

City of Butler

William B. Whitley,
Mayor
Joel V. Sherlock,
City Attorney
Vicki Wainwright,
Clerk

P. O. BOX 476
BUTLER, GEORGIA 31006
(478) 862-5435 • (478)862-5083
TDD/TYY Dial 711 or 1-800-255-0056 • 1-800-255-0135

Council:
Edward Guinn
Mayor, Pro-Tem,
Chas Gassett
Glenn Harris
Amanzie Jenkins
Deborah Williams

August 14, 2018 Council Meeting

PRESENT

MEDIA PRESENT

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

Taylor County News
Flint Cable TV

INVOCATION: Mayor Barry Whitley

OLD BUSINESS:

Minutes: A motion to approve the minutes from the July 9th Work Session and the July 10th Regular Council Meeting was made by Councilman Amanzie Jenkins and a second was issued by Councilman Glenn Harris. The vote was unanimous.

NEW BUSINESS:

Announcements: Mayor Whitley stated that he had the following announcements:

- 1) City Hall will be closed on August 22, August 23 and August 24 for training purposes.
- 2) The September Council Meeting has been rescheduled for Thursday, September 13th due to scheduling conflicts.

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Agenda Amendment; Attorney Cliff Harpe: Sales Tax Refunds: Mr. Harpe came before the Mayor and Council to discuss Sales and Use Tax Refunds. Mr. Harpe stated that he is a practicing attorney but he works with some guys who formally worked for the Georgia Department of Revenue in the sales tax division. He said that whenever municipalities hire a contractor to do a project that contractor pays sales tax, however there are some components of the project that can be exempt from sales tax. He said the process to address this is to identify and file a request for refund after completion of the project. He stated that he has been corresponding with Ms. Wainwright for nearly a year and has also spoke with the City of Butler's attorney and his understanding is that Mr. Sherlock has reviewed the documents of the proposal and has no objection to it. He stated that there is an engagement agreement from Tax Specialist of Georgia that reflects that the service is based on a 100% contingent service and if they do not find the City of Butler any money then the City of Butler does not pay them any money. If they do find a refund is due, they take ¼ of the amount recovered. He said that there is very little work involved from the City, mostly just making documents available. He further said that there is a three year statute of limitations. He said that there is also a limited power attorney form that authorizes Mr. William H. Branam to discuss the City of Butler's tax case with the state of Georgia.

Mayor Whitley asked if anyone on the Council had any questions? Mayor Pro-Tem Guinn asked if he knew what kind of money that the City could have refunded? Mr. Harpe stated that he did not know exactly but he would estimate probably around the \$70,000 range.

Mayor Pro-Tem Ed Guinn made a motion to move forward with Tax Specialist of Georgia pursuing a request for sales tax refund on projects. A second was made by Councilman Amanzie Jenkins. The vote was unanimous.

Budget Amendment: City Clerk Vicki Wainwright said that she has been working with a bond attorney on the USDA project that the City hopes to do. During some of the discussions it has been determined that there has never been a line item in the budget for the revenue or expense of the current bond payment. Mr. Sharpton has requested that the City do a budget amendment to reflect the line item for this. The amendment is for FY 17-18. The line items will be as follows:

REVENUES: Excess Funds	from \$0.00	to \$164,570
EXPENSES: Bond Payment	from \$0.00	to \$164,570

A motion to accept the budget amendment was made by Councilman Amanzie Jenkins and a second was made by Councilman Chas Gassett. The vote was unanimous.

Interstate 14 Resolution : Mayor Whitley reminded the Council of the young man, Frank Lumpkin, that had come before the council several months back discussing the potential Interstate 14 that could possibly come through Butler via Highway 96. Mr. Lumpkin had asked for the City's support of this project via a resolution. Councilwoman Williams asked Mr. Windham if he has an opinion of this project. He stated that he feels that if the project comes through it will be some years down the road,

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and it will have to be re-addressed when and if that occurs. Mayor Pro-Tem Guinn asked if the City was committing to anything and was told no, that the resolution just shows the City's support of the project.

A motion to do a resolution in support of Interstate 14 was made by Councilman Chas Gasset and a second was made by Mayor Pro-Tem Ed Guinn. The vote was unanimous.

Ordinance and Adoption Agreement for GMEBS Defined Benefit Retirement Plan: Ms. Wainwright said that the Mayor and Council all have a copy of the Ordinance and Agreement from GMEBS. She stated that basically GMA has just made some changes to their Master Plan document and has requested that everyone adopt the new agreement with the new changes.

A motion to accept the new ordinance and adoption agreement was made by Mayor Pro-Tem Ed Guinn and a second was made by Councilwoman Deborah Williams. The vote was unanimous.

