

## City of Butler

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

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

## March 12, 2019 Council Meeting

### **Present:**

Mayor Barry Whitley  
Mayor Pro-Tem Ed Guinn  
Deborah Williams  
Amanzie Jenkins  
*(Councilmen Chas Gassett and Glenn Harris were absent)*

### **Media Present:**

Taylor County News  
Flint Cable TV

**INVOCATION:** Mayor –Pro-Tem Ed Guinn

**Opening Statement:** City Clerk Vicki Wainwright read the opening statement for the Council Meeting. This statement will be read before every meeting from this date forward:

*We are here to conduct business on behalf of the city and its citizens. That business will be conducted in a polite, civil, and professional manner. You may disagree on an issue but that does not mean that you can be rude, loud, or threatening to another individual. In the event of a breach of order during a meeting, the offender will be called out of order. If the behavior continues, the offender will be removed from the meeting. I trust that we can continue to conduct the city's business in a cordial manner. Please note that all public comments will be limited to a three minute time frame.*

### **OLD BUSINESS:**

#### **Minutes:**

A motion to approve the February 12th, 2019 Regular Council Meeting was made by Councilman Amanzie Jenkins and a 2<sup>nd</sup> was made by Mayor Pro-Tem Ed Guinn. The vote was unanimous. (Councilmen Glenn Harris and Chas Gassett were absent)

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## March 12, 2019 Council Meeting

### NEW BUSINESS:

#### 2019 CDBG RESOLUTION TO SUBMIT APPLICATION:

City Clerk Vicki Wainwright asked for a motion to sign the Resolution to submit the application for 2019 CDBG. A motion was made by Mayor Pro-Tem Ed Guinn and a second was made by Councilman Amanzie Jenkins. The vote was unanimous. (*Councilmen Chas Gassett and Glenn Harris were absent*)

#### BUDGET AMENDMENT FOR FY 17/18:

City Clerk Vicki Wainwright informed the Mayor and Council that a budget amendment was needed for the FY 17/18 Budget. She informed them that the following increases are needed:

General Government from	\$291, 356	to	\$345,854	(\$54,498.00 increase)
Police Department from	\$379, 557	to	\$390,473	(\$10,916.00 increase)
Fire Department from	\$143,437	to	\$146,193	(\$2,956.00 increase)
Principal Retirement from	\$0.00	to	\$48,545	(\$48,545.00 increase)
Interest Expense from	\$0.00	to	\$2,689	(\$2689.00 increase)
Salaries Fire	\$49,837	to	\$49,857.60	(\$20.60 increase)
Salaries Water/Sewer	\$202,875	to	\$203,305.49	(\$430.49 increase)
Overtime water/sewer	\$6,500	to	\$7729.65	(1,229.65 increase)

The following Decreases are needed:

Streets and Sanitation from	\$213,200	to	\$168,096	(\$45,104.00 Decrease)
Capital Outlay from	\$114,500	to	\$40,000	(\$74,500.00 Decrease)
Fire Misc. from	\$500	to	\$479.40	(\$20.60 Decrease)
Water Sewer Repairs from	\$20,000	to	\$18,339.86	(\$1660.14 Decrease)

A motion was made by Mayor Pro-Tem Ed Guinn to approve the Budget Amendment as stated and a second was made by Councilman Amanzie Jenkins. The Vote was unanimous. (*Councilmen Glenn Harris and Chas Gassett were absent*)

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## March 12, 2019 Council Meeting

### **Larry Albritton (Police Department Complaint):**

Mayor Whitley called Mr. Larry Albritton to the podium to speak. Mr. Albritton stated that he had something to present and it would probably take more than 3 minutes. Mayor Whitley told him again that he had 3 minutes and to take the podium.

Mr. Albritton stated that he has evidence that the Police Department is harassing him. He said that he got three tickets from Sunday to Sunday. He said it was two restraining orders and a ticket for knocking on doors. He presented a Taylor County News paper where he announced his intent to run for office of Mayor. He stated that since then "all hell broke loose". He said that he "knows who is doing it, I am looking at one of 'em" (speaking of Mayor Pro Tem Guinn) He said he couldn't politic, he can't knock on doors "at 8:00 in the morning". He stated that you can walk the streets of Butler wherever you want to, you pay taxes on it, you can walk anywhere you want to. He said that he has lived here 58 years and asked how long have "you been here?" He says that since he has announced he will be running for Mayor the Police follow him all around town. He stated that had to put up a sign in his yard that he was being harassed by the police because no paper would print it. He said because of Freedom of Speech he can put up anything he wants to in his yard. He asked to present the council with his citations so that they could see them. He stated that those citations were given by Kain Cobb under his order. He also showed them a "Permission to shine lights in his yard". He said he caught three thieves and was called a liar by a man that doesn't even live here, he lives on Blueberry Hill. (Referring to Chief Cobb) He stated that he caught the thief and paid his taxes and was given a restraining order for Charles Turner. He said that the police follow him all during the day and night because he works day and night as he has lots of rental properties and pays City Taxes. He then looked at Chief Cobb and stated that he doesn't pay any City taxes. He then stated that he receives a lot (Cobb) because he rides in a City pick-up truck plus a gas tank. He said that will stop when he becomes Mayor. He then stated he didn't say "if I become Mayor, I said when, because Jesus Christ told me to run and He would never let me down." He said he didn't mean to be loud or arrogant but he has had enough of this! He further stated that he already has a lawyer hired but he was not going to sue the City because that wouldn't look right, but he is going to sue them as individuals. He said he wasn't going to call names but he had already called one and he is the Chief of Police. He said he could have put a stop to the harassing but he didn't and he won't. He stated that when he called 911 they wouldn't even respond one time and another time it took them twenty minutes to get there when he caught the criminal.

