

## 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 Gasset  
Glenn Harris  
Amanzie Jenkins  
Deborah Williams

## November 12, 2019 Council Meeting 7:00 PM

### **Present:**

Mayor Barry Whitley  
Mayor Pro-Tem Ed Guinn  
Councilman Lance Bernard  
Councilperson Glenn Harris  
Councilperson Amanzie Jenkins  
Ashley Lawhorn  
Joel Sherlock

### **Media Present:**

Taylor Co News

**INVOCATION:** Councilman Lance Bernard

**OPENING STATEMENT:** Ashley Lawhorn

### **OLD BUSINESS:**

**Approval of October 8, 2019 Regular Meeting & Work Session:** A motion to approve the minutes of the October 8, 2019 Council Meeting & Work Session was made by Councilman Amanzie Jenkins and a second was made by Councilman Glenn Harris. The vote was unanimous. (Councilperson Williams was absent)

### **NEW BUSINESS:**

**Venus Street Cell Tower Variance:** Planning and Zoning Administrator Ashley Lawhorn informed the Mayor and Council that Verizon would like to put up a cell tower on East Venus Street and referred to the packet that has the map and application included. She said that

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basically the tower does not meet the set backs required by the City of Butler's ordinance. It is too tall. Verizon has requested a variance to allow the tower to be placed as is. She also said that representatives with Verizon are in attendance should there be any questions. Andy Rotenstreich with Verizon stated that where they are planning on placing the tower is on a level spot with easy access, but if they have to move it to reach the set back the lot starts sloping and therefore the tower would have to be taller and would have to be lighted to meet the FAA requirements, whereas the current tower as stated is one foot shorter than the lighted requirements with the FAA. He said that the current proposed location is better for everyone. Attorney Joel Sherlock stated that he has reviewed the packet and sees no issue with it. The representatives stated that they have FAA and FCC approval for the tower. Mr. Sherlock stated that the Council must decide if they feel that even though the tower does not fall within the requirements of the ordinance, do they feel that the benefit for the community out-weighs that issue. Councilman Glenn Harris made a motion to approve the variance and allow the tower. Councilman Amanzie Jenkins issued a second. Councilman Lance Bernard also approved the motion. Mayor Pro-Tem Guinn abstained, as he is an employee of Public Service Communications. The vote passed. (Councilperson Williams was absent)

**Debris Removal Renewal:** Public Works Director David Windham stated that every four years the City must update the Debris Removal Plan that is done through the EMA, and requires both the City of Butler and the City of Reynolds to approve, along with Taylor County Board of Commissioners. He said that there are no changes to the plan. A motion to let the Mayor sign the Debris Removal Plan was made by Councilman Lance Bernard and a second was made by Mayor Pro-Tem Ed Guinn. The vote was unanimous. (Councilperson Deborah Williams was absent)

**State-Wide Mutual Aide Agreement Renewal:** Public Works Director stated that the State-Wide Mutual Aide agreement is for in the event of a disaster allowing the City to respond to or request assistance from other agencies. There is no obligation to participate but if resources are available it allows the mutual aide. A motion to allow Mayor Whitley to sign this agreement was made by Councilman Amanzie Jenkins and a second was made by Councilman Lance Bernard. The vote was unanimous. (Councilperson Williams was absent)

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**Approval of LMIG Project (Oak Street Paving):** Public Works Director David Windham informed the Mayor and Council that on October 18<sup>th</sup> the City held the bid opening for bids on the re-surfacing of Oak Street LMIG project. This project starts at the intersection of East Main and Oak and runs to the City Limits of Butler on Oak Street. The City received three bids and Robinson Paving had the lowest bid at \$126,198.50. The other two bids were from Piedmont Paving (\$181,985.37) and East Coast Paving (183,979.20) Bid tabulations were completed by Saunders Engineering and everything is correct. He asked the Council to accept the lowest bid from Robinson Paving and stated that this project will be paid for out of LMIG funds (\$98,442.06). The remaining funds will be paid from T-SPLOST funds (\$27,756.44). A motion to accept the low bid from Robinson Paving was made by Mayor Pro-Tem Ed Guinn and a second was made by Councilman Glenn Harris. The vote was unanimous. (Councilperson Williams was absent)

**SPLOST Approval:**

**GENERATOR:** Mr. Windham stated that as discussed in a previous work session, he would like to purchase a stand-by generator for the water/sewer department in the event of storms and/or power outages. He has found a used one that Yancey is taking out of service and would like approval to purchase it for \$9,750.00 using SPLOST funds. This will eliminate the need to rent one as the City has had to do in the past. A motion to purchase the generator was made by Mayor Pro-Tem Ed Guinn and a second was made by Councilman Amanzie Jenkins. The vote was unanimous. (Councilperson Williams was absent)

**WELL CONTROLS:** Mr. Windham stated that the well controls in the Industrial Park needs to be replaced. This monitors the well and lets it know when to cut on and off. He needs a motion to change those controls out and replace the meter at the well. The cost for this is \$13,785.00 and will be paid with SPLOST funds. A motion to replace the well controls using SPLOST funds was made by Councilman Lance Bernard and a second was made by Councilman Amanzie Jenkins. The vote was unanimous. (Councilperson Williams was absent)

**WINDOWS 7:** Mr. Windham informed the Mayor and Council that the City's IT company has notified the City that effective January 2020 the operating system Microsoft Windows 7 will no longer be supported. Currently the City only has one desk-top and

