



# December 21, 2020 Woodbury City Council Minutes

---

## **ANTICIPATED ATTENDING**

- Mayor Steve Ledbetter
- Mayor Pro Tem Ronnie Garrett
- Councilmember Randy Carter
- Councilmember L. C. Gates
- Councilmember Carolyn Ledbetter
- City Attorney Danielle Sewell
- City Hall, City Clerk Angel Fowler
- Police Department, Chief Smart Web
- Public Works, Director Willie Holmes
- Water Director, Cody Kelly

## **CALL TO ORDER AND WELCOME**

Mayor Steve Ledbetter

## **INVOCATION & PLEDGE OF ALLEGIANCE**

Councilmember Garrett

## **ADOPTION OF AGENDA**

December 21, 2020

Councilmember Carter made motion to adopt the December Agenda

Councilmember Ledbetter seconded the motion

All approved

## **ADOPTION OF THE MINUTES**

November 16, 2020

Councilmember Carter made the motion to adopt the November minutes

Councilmember Ledbetter seconded the motion

All approved

## MAYOR'S UPDATE

- Georgia Main Street start up January 1, 2021
- 8 Interviews for the Main Street Program Director with anticipation of hiring within the next few weeks.
- Update and Revise the Service Delivery Strategy in preparation of the CDBG application requirements by Ga DCA
- GMA – Featured Woodbury, how to grow a small town
- The City of Woodbury was awarded the Visionary City Award. Woodbury chosen from 30 other cities

## DEPARTMENT REPORTS

### Update & Discussion on the Department reports

- **Police Department** – Chief Smart Web gave his monthly report and then presented 4 children with toys and a bike or scooter
- **Public Works**

Director Buck Holmes advised the council of the paving projects scheduled for 2021, one paving project is for Jones Mill Rd where the city had to repair a sewer issue. The cost of the paving is ~\$9000.

- Councilmember Carter made a motion to approve the paving; Councilmember Garrett seconded; all approved

Hayfield was bid out for cutting the bushes around the sewer pond, but the person that won the bid, never came to do the job, he was sent a letter but never responded. Mr. Holmes advised the council that he received additional bids for the work, one for \$21,900 from Southern Mechanics and one from Hunt's Outdoor for \$42,000 to do the project.

- Councilmember Carter made the motion to go with Southern Mechanics, Councilmember Ledbetter seconded the motion, all approved.

Mr. Holmes advised the council that the city had caught someone stealing water and was also discharging raw sewage onto the ground. The Police Department is investigating and prosecuting the case.

The city received a bid for Downtown paving and stripping. The preliminary bid is \$107,000. Staff requested authorization to properly bid the work through Georgia's State Procurement Registry.

- **Water & Sewer** – Cody Kelly

We continue to have problems with customers pouring grease down the sewer system, and we still have a water loss problem. The water plants goal is to sell 83% of the water produced and distributed into our system.

- **City Clerk** – Angel Fowler  
During our 2020 annual audit report, the auditor recommended the City write off uncollectable debt. Staff completed an exhaustive review and recommends the council approve writing down \$12,603 from our Water & Sewer account.
  - Councilmember Carter made the motion to write off this debt, Councilmember Ledbetter second the motion, all approved

## **SPECIAL COMMITTEE REPORTS**

- Woodbury Development Authority – Kera Summers, Chairperson provided an update on Switch & Grind Coffee Café, Paparella’s Pizza, and Woodbury Veterinarian Clinic.
- Planning & Zoning Commission – Vicky Matthews, Secretary gave monthly P & Z report
- Historic Preservation Commission – Candy Head, Chairperson, did not have an update

## **CHANGE JANUARY COUNCIL MEETING FROM JANUARY 18<sup>TH</sup> TO JANUARY 25<sup>TH</sup>**

Councilmember Carter made motion to change the January meeting to the 25<sup>th</sup>  
Councilmember Garrett seconded the motion  
All approved

## **SURPLUS GAS TANKS**

Councilmember Carter made the motion to surplus the gas tanks  
Councilmember Garrett seconded the motion  
All approved

## **WATER & SEWER BUDGET**

January meeting

## **TONYA MOODY**

- Ms. Moody requested to be on the agenda to discuss Business License, Renewal and City Ordinance

Council was considering not renewing Moody’s Express business license because Ms. Moody’s has not complied with the City Ordinance to have \$10,000 worth of inventory.

Additionally, through review of the documentation from the review of Moody Express purchase receipts, Ms. Moody had purchased alcohol from a wholesaler only once in the last eighteen months. Ms. Moody had been given 2 years to comply with the City Ordinance.

Ms. Moody's said *she did not have to comply with the city ordinance because she was grandfathered in and presented the council with a Zoning Ordinance section about compliance dealing with non-conforming buildings and not referring to the city ordinance.*

City Attorney advised the council that the City Ordinance is clear that the business that Ms. Moody operated shall have \$10,000 worth of inventory and she shall purchase alcohol inventory from a distributor wholesaler.

Ms. Moody is required to maintain the required \$10,000 of inventory and prove she is purchasing alcohol from a distributor before any license will be renewed or any new application is considered.

At this time, Ms. Moody became irritated with the City Council and the City Attorney and stated to them *"they didn't know how to read the law!"* Additionally, Ms. Moody indicated that she had an attorney and would have the attorney contact the City.

