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The regular meeting of the Mayor and Council was held in the Council room of West Point City Hall September 14, 2009 at 6:00 P.M. with Mayor A. Drew Ferguson IV presiding.

Members Present:

Councilmember Joseph Downs  
Councilmember Donald Gilliam  
Councilmember M. Darren Kelley  
Councilmember Sandra Thornton  
Councilmember Annie Wallace  
Councilmember Judy L. Wilkinson

Members Absent:

The following public hearings were held prior to opening the Council meeting for business:

**Public Hearing** to receive comments concerning the demolition of an unfit structure located at 904 East 9<sup>th</sup> Street. Doug Etheridge with First Peoples Bank in Pine Mountain they are security loan of the property agreed that 904 was not in good condition and needed to be demolished. He will work with city to make this happen. **There were no more comments and the public hearing was closed.**

**Public Hearing** to receive comments concerning the demolition of an unfit structure located at 906 East 9<sup>th</sup> Street. Mr. Derrick Williams with First Peoples Bank in Pine Mountain they are security loan of the property was stunned to find out about the Public Hearing on 906. He thought he was already working with the City to proceed ahead with the renovation process. He is prepared to get 906 up to code immediately. He thinks the brick residence could be renovated at \$15,000, which this estimate was given by three different inspectors. Mr. Williams will turn 906 into affordable, decent rental housing. He plans to paint and rip up the carpet. Both Councilmember Darren Kelley and Barry Spafford expressed skepticism that the renovations needed could be done for that amount. Councilmember Judy Wilkinson asked if the house is in foreclosure. Mr. Williams commented not at this point. Councilmember Darren Kelley asks if there is mold. Mold and mildew problems will not be taken care of with the estimate given to bring it up to code or live in. Councilmember Donald Gilliam is all for the renovation. Planning and Community Director Sammy Osborne only question was is the property owner going to be the contractor. Mr. Etheridge said no. Local resident spoke up and asked Mr. Williams if they are willing to spend more money to renovate. Mr. William indicates he will spend the money to get the house up to code with the city. **There were no more comments and the public hearing was closed.**

**Public Hearing** to receive comments concerning a petition to annex into the City of West Point 1.03 acres and located on Highway 103 and Hollis Road. Land Lot 176 of the Fifth Land District of Harris County GA owned by Fire Sprink, Inc. zoning as I-1 Light Industrial Harris County. **There were no comments and the public hearing was closed.**

**Public Hearing** to receive comments concerning Adult Entertainment Ordinance. City Attorney Larry Nix presented series of studies of regulations at the last council meeting for the Mayor and Council to review. The worst side effect is the adverse effect on the surrounding neighborhoods. I asked Police Chief Kerr to give his comments on the Public Safety. The concern for the adoption of the Adult Entertainment ordinance is not for the prevention of the First Amendment, but rather it is to ensure there is not a negative impact on the community in terms of its secondary effects such as: Crime, Decreased property values, and Diminished quality of life. As you saw in your reading of the volumes of information provided by the City Attorney, Larry Nix, there could be these negative effects, if certain conduct are not regulated—including the regulation of Adult Entertainment Business. Numerous Studies provide a wealth of empirical data showing from the adult entertainment businesses, with some studies indicating as much as a 400 to 500% increase of crime in the area where adult entertainment businesses are located compared to other areas of its city. This increase of crime will have a direct impact on law enforcement, code enforcement, courts, and the community. Adopting this ordinance is not setting a new precedence, as the Supreme Court has ruled that a city ordinance can be written so as to take into account the “Admittedly serious problems” created by adult establishments. In reviewing the data of numerous other locations, it is a virtual mathematical certainty that we will suffer the same negative secondary effects if this ordinance, or one similar, is not adopted. I appreciate the city council’s foresight in dealing with this issue now and urge the adoption of this ordinance. Mr. Larry Nix asks that the city make the studies a part of city records. If we are not satisfied that we can revisit but Mr. Nix recommends passing this ordinance. A local resident Mr. Myron Jackson commented that there is not enough law enforcement. **There were no more comments and the public hearing was closed.**

Prayer by Pastor Steve Langley, Sunset Heights Baptist Church, Lanett

Mayor Ferguson called the meeting of the Mayor and City Council to order and welcomed everyone.

## **MINUTES**

Minutes from the August 10, 2009, regular meeting and the August 25, 2009 called meeting of the City Council were **approved without change.**

## **FINANCIAL REPORT**

Councilmember Sandra Thornton presented the August financial report with the September cash position and forecast and made a motion to accept the report; motion seconded by Councilmember Darren Kelley **passed unanimously.**

## **PROCLAMATIONS**

Mayor Ferguson presented a proclamation to Traci Martin, Race Director for all her hard work and dedication for the Adventure Jam. \$13,500 was raised and proceeds go toward the West Point River Park.

Mayor Ferguson presented a proclamation to Barry Spafford and Darren Kelley for the successful week at the Millard Fuller 2009 Legacy Build in Lanett, Alabama. There were 6 houses built and 8 rehabilitation. Even though these houses were built in Lanett, Alabama it has a positive impact on West Point. The city appreciates all their time and love that they put into this project.

## **Resolution to Amend MEAG Municipal Competitive Trust & Combined Cycle Power Sales**

Councilmember Joseph R Downs III read resolutions authorizing the execution and delivery of a first amendment to the amended and restated combined cycle power sales contracts; authorizing the execution and delivery of a second replacement amendment to the Municipal Competitive Trust; and for other purposes with MEAG Power. Councilmember Joseph R Downs III made said motion and seconded by Councilmember Ann Wallace and **passed unanimously**.

## **Ordinance to Demolish Unfit Structures**

Councilmember Darren Kelley asked for a motion to authorize a resolution to demolish an unfit structure located at 904 East 9<sup>th</sup> Street. Councilmember Darren Kelley made said motion and seconded by Councilmember Sandra Thornton and **passed unanimously**.

Councilmember Darren Kelley read an ordinance and put it in a form of a motion to authorize a resolution to demolish an unfit structure located at 906 East 9<sup>th</sup> Street. The motion was seconded by Councilmember Sandra Thornton.

Councilmember Judy Wilkinson asked for an amendment to give the bank seven days to re-inspect the property and make sure it wanted to commit money for the needed repairs. The motion was seconded by Councilmember Donald Gilliam.

Councilmember Judy Wilkinson asked for a second amendment that would give the bank seven days to decide if it wanted to commit to the repairs and then to have the repairs done in 30 days and ready for occupancy with no boarded windows. **The motion was seconded by Councilmember Donald Gilliam. Motion passed unanimously with 4-2 vote. Councilmember Sandra Thornton and Darren Kelley opposed.**

## **Annexation and Rezoning**

Councilmember Ann Wallace read an ordinance and put it in a form of a motion to annex into the existing corporate limits of the City of West Point, Georgia 1.03 acres located on Highway 103 and Hollis Road. Land Lot 176 of the Fifth Land District of Harris County GA owned by Fire Sprink, Inc and rezone as I-1 Light Industrial Harris County. Councilmember Donald Gilliam seconded the motion and **passed unanimously**.

