

WILLIAM B WHITLEY,  
MAYOR  
DAVID L. MINCEY, JR.,  
CITY ATTORNEY  
VICKI WAINWRIGHT, CLERK

**CITY OF BUTLER**  
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COUNCIL:  
EDWARD GUINN,  
MAYOR, PRO-TEM  
CHAS GASSETT  
GLENN HARRIS  
AMANZIE JENKINS  
DEBORAH WILLIAMS

**Council Meeting**  
**November 14, 2017**

**Present**

Barry Whitley, Mayor  
Ed Guinn, Mayor Pro-Tem  
Glenn Harris  
Amanzie Jenkins  
Deborah Williams  
Chas Gasset  
Vicki Wainwright

**Media Present**

Taylor Co News  
Flint Cable TV

**Invocation** – Mayor Barry Whitley

**Old Business:**

**Minutes:**

A motion was made by Councilman Amanzie Jenkins to approve the minutes from the October 17, 2017 Regular Council Meeting minutes, and was seconded by Councilman Chas Gasset. The vote was unanimous

**New Business:**

**Ronald Jackson:** Mr. Jackson had requested to be put on the agenda but cancelled the afternoon of the Council Meeting.

**Approval of MOA between the City of Butler and T.C. Development Authority:**  
Attorney Joel Sherlock informed the Mayor and Council that he did not currently have all of the information necessary to prepare the MOA and would be working with the City and the Development Authority to fine the necessary information.

**Resolution for USDA Community Facilities Loan/Grant for Purchase of New Breathing Apparatus' (B.A.'s):** Fire Coordinator Eddie Moulton told the Mayor and Council that a resolution was needed for the RVRC to apply for the USDA Community Facilities Loan/Grant. He said that this is a Loan/Grant up to \$50,000.00. He stated that the Fire Department currently needs about 18 new B.A.'s, and this grant/loan would help the City acquire about 8. A motion to approve the resolution was made by Mayor Pro-

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Tem Ed Guinn, and a 2<sup>nd</sup> was made by Councilman Amanzie Jenkins. The vote was unanimous.

**Liquor Referendum Discussion:** Attorney Joel Sherlock presented the Council with an ordinance from Calhoun to use as a reference to the potential ordinance that the City of Butler will need to adopt for the Liquor Referendum. The City's current Alcohol Ordinance will no longer be sufficient. The new ordinance will define package sales as well as states who is qualified and inspections of facility. He said that the inspections will be mainly done by the police force. The new ordinance will have the application requirements and procedures, most of which falls under State of Georgia law, which people will be required to comply with. The serving and processing time for the applications will also be included in the ordinance (not less than 25 days, not more than 45 days). Processing fees will also have to be determined by Mayor and Council. The fees will be set and can be determined from time to time by Mayor and Council. The processing fee can be \$100.00 to \$300.00 and due when application is submitted. The license fee is due once approved and can range between \$1000.00 to \$5000.00. (The application fee can be refunded if application is not approved.) License fee is not refundable. There is also an annual questionnaire required via ordinance to insure compliance. A designation of a store manager for liquor stores will be included in the ordinance, as it sets out the criteria for the person running the store. In many cases the "company" owning the liquor store is not local, so this criteria requires a local person to run the store so that the City can have someone local to contact instead of a corporation. The ordinance will also set out the procedure to follow should the management of the store change. There is a process where they must contact the City and also designate another manager. The ordinance will also lay out what happens should the store fail to comply with the rules stipulated by the City of Butler. Hours of operation will also be laid out in this ordinance.

Mayor Pro-Tem Guinn asked what it would take to allow Sunday Sales? The Attorney said that it requires another referendum for the voters of Butler to vote on. It does not require that a petition be signed, only the Mayor and Council voting to place the referendum on the ballot.

Mayor Whitley asked what would the procedure be if later on someone wanted to pursue "liquor by the drink" if our alcohol ordinance does not have any rules for that. The

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Council feels like that will be something that comes in the future. Attorney Sherlock recommended that "Reservations" be placed in the ordinance so that if this occurs at a later date then there will be space (chapters) to add the rules into the ordinance with an amendment.

Councilman Harris asked if there is a rule as to how many liquor stores can be in the City of Butler? Attorney Sherlock said that there is no rule that stipulates the number of stores, that would be a business decision of the potential owner(s). He said it was up to the Mayor and Council if they choose to restrict it, however he would strongly recommend against restricting it to just one. He stressed that instead of restricting the number, it is best to just have very strict rules as to who can apply and how they qualify. He said he would leave it up to the potential store owner as to if they want to pay the cost of getting a store, and the knowledge that if two or three open up a store and the sales are not there, then someone will fail.