The Mayor, with direction from the City Attorney, ended the conversation and informed Ms. Moody that she would need to have her attorney contact the City to move forward. Ms. Moody was escorted from the council meeting.

Sec. 6-46. - Additional requirements for license for sale of alcoholic beverages for off-premises consumption.

This section shall not apply to wine auctions conducted at a special event licensed by the city.

- (1) Sales under a license for sale for off-premises consumption of malt beverages and/or wine may be made only in a retail alcohol dealer as defined in section 6-1, which maintain an inventory of food for human consumption at wholesale cost of at least \$10,000.00. No sales by-the-package or by-the-drink of distilled spirits, excluding fortified and kosher wines by-the-package, may be made in any retail alcohol dealer.
- (2) Exceptions for wine tasting rooms and growler sales: Wine tasting rooms, as defined in section 6-1, and also businesses whose primary retail purpose is to offer growlers for sale shall not be required to maintain the conditions set forth for food/grocery inventory, however, neither shall be permitted to sell vehicular fuel on the same premises.
- (3) Hours of operation of retail licensee for the sale of malt beverages and/or wines for off-premises consumption may be any time, except during the hours from 11:59 p.m. on each and every Saturday until 12:30 p.m. the following Sunday and from 11:30 p.m. on Sunday until 12:01 a.m. the following Monday, and except as otherwise provided in this chapter.
- (4) The sale of alcoholic beverages shall be lawful during the polling hours of any election day; excepting, however, that it shall be unlawful to sell alcoholic beverages within 250 feet of a polling place during such time as the polls are open.

(Ord. of 6-18-2018, § 6-47)



Sec. 6-45. - Illegal acts of licensee and others.

- (a) No holder of a license authorizing the sale of alcoholic beverages in the city, nor any agent or employee of the licensee, shall do any of the following upon the licensed premises:
- (1) It shall be unlawful for any person to knowingly, directly or through another person, dispense, serve, or sell, cause to be dispensed, served, or sold, or permit any person in such person's employ to dispense, serve, or sell any alcoholic beverages to any person under the age of 21 years.
  - (2) Knowingly dispense, serve or sell alcoholic beverages to any person while such person is in an observable intoxicated condition.
  - (3) Dispense, serve or sell alcoholic beverages upon the licensed premises on any day or at any time when such sale or consumption is prohibited by law.
  - (4) Permit the consumption of alcoholic beverages on the licensed premises unless the license authorizes on-premises consumption.
  - (5) Violate sections 6-87(b) or 6-88.
  - (6) Allow a person not holding a current server permit pursuant to section 6-54 to sell, serve, take orders for, pour or deliver to customers alcoholic beverages.
  - (7) Violation of any requirement of prohibition of any provision of this chapter regulating the operation of a licensed business.
- (b) It shall be unlawful for any person to sell, or possess for the purpose of sale, any alcoholic beverages where such person does not have a license from the city to sell or possess for sale such beverages.
- (c) Alcoholic beverages sold at retail within the city shall be received at or delivered to the premises of the retail licensee by no other means than by a conveyance owned and operated by a wholesale dealer with a license from the state.
- (d) No licensee, including wholesale dealers, licensed for sale of off-premises consumption of alcoholic beverages, shall knowingly allow or permit the consumption of any alcoholic beverages on the licensed premises.
- (e) No licensee, including wholesale dealers, licensed for sale of off-premises consumption of alcoholic beverages, shall knowingly allow or permit the breaking of any package or packages containing alcoholic beverages on the licensed premises or permit the drinking of the contents of such package or packages on the licensed premises.
- (f) It shall be unlawful for a licensee, its employees or agents, to dispense, serve, deliver, transfer or sell alcoholic beverages to any person at a location other than the licensed premises.
- (g) No retailer licensee shall purchase alcoholic beverages from any other person other than a wholesaler licensed by the state. No wholesaler shall sell any alcoholic beverage to anyone other than a retailer licensed under this chapter.
- (h) A licensee shall not sell, serve, or dispense alcoholic beverages by a "drive thru" or "car hop" or "drive-in window" method, or otherwise directly to a customer while the customer is located within an automobile, truck, motorcycle, or other vehicle.
- (i) A retail consumption dealer shall comply, and shall cause its patrons to comply, with the requirements of section 6-4(a)(4) when allowing consumption of alcoholic beverages outside the licensed structure, which consumption may only be upon the licensed premises.

(Ord. of 6-18-2018, § 6-46)

**LEGAL UPDATE – City Attorney, Danielle Sewell**

- Alcohol Ordinance – No Home Delivery, 2<sup>nd</sup> reading and Adoption  
Councilmember Carter made motion to adopt the Alcohol Ordinance  
Councilmember Garrett seconded the motion  
All approved
- Hindering of Police Officer Ordinance, 2<sup>nd</sup> Reading and Adoption  
Councilmember Carter made motion to adopt the Hindering of an Officer  
Councilmember Garrett seconded the motion  
All approved

**PUBLIC COMMENTS**

**NEW BUSINESS**

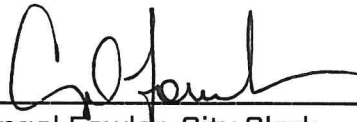
**COUNCILMEMBER COMMENTS**

Councilmember Carter- Community Bld needs to be more handicap assessable.

**ADJOURNMENT**



Steve Ledbetter, PhD  
Mayor



Angel Fowler, City Clerk