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two lap tops that are operating on Windows 10. Operating system 7 will still work after that date but can be breeched very easily, and if it breaks it is broken with no option of repairing it. Rough estimates at this time are around \$25,000 to replace the computers, but is subject to change. Luckily the server was just updated. He would like a motion to move forward with this project with the understanding that this project cost may be more than the requested amount. Mayor Whitley stated that he did not want to handicap the project by capping it at \$25,000. It was decided that if the cost exceeded that price the staff would come back before the Council to inform them and request what may be needed. A motion was made to approve the City staff to replace the computers as needed up to \$25,000 in SPLOST funds by Councilman Lance Bernard and a second was made by Councilman Amanzie Jenkins. The vote was unanimous. (Councilperson Williams was absent)

**PARKING LOT:** Mr. Windham said that the parking lot around the back side and front side of the fire house needs to be paved. Since Robinson Paving will already be in the area paving at Oak Street, the City received a price from them so that a mobilization fee would not be included. That price is \$23,225.00. Mayor Pro-Tem Guinn made the motion to approve the paving of the fire department parking lot from SPLOST funds in the amount of \$23,225.00. A second was made by Councilman Lance Bernard. The vote was unanimous. (Councilperson Williams was absent)

Mr. Windham stated that the staff would make sure that the computer system is where it needs to be before any funds are expended on paving the fire department parking lot.

**DEPARTMENT HEAD REPORTS:**

**Public Works Director David Windham** said that the 2017 CDBG project is now in the clean up mode, working on erosion control and starting on the punch list. Trash Pick-Up for Thanksgiving week will be Saturday, November 30<sup>th</sup>. A notice will be placed in the newspaper. The Office at City Hall will be closed on Thursday, November 28<sup>th</sup> and Friday, November 29<sup>th</sup> for the Thanksgiving Holidays. The Annual Christmas Tree Lighting will be Tuesday, December 3<sup>rd</sup> at 6:30 on the Courthouse Square.

**Police Chief Kain Cobb** stated that the Police Department responded to four accidents, 3 injuries, did 128 traffic stops and issued 74 citations in October. He announced that in

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September Assistant Chief Matthew Woodard obtained his General Training Instructor certification through POST Council, so the Butler Police Department has their own in-house instructor. In October the Taylor County Sheriff's Department hosted a Crisis Intervention Training at the Butler Fire Department and all of the City of Butler Police Personnel attended.

**Butler Fire Department:** David Windham, Fire Chief, stepped in for Fire Coordinator Eddie Moulton and said that the Butler Fire Department ran six calls last month. The Butler Fire Department had Fire Prevention programs for BUMP and Taylor Co. Pre-K during the month of October for Fire Prevention month. The annual Standards and Training Audit was on Thursday, November 7<sup>th</sup> and there were no findings. Pump testing was done on Friday, November 8<sup>th</sup> and Saturday, November 9<sup>th</sup> and everything passed.

**PUBLIC COMMENTS:** Martha Whithers, Betty Lockhart & Mattie Bell came before the Council to discuss the water bills and why their bills continue to go up each year. It was stated that they live alone and their money isn't going up but their water bill is. It was said that from what they understand the bills are based on how many gallons you use, but in the past have stayed out of town for several months and the bill remained the same. Mr. Windham explained that 0 to 2000 gallons is a minimum bill, and even if you do not use any water you stay have to pay the minimum bill each month. This is for both water and sewer. If you reside within the city limits you must also pay garbage rates in addition to that. That is what is called a minimum bill. Anything that is used above the 2000 gallons is paid for by the 1000. He also informed her that the City will be glad to come out and profile the meter to see exactly when the water is being used. That will let her know if she has a leak. Ms. Whithers asked why the bill goes up every November? What percent? Currently the rates increases 12% each year. She asked why? He explained that the City went for many, many years without a rate increase, and now must get the rates to where they need to be to operate the system. He informed them that the City currently has failing infrastructure that they are trying to repair or replace. The only way that the City can borrow any funds to do this is to have the rate base at a certain place in order to pay that money back. He also said that any grants available the City does try to get them. Mayor Pro-Tem Guinn said that the City has to borrow money to be able to fix the infrastructure and before the USDA will loan that money to the City they (USDA) tell us that our rates must be a certain thing before they will loan that money to the City. He said that the City could have raised the rates all at one time instead of staggering them in increments once a

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year. He said that is just the nature of a rural water system. The reason behind increasing in November is because the demand is lower. It was asked how many years it will continue to increase, and Mr. Windham stated that it will last until the City satisfies the USDA requirements. It was asked why the bills were not increased years ago, and was told them none of the current staff were in a decision making position at that time. It was also asked if there is a senior citizen rate and the answer was no. Everyone pays the same rates. Mayor Whitley assured them that if there is anything that can help the citizens the City looks for it.

**SPLOST Approval (Continued):** Mr. Windham stated that he had forgot to mention one thing when requesting SPLOST approval. He reminded them that during a previous work session he had informed them that the meter read software was out of date and no longer available. He said that was something that City also needed to move forward with soon. He would like approval to update/replace the meter read software with SPLOST funds, and that total is \$24,690.00. He said that was the bare bones to replace it and later the City may have to add some things for this. A motion to approve was made by Mayor Pro-Tem Guinn and a second was made by Councilman Lance Bernard. The vote was unanimous. (Councilperson Williams was absent)

#### **EXECUTIVE SESSION: PERSONNEL**

A motion to enter into executive session to discuss a personnel issue was made by Councilman Amanzie Jenkins and a second was made by Councilman Glenn Harris. The vote was unanimous. (Councilwoman Williams was absent)

#### **ADJOURN:**

With no other issues to discuss, a motion to adjourn from the Council Meeting was made by Councilman Amanzie Jenkins and a second was made by Councilman Lance Bernard. The vote was unanimous, and the meeting was adjourned. (Councilperson Williams was absent)

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Mayor Whitley

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Attest