Council Woman Williams asked how can the City limit where a store can be, especially in neighborhoods. The attorney stated that those rules would be in the ordinance. This will also relate to the zoning ordinance, as there will be parking requirements, etc. Mr. Sherlock stated that the alcohol ordinance will have thresholds, but the zoning ordinance would determine if the site is acceptable.

Mr. Sherlock stated that the first reading of the alcohol ordinance should be in December during the regular council meeting. If not, then it will be during the January 2018 Council Meeting. There will have to be a first reading, and then a public hearing on the ordinance change, before the 2<sup>nd</sup> and final reading can be done.

### **DEPARTMENT HEAD REPORTS:**

**Chief Kain Cobb** told the Mayor and Council that he had pulled September and October stats for the Police Department for a comparison. He said in September the Police Department had 46 traffic citations, and in October they wrote 53. In September there were 2 burglaries with thefts, and in October there were 3. In September the Police Department made 5 arrests, and in October they made 8. They responded to 3 fires in September and in October they responded to 2. In September they responded to 34 domestic calls and in October they responded to 22, and of those 22 there were 3 injuries. There were 10 traffic accidents, with 2 injuries, in September and in October they

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responded to 7 traffic accidents, 1 with an entrapment and 1 with injuries. In September they made 72 traffic stops and in October they made 73. They had 225 incidents they responded to in September and 197 in October.

He said that he is currently advertising for a POST certified Police Officer, but so far he has no applicants.

Mayor Pro-Tem Guinn said that he would like to commend those responsible for getting what was once almost \$200,000 in past due warrants down to less than 30 outstanding warrants. He stated that that is a remarkable accomplishment. He said that he wanted everyone involved to know how pleased the Mayor and Council is.

**Public Works Director David Windham** said that the City is still working with the Engineers and Contractors on the Wastewater Treatment Plant infrastructure upgrade project. He said that the wet well has been installed on Oak Street and that the wet well and plumbing has been installed at the treatment plant. He stated that everything is going as planned.

Thanksgiving Holidays are Thursday, November 23<sup>rd</sup> and Friday, November 24<sup>th</sup>. The Office will be closed on those dates. The trash pick-up will be on Saturday, November 25<sup>th</sup> due to the holidays. Notices have been put in the newspaper.

The annual Christmas Tree Lighting will be held on Thursday, December 7<sup>th</sup> at 6:30 PM on the Courthouse Square. As always, there will be a special guest arriving toward the end of the program.

He informed the Council that on November 3<sup>rd</sup> the utility building at the Treatment Plant that houses the steam cleaner caught on fire and damaged the building as well as the contents of the building. He said that the City was working with the Insurance Company to get all the information needed to handle the claim.

**Fire Coordinator Eddie Moulton** said that the Butler Fire Department ran 16 calls in October. 4 accidents, 3 structure fires, 4 alarm calls, 3 wildfires, and 2 vehicle fires. He reminded everyone that along with the time change everyone should change out the batteries in the smoke alarms in their homes. He also said that if you are operating electric heaters to make sure that you have a good drop cord. He also reminded everyone

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that the Butler Fire Department will have their annual 5K on Saturday, November 18<sup>th</sup>. He said it was not too late to sign up.

He presented the Council with a list of items that the City needs to surplus. He asked the Mayor and Council for approval to eliminate and/or sale the surplus items. Mayor Pro-Tem Ed Guinn made a motion to surplus the list of items, and a 2<sup>nd</sup> was received from Councilman Glenn Harris. The vote was unanimous.

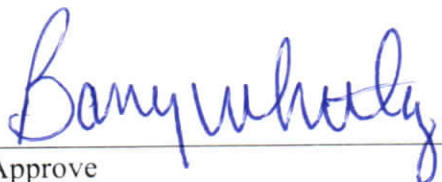
Attorney Joel Sherlock said that it wasn't an Agenda Item, but that he would like to talk a little about the Hotel/Motel Tax. He said that his office currently has a model draft of the ordinance and said that there are many decisions that must be made before an ordinance can be adopted. He said that the Taylor County Chamber, along with DCA, will host a meeting on December 14<sup>th</sup> at 6 PM to discuss the hotel/motel tax, the rules that govern it, and its uses. He highly recommends that everyone attend so that the City will know how they wish to proceed with the ordinance. On that note, he will hold off on doing anything further until the City attends this meeting and knows how they wish to proceed with the ordinance, as this is a complicated process. The Clerk will remind the Mayor and Council of this meeting.

### **EXECUTIVE SESSION:**

With no other business to discuss in the Regular Session, the Mayor and Council adjourned into an Executive Session. The motion was made by Councilman Amanzie Jenkins and a 2<sup>nd</sup> was issued by Councilman Chas Gasset. The vote was unanimous.

### **ADJOURN:**

With no other discussion, a motion was made by Councilman Amanzie Jenkins and a second was issued by Councilman Glenn Harris. The vote was unanimous.

  
Approve

  
Attest