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The Work Session of the Mayor and Council was held in the Council room of West Point City Hall April 29, 2014 at 6:00 p.m. with Mayor A. Drew Ferguson IV opening the session.

Members Present:

Councilmember Joseph R. Downs III  
Councilmember Gerald W. Ledbetter  
Councilmember Gloria R. Marshall  
Councilmember Steven M. Tramell  
Councilmember Benjamin F. Wilcox

Members Absent:

Councilmember Sandra Thornton

**Public Comments**

There were no public comments

**New Business**

- **Board & Committee Appointments**

City Manager Ed Moon stated appointments to Committees and Boards are in the council packets which includes Don Cleveland to the Board of Adjustment. City Planner Sammy Osborne stated if the Council appoints Mr. Cleveland there will still be two openings. The Board needs three members to have a quorum. Other Board candidates include Elizabeth Lester, Frances Reeves and Monica Barber to the Hawks Library Board. Ralph Davidson has applied for the Municipal Planning Board.

- **Solid Waste Agreement**

City Manager Ed Moon reviewed key points of the Solid Waste Agreement with C&C Sanitation Inc. It will be a three year contract, a five year renewal option, once a week pick up 95 gallon can, 95 gallon can for recycling that will be picked up bi-weekly. The contract will have a maximum increase cap of 3% for the duration of the contract. Sanitation Director Thomas Scott stated he would like for the recycling center to remain open until citizens get used to the curb side recycling process.

- **Malt Beverage & Wine License Pizza Villa, 722 3<sup>rd</sup> Avenue**

Mayor Ferguson stated Michael Bartlett owner of Pizza Villa application for malt beverage and wine will be on the next business agenda for consideration.

- **LTM Movement Ministries request for a Church 804 3<sup>rd</sup> Ave 2<sup>nd</sup> Work Session Public Hearing Required**

Mayor Ferguson requested the Council tabled the request for a Church to be located at 804 3<sup>rd</sup> Avenue until they lift the moratorium that was set at the last business meeting.

- **Zoning Amendment for Residential Recreation Facilities 2<sup>nd</sup> Work Session Public Hearing Required**

City Planner Sammy Osborne stated the purpose to amend Section 4.11 in the Zoning Ordinance is needed to establish guidelines for the timing of the installation of recreational amenities associated with the developments. He cited the Village of Harris Creek has not installed any amenities even though they were included in the development initial plans. The zoning ordinance was not specific as to when the amenities will be installed. This amendment will address the lack of a timeline for developers to install the amenities.

- **Ante Litem Notice- Williams**

City Manager Ed Moon stated there hasn't been any update to the Ante Litem Notice dated March 18, 2014 the City receive from The Wright Legal Group on behalf of Calvin Williams for claims of harassment, false imprisonment, loss of reputation, malicious prosecution, unreasonable search and seizure requesting \$1,000,000.00.

- **Marseilles Cemetery Rules & Regulations**

City Manager Ed Moon stated staff is requesting changing the rules and regulations for the Second Addition of the Marseilles Cemetery Section (4) to allow other markers such as marble and granite of flat design and set Flush with the ground along with the current regulations of just allowing enduring bronze markers.

- **Alcohol Ordinance**

City Manager Ed Moon stated the City's current Alcohol Ordinance Sec. 3-34 Proximity of place of business to churches, schools. (a) No license shall be issued to any dealer where the place of business of the dealer is located within one hundred (100) yards of any church, school ground or college. Dealer has been wrongly interpreted to mean no alcohol sales by anyone within one hundred (100) yards of any church. Section 5-1 defines Retail consumption dealer means any person who sells distilled spirits for consumption. Currently the City's ordinance allows off premise and on premise sale of

malt beverage and wine within 100 yards of a church. State law also allows the sale of malt beverage and wine within 100 yards of a church. Mr. Moon stated the City should not be more restrictive than State law. Councilmember Gerald W. Ledbetter asked could a church open next to liquor store. Mr. Moon stated the law has no restrictions for churches so a church could open next to a liquor store and the liquor store would be grandfathered in but a liquor store could not open next to a church.

- **Church Moratorium**

Councilmember Gerald W. Ledbetter stated he feels churches should be allowed to open in the downtown district and anywhere else within the city limits. If store front churches be successful they would grow and eventually seek another location. Councilmember Steven M. Tramell had some concerns churches might open in citizen's homes. City Planner Sammy Osborne stated current residential ordinances would not allow that because of other restrictions such as parking signing ect.

- **Agreement for Water & Sewer Services**

City Manager Ed Moon stated the City of LaGrange asked to inter into an agreement for water and sewer services. The City of LaGrange annexed approximately 312.192 acres north of Sand Town Road and west of Interstate 85. West Point will facilitate service by providing wholesale sewer services to LaGrange for developments of the property.

- **Gas Portfolio IV**

City Manager Ed Moon stated a resolution approving the supplemental contract for the Gas Portfolio IV project between the City of West Point and the Municipal Gas Authority authorizing the execution, delivery and performance of the supplemental contract for the Gas project and other purposes will be on the next business agenda for consideration.

- **Intergovernmental Agreement Depot Parking Lot**

City Manager Ed Moon stated an Intergovernmental Agreement between Downtown West Point Development Authority and the City of West Point for the parking lot that is owned by the West Point Visitors Center & Depot, Inc. The Downtown West Point Development Authority is willing to purchase the real property for use by the City and the City shall pay on behalf of the Authority, all note payments due as a result of said assumption of the Charter Bank debt, and shall also maintain the property throughout the term of this agreement.

- **Donation Agreement TPL Park Land**

City Manager Ed Moon reviewed section 170(h)(4)(ii) of the contract containing “ No other uses (e.g., dog parks, active recreation, such as ball fields, tennis courts, basketball courts, playgrounds, swimming pools (indoor or outdoor), gymnasiums and/or similar recreational facilities or improvements) or buildings (commercial, industrial, residential

or municipal (e.g. fire stations, police stations, libraries or recreation centers)) shall be permitted on the property.

- **Executive Session to Discuss Appointment of City Employee**

Councilmember Gerald W. Ledbetter made a motion to go into executive session to discuss appointment of a City Employee. The motion was seconded by Councilmember Gloria R. Marshall; passed unanimously.

**Mayor & Council Comments**

There were no other comments.

**ADJOURN**

There being no further business the meeting was adjourned