

WILLIAM B. WHITLEY  
Mayor  
JOHN B. "JACK" NICHOLS  
City Attorney  
VICKI WAINWRIGHT  
Clerk / City Administrator



COUNCIL:  
EDWARD GUINN  
Mayor, Pro Tem  
JACOB HOPKINS  
GLENN HARRIS  
RODRICK FLOWERS  
DEBORAH WILLIAMS

## August 8, 2023 Council Meeting @6:00 PM Council Chambers

### PRESENT

Mayor Barry Whitley  
Mayor Pro-Tem Ed Guinn *(late)*  
Councilperson Deborah Williams  
Councilperson Rodrick Flowers  
Councilperson Jacob Hopkins  
*\* Councilperson Glenn Harris was absent*

### MEDIA PRESENT

TC NEWS

**INVOCATION:** Councilperson Deborah Williams

**OPENING STATEMENT:** Vicki Wainwright

### **OLD BUSINESS:**

**Approval of the July 11, 2023 Regular Council Meeting:** Councilperson Deborah Williams made a motion to accept the minutes from the July 11, 2023 Regular Session. A second was made by Councilperson Jacob Hopkins. The vote was unanimous.

*\*Mayor Pro-Tem Guinn was not present for this vote and Councilperson Glenn Harris was absent.*

### **NEW BUSINESS:**

**SPLOST RESOLUTION AND IGA:** City Clerk Vicki Wainwright presented the Mayor and Council with the SPLOST Resolution and IGA. The Resolution approves and authorizes the Mayor to execute an agreement between the City of Butler, Taylor County Board of Commissioners and the City of Reynolds concerning a county one percent special purpose local option sales and use tax. The IGA covers the agreement between the City of Butler, The City of Reynolds and The Taylor County Board of Commissioners on the use and distribution of the proceeds from the SPLOST tax. The SPLOST referendum will be on the ballot in a county-wide election on November 7<sup>th</sup>, 2023. Ms. Wainwright noted that there will be one change in Section 11 of the IGA that changes the wording from "The County shall be reimbursed for the costs of



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the election including the Municipalities' share of such costs" to "The County shall be reimbursed for the costs of the election including the Municipalities' share of such costs from available sources including the SPLOST fund". She asked that the Council approves the Resolution and IGA pending the change in Section 11 of the IGA. A motion to adopt the resolution and allow the Mayor to authorize the IGA was made by Mayor Pro-Tem Ed Guinn and a second was made by Councilperson Jacob Hopkins. The vote was unanimous. \*  
*Councilperson Glenn Harris was absent.*

### Resolution to Call for Referendum of:

1. **Retail Consumption of Distilled Spirits**
2. **Permitting Sunday Package Sales of Malt Beverages, Wine, and Distilled Spirits**
3. **Permitting Sunday Sales of Alcoholic Beverages By the Drink**

**Resolution Calling for Referendum Allowing Retail Consumption of Distilled Spirits:** The Council voted to call for a referendum to be on the November 2023 ballot to allow retail consumption of Distilled Spirits (liquor). The referendum will read as follows:

*Shall the governing authority of the City of Butler, Georgia be authorized to issue licenses to sell distilled spirits for beverage purposes by the drink, such sales to be for consumption only on the premises.*

A motion was made by Councilperson Deborah Williams and was seconded by Councilperson Rodrick Flowers. The vote was unanimous. \**Councilperson Glenn Harris was absent.*

**Resolution Calling for Referendum Permitting Sunday Package Sales of Malt Beverages, Wine, and Distilled Spirits:** The Mayor and Council voted to call for a referendum to be on the November 2023 ballot to permit Sunday package sales of malt beverages, wine, and distilled spirits. The referendum will read as follows:

*Shall the governing authority of the City of Butler, Georgia Be authorized to permit and regulate package sales by retailers of malt beverages, wine, and distilled spirits on Sunday, between the hours of 12:30 PM and 11:30 PM?*



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A motion was made by Councilperson Rodrick Flowers and a second was made by Councilperson Deborah Williams. The motion carries, with Councilperson Williams, Flowers, and Hopkins voting "YES" and Mayor Pro-Tem Ed Guinn voting "No". \*Councilperson Glenn Harris was absent.

