the owner should be given another car seat. Mayor Whitley said that he felt that that information should be placed in the local newspaper to inform the public of this, since it was something that the majority of the council was not aware of.

**Fire Coordinator Eddie Moulton** said that the fire department ran 10 calls last month, with four grass fires, 1 accident with extrication, 2 structure fires, 1 vehicle accident, and 1 smoke alarm. Firefight 2 testing has been done and there will be another Firefighter 2 test coming up very soon. The City's ISO evaluation was done on June 4<sup>th</sup> and overall he feels that it went well. It will be four to five months before the results are back. He thanked everyone for the help getting everything together for the evaluation. He told the Mayor and Council that the fire department had been turned down on a \$5000.00 50/50 grant, but then received word that they did get it. Those funds had to be spent within 30 days of the notice and that was completed successfully.

Councilman Glenn Harris wanted to thank the members of Bethel Church that cleaned up around the building at 33 N. Poplar. Everyone on the Council agreed that it greatly improved that area. Cindy Moulton stated that she had called them on behalf of the Mayor and Council and had also put it on the City of Butler's Facebook page.

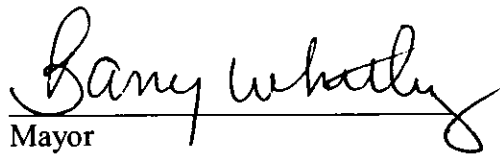
### **Executive Session:**

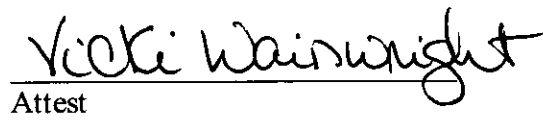
A motion to enter in to Executive Session to discuss property was made by Mayor Pro-Tem Ed Guinn and a 2<sup>nd</sup> was made by Councilman Glenn Harris. The vote was unanimous.

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**Adjourn:**

A motion to adjourn was made by Councilman Amanzie Jenkins and a 2<sup>nd</sup> was made by Council Woman Deborah Williams. Vote was unanimous.

  
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Mayor

  
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Attest