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## March 12, 2019 Council Meeting

Then they said it was just “hear-say evidence”. He said they are here to protect and serve not harass like they are doing. He then said that was his complaint, then he looked at Officer Shelby Cloniger and said he was another one! Mayor Whitley told him to keep his tone down. He said that he was through and he wanted his papers back. Attorney Sherlock asked Mr. Albritton if he could have copies of the papers. Mr. Albritton stated that they were his evidence and he didn’t think Mr. Sherlock should have a copy because Mr. Sherlock works on behalf of the City. Mayor Whitley told Mr. Albritton if he is through he can leave. Mr. Albritton stated that he shall leave and that “Yall can leave too, come January 1<sup>st</sup>”. Mr. Albritton then said that if anyone needs any signs Mr. Signs would make them and then stated that he believes in John 3-16 and quoted the scripture. Mayor Pro-Tem Guinn said that was enough and Mr. Albritton stated, “Yeah it is enough, enough for you!” Mr. Albritton was then escorted from the Council Meeting. Mayor Whitley apologized to the audience.

### **Zoning Ordinance:**

Attorney Joel Sherlock said that all the changes that have previously been discussed at the last reading of the zoning ordinance have been made. This will be the final reading based on the Clerk’s Office today, as the changes requested have been made. A motion to approve the new Zoning Ordinance was made by Councilman Amanzie Jenkins and a 2<sup>nd</sup> was made by Councilwoman Deborah Williams. The vote was unanimous. *(Councilmen Chas Gassett and Glenn Harris were absent)*

### **Department Head Reports:**

**Police Chief Kain Cobb** stated that the Police Department responded to 222 incidents last month, with 100 of those being traffic stops. They had eight domestic calls, four burglary/thefts and six accidents. He stated that they responded to help Talbot County to assist them after the tornado that hit there. They took a load of supplies over there as well. He said he would like to thank the Citizens for turning out to bring in supplies.

**Fire Coordinator Eddie Moulton** asked the Council’s approval for the 2019 LAS Hay Contract. Only one bid was received and that was from Zack Posey, who has held the contract for several years. The bid amount was for \$10.00 per bale. The contract is good for 1 year, but is automatically renewal for an additional year if both parties agree. A motion to accept the bid from Zack Posey was made by Councilman Amanzie Jenkins and a 2<sup>nd</sup> was made by Councilwoman Deborah Williams. The vote was unanimous. *(Councilmen Chas Gassett and Glenn Harris were absent)*

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## **March 12, 2019 Council Meeting**

Mr. Moulton also asked for approval to surplus a 2011 Crown Vic Patrol Car. A motion to approve the surplus of the car was made by Mayor Pro-Tem Ed Guinn and a 2<sup>nd</sup> was made by Councilman Amanzie Jenkins. The vote was unanimous. *(Councilmen Glenn Harris and Chas Gassett were absent)*

Mr. Moulton said that the Butler Fire Department ran 16 calls last month, four vehicle accidents, a helicopter landing, three wildfires, three structure fires, one fire inside the home, two vehicle fires, and one smoke inside the building .He said that the Butler Volunteer Fire Department sent a four man crew to Talbot County for 24 hours to assist them. He said that the Fire Department received a lot of donated supplies to carry to Talbot County thanks to our local Citizens.

Mayor Pro-Tem Guinn asked for a briefing on the R-Cut that was installed at the intersection of 137 and Hwy 96. Chief Cobb stated that it is open. Basically when you are at the stop sign you have to make a right turn and go down to the cut through and make a u-turn and come back to make your turn instead of just going straight as it was before.

### **Public Comments:**

Ms. Lula Mae Riley spoke up and asked about the City replacing the trashcan at the bench across from her home. She said that the can's bottom has rotted out. She asked if the City would allow Ocicle to clean it out for her.

### **EXECUTIVE SESSION:**

Mayor Whitley stated that there are some legal issues that need to be discussed in executive session. A motion to enter into Executive Session was made by Councilman Amanzie Jenkins and a second was made by Councilwoman Deborah Williams. Vote was unanimous. *(Councilmen Glenn Harris and Chas Gassett were absent)*

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## March 12, 2019 Council Meeting

### Regular Session (Continued)

Mayor Pro-Tem Guinn asked about an ordinance that addresses old junk/abandoned cars on people's property. The City does have a blight ordinance and it will be reviewed to see if it addresses vehicles and if so, how it is addressed. Attorney Sherlock stated that a time limit should probably be imposed as to how long a car can sit in someone's yard. He stated that he will look in to that. Councilwoman Williams asked if we are only addressing cars and not houses? Ms. Wainwright stated that the issue with the blighted houses has been that the City will send letter and after letter and go through the legal process but when it gets to the point where the City will have to bear the cost of the demolition, the City just hasn't had the money to proceed. Attorney Sherlock stated that it is a lengthy (approx. two years) and expensive process that the City has not wanted to proceed with thus far. Mayor Pro Tem Guinn said that he would like to see the City start with the vehicles since that doesn't seem as complicated. Attorney Sherlock stated that he would look into it.

### ADJOURN:

With no further business Councilman Amanzie Jenkins made a motion to adjourn and a second was made by Mayor Pro-Tem Guinn. The vote was unanimous. (*Councilmen Chas Gassett and Glenn Harris were absent*)

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Mayor Whitley

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Attest