**Resolution Calling for Referendum Permitting Sunday Sales of Alcoholic Beverages by the Drink:** The Mayor and Council voted to call for a referendum permitting Sunday sales of Alcoholic Beverages by the Drink to be on the November 2023 ballot. The referendum will read as follows:

*Shall the governing authority of the City of Butler, Georgia, be authorized to permit and regulate Sunday sales of distilled spirits or alcoholic beverages for beverage purposes by the drink?*

A motion was made by Councilperson Deborah Williams and a second was made by Councilperson Jacob Hopkins. The vote was unanimous. \*Councilperson Glenn Harris was absent.

**DONATION DISCUSSION:** City Clerk Vicki Wainwright reminded the Mayor and Council that during the July meeting Chief Woodard he informed them that the Taylor County Football Team had requested a donation of \$2000 to help purchase new football helmets for the football players. The Council approved the donation, but after it was passed Councilperson Williams had requested that the Clerk make sure that a donation was possible. Once the Clerk conferred with the City Attorney she was told that a donation is a violation of the state's Gratuities Clause. She also learned that there is case law that says a "municipal corporation is without authority...to donate its money or property, unless authorized by its charter or some general law of the State. Miller v. City of Cornelia, 188 Ga. 674, 676, 4 S.E.2d 568, 569 (1939). Therefore Chief Woodard had contacted the Coach to inform him of the fact that the City of Butler could not make a donation due to it being illegal to do so. The Clerk was asked to send a letter to the Coach of the Football Team as well.

**SURPLUS PROPERTY:** Fire Coordinator Eddie Moulton asked the council for approval to surplus some equipment. He asked to surplus a camper that was once used as a command post and a walk-thru metal detector. A motion to approve the surplus of the equipment was made by Mayor Pro-Tem Ed Guinn and a second was made by Councilperson Jacob Hopkins. The vote was unanimous.



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### DEPARTMENT HEAD REPORTS

**Public Works Director David Windham** said that the 2021 CDBG in the Gloria, Venus, Bell Street area is underway. The project will deal with stormwater, drainage, and resurfacing. Councilperson Williams said that she had noticed a large amount of water over the road in the curve on Gloria St when it rains and asked if that issue would be resolved? Mr. Windham stated that the issue should not be a problem once the project is complete. He also said that the project would cost over 1.2 million dollars once completed.

He reminded the Mayor and Council that on Saturday, August 26<sup>th</sup> from 12-4 the second annual Employee Appreciation Day for the City of Butler will be held at the Fire Department.

**Captain Shelby Cloniger** told the Mayor and Council that the Butler Police Department responded to 782 incidents last month (July). The Department issued 421 citations with the majority of those being speeding tickets. He said that in July an operation called "Southern Slowdown" was held to help slow down heavy traffic and that the Butler Police Department would be receiving two awards at the Hands Across the Border Operation due to their hard work during the "Southern Slowdown" Operation.

He said that this year the City of Butler Police Department hosted "National Night Out" for Taylor County and that it was a huge success. He thanked the Public Works Department, the ladies in the office and Lt. Chris Parker for their extra efforts to make it so successful.

**Fire Coordinator Eddie Moulton** said that the fire department ran 23 calls last month. They were six wild fires, five vehicle accidents, two vehicle fires, one fire alarm, three cancelled in route, one lift assist, and three wires down.

He informed people that with the newer phones, if they are dropped they will call 911 as if you were in an impact or accident. 911 will attempt to call you back several times, and he asked that everyone please answer their phones so 911 will not send help your way.



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**ADJOURN**

Mayor Whitley stated that a work session would be held immediately following the meeting. With no further business to discuss a motion to adjourn was made by Mayor Pro-Tem Ed Guinn and a second was made by Councilperson Jacob Hopkins. The vote was unanimous.

*\*Councilperson Glenn Harris was absent.*

\_\_\_\_\_  
Mayor Barry Whitley

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ATTEST