365° Degree Marketing/New Website: City Clerk Vicki Wainwright showed a sample of the new City of Butler logo that the branding committee has been working on with 365° Marketing. She stated that it is not official yet but she wanted them to see a sneak peek. Furthermore, she stated that she would like to contract with 365° Marketing to build the City a new website. She stated that the current website is just not what it needs to be. The cost will be approximately \$8500.00 (\$2500.00 initial cost plus \$600.00 per page.) This will be paid out of SPLOST funds. Mayor Whitley stated that the City needs a better looking website.

Councilwoman Deborah Williams made a motion to proceed with the website. A second was made by Council man Chas Gasset. The vote was unanimous.

Property & Liability Insurance: City Clerk Vicki Wainwright stated that the City had received two bids for the renewal of the City's Property & Liability Insurance. The two bidders were AllSouth Insurance and GMA. GMA had the lowest bid.

A motion to accept the low bid from Georgia Municipal Association was made by Councilman Amanzie Jenkins and a second was made by Councilman Glenn Harris. The vote was unanimous.

Public Service Easement: Mr. Windham said that last month he had asked the Mayor and Council to table the easement discussion so that he could check in to the permits at the LAS. He said that Public Service Telephone has requested a 15 foot easement on the back side of the current 80 foot easement on Highway 137 at the LAS Plant. They have requested two different easements. He said as far as he is concerned there are no issues with it. He said that the tree buffer zone around the LAS has to be maintained and is in the requested easement but Public Service is fine with that. He said that if Mayor and Council are in agreement to issuing Public Service with a 15 foot easement there are no other issues.

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A motion to issue Public Service a fifteen foot easement was made by Councilman Glenn Harris and a second was issued by Councilman Amanzie Jenkins. Councilwoman Williams voted Yes as well. Mayor Pro-Tem Guinn and Councilman Gassett abstained as they are employed by Public Service.

Bid Acceptance 19/96 Project: David Windham stated that on August 7th the City had the bid opening for the 19/96 Project. This project is to install in the new infrastructure for water and sewer. There were three companies that turned in bids:

Coggins Construction Company	= \$250,113.82
Southern Contractors, LLC	= \$368,356.00
Popco, Inc	= \$224,323.15

Carter and Sloope took the bids back to make sure the math was correct and all necessary paperwork was included in the bid packets. After review their recommendation to the Council is to accept the low base bid of Popco, Inc for \$224,323.15. Mr. Windham stressed that the bid is just the base bid for the project, not the total, and does not include engineering and administrative fees or contingencies.

A motion was made by Mayor Pro-Tem Guinn to accept the low bid of Popco, Inc. A second was issued by Councilman Chas Gassett. The vote was unanimous.

DEPARTMENT HEAD REPORTS:

Public Works Director David Windham stated that it is just been business as usual. He said that there are several pot holes that need repairing around the City and he and his staff will be working on them soon.

Chief Kain Cobb said that in July his department worked six traffic accidents, one with an entrapment and one injury. They had 145 traffic stops and issued 56 citations. They responded to four financial crimes or burglaries. In all they responded to 307 incidents. He said that all of the officer's now have new body armor, which was purchased through donations from a private individual. The police department attended an active shooter training held at the Taylor County High School. He stated that it was an intense training. The City of Butler Police Department hosted the National Night Out on August 7th at the Taylor County Recreation Department. 309 raffle tickets were given out, but it is estimated that there were about 350 attendees. Overall the night was a huge success.

He informed the Mayor and Council that he has old body cameras that he would like to surplus, as all officers now have new body cams. He would like a motion to allow him to surplus those items.

A motion to surplus the old body cams was made by Councilman Amanzie Jenkins and a second was made by Councilman Chas Gassett. The vote was unanimous.

Fire Coordinator Eddie Moulton stated that the Fire Department ran 9 calls last month. He also said that there are five firefighters taking the Firefighter 1 class and they will test out the week of August

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27th. He said that he would like the Councils approval to surplus the old sewer machine and will need a motion on that.

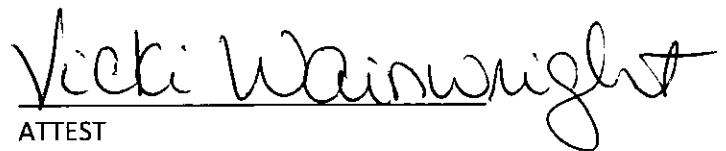
A motion to surplus the old sewer machine was made by Mayor Pro-Tem Ed Guinn and a second was made by Councilman Glenn Harris. The vote was unanimous.

Public Comments:

Ms. Lula Neal with the Family Connections Collaborative came before the Council to introduce herself. She announced that on Thursday, August 16th she will be having their first collaborative lunch meeting at the Cotton Gin and invites everyone out to attend. She said that the Family Connections Collaborative is there to support the community and help families and children. She said that they will be supporting the school and working on a lot of issues. She said it takes a village to raise a child, so they will need everyone's involvement.

ADJOURN: With no other discussion a motion to adjourn was made by Councilman Amanzie Jenkins and a second was made by Councilman Glenn Harris. The vote was unanimous.


MAYOR WILLIAM B WHITLEY


ATTEST