



# November 16, 2020 Woodbury City Council Minutes

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## 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

Mayor Steve Ledbetter

## ADOPTION OF AGENDA

November 16, 2020

Councilmember Carter made motion to adopt November Agenda

Councilmember Ledbetter seconded the motion

All approved

## ADOPTION OF THE MINUTES

October 19, 2020

Councilmember Carter made motion to adopt the October 19, 2020 minutes

Councilmember Gates seconded the motion

All approved

## MAYOR'S UPDATE

- Rural Zone Designation Training — Tuesday, November 17<sup>th</sup> from 9:00 – 12:30

- Impact Fee Ordinance — moving forward with development of Capital Improvement Plan. Georgia DCA is finalizing a date for support — tentatively scheduled for December 9<sup>th</sup> or 10<sup>th</sup>
- The City won an award, but we were asked not to share the details until January — so, more news to come in the next few months.

## DEPARTMENT REPORTS

### Update & Discussion on the Department reports

- Police Department — Chief Smart Web requested from council to purchase a police training simulator, this will help with training of officers in the department and other agencies. The money to pay for the simulator will come from seized monies.  
Councilmember Carter made motion to buy the simulator with seized monies  
Councilmember Ledbetter seconded the motion  
All approved  
Councilmember Carter made a motion to officially appoint Smart Web as the Chief of Woodbury  
Councilmember Ledbetter seconded the motion  
All approved
- Public Works — Director Buck Holmes requested from the council to build a Lean-to-shed for his equipment at the sewer plant at the cost of \$4800  
Councilmember Garrett made the motion to approve the shed  
Councilmember Carter second the motion  
All approved
- Water & Sewer — Cody Kelly advised council they are still finding shirts, wigs and grease in the sewer pumps
- City Clerk — Angel Fowler requested that the council approve the use of Fleet Fuel Cards, not only convenient for the employees, but a savings in taxes for the city.  
Councilmember Carter made motion to use Fleet Fuel Cards  
Councilmember Garrett second the motion  
All approved

## SPECIAL COMMITTEE REPORTS

- Woodbury Development Authority — Kera Summers, Chairperson updated the council on the opening of Switch & Grind and the process on the Pizzeria  
Chairperson requested that Kena Kendricks be appointed to the Development Authority Board

Councilmember Carter made a motion to appoint Kena Kendricks to the Development Authority

Councilmember Ledbetter seconded the motion

All approved

- Planning & Zoning Commission – Vicky Matthews, Secretary requested from Council to appoint Sam Summers to the P & Z Board  
Councilmember Carter made the motion to appoint Sam Summers to the Board  
Councilmember Ledbetter seconded the motion  
All approved
- Historic Preservation Commission – Candy Head, Chairperson, did not attend

### PAVING OF COVE ROAD

- County contracted with Piedmont Paving
- Piedmont Paving is asking for ~\$23,000 to pave from the City Limits to Millarden Road / Highway 85
- Staff is recommending approval of the expenditure with an amendment increase to the budget paid from T-SPLOST. There is money in the account to pay for this expenditure.

Councilmember Carter made the motion to approve the expense

Councilmember Ledbetter seconded the motion

Gates approved

Garrett opposed

### TONYA MOODY-COMPLAINT

- Ms. Moody made a complaint that the City is “violating her rights” by not allowing her to continue to operate her business in violation of the City Ordinance.  
Ms. Moody said she did not get her renewal application for her business license and said she was supposed to get a letter when Business License are suspended or revoked. City Attorney Danielle Sewell advised Ms. Moody this was not a suspension or Revocation but a question of renewing of a business license. Mayor Ledbetter advised Ms. Moody that having a license to operate a business within the City is a privilege and must meet all ordinance associated with an alcohol permit including having inventory. Ms. Moody’s response was *“I don’t have to meet that; I am grandfathered in.”*  
Mayor Ledbetter informed Ms. Moody this was not a revocation but a question of a renewal and to come by City Hall and get an renewal application.

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)

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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-1<sup>st</sup> Reading
- Hindering of Police Officer Ordinance- 1<sup>st</sup> Reading

**PUBLIC COMMENTS**

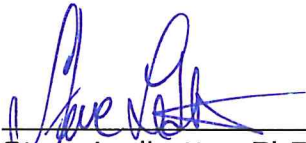
- Karen Carter requested speed bumps on Flats Shoals or more patrol, because people are speeding up and down Flats Shoals trying to get to the school on time.

**NEW BUSINESS**

**COUNCILMEMBER COMMENTS**

- Councilmember Garrett advised he is opposed to any speed bumps on Flat Shoals.

**ADJOURNMENT**



Steve Ledbetter, PhD, Mayor



Angel Fowler, City Clerk