

OFFICIAL MINUTES
COMMISSION OF THE CITY OF BRUNSWICK, GEORGIA
REGULAR MEETING
8:30 A. M., JULY 1, 1987
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PRESENT: His Honor Mayor Paul Warwick, Jr., and Commissioners Thomas P. Williams, Ken Tollison, and J. Calvin Morgan.

ABSENT: Commissioner James A. Stephens.

The invocation was given by Dr. Ronald A. Hazlett of Calvary Baptist Church.

This being the date and time for public hearing on proposal to rezone lots numbered 51, 52, 53, 54, and 55 in the Thirty-three Acre Tract, pursuant to the advertisement, many citizens were present for the said hearing. Robert D. Miles, as attorney for petitioners, Trustees of U. A. Local No. 177, Health and Welfare Fund, spoke first. He described the property as to location, giving a history of its non-conforming use which would expire in 1990; for this reason the officers of the Steamfitters Union could not give a long-term lease to a prospective client, that under its present zoning the said property is unmarketable and unusable, that vacant property is potentially detrimental to the surrounding property owners but had been unable to reach an agreement on restrictions to be placed on proposed rezoning. He concluded by reading the following for the record:

ZONING LANGUAGE

"A decision by the Board of Commissioners to deny the zoning reclassification requested would be arbitrary, capricious and unreasonable and in violation of the Georgia and United States Constitutions. Such a decision would bear no rational relationship to any legitimate government interest of the Board of Commissioners. It would effectively prohibit development of the property resulting in a serious economic injury to U. A. Local No. 177, Health and Welfare Fund Trust (Herein the "Health Fund").

In addition, the present zoning of the property, insofar as it prohibits the use proposed by Health Fund, results in an illegal confiscation of its property without just compensation. As a result, the denial of the rezoning will unlawfully and unconstitutionally deprive Health Fund of due process of law and equal protection under the law.

Finally, a denial will deprive Health Fund of the reasonable use of its property without due process of law and constitute a public taking of its property without just and adequate compensation first being paid."

Mrs. Peggy Lee, resident of 304 Albany Street, spoke in behalf of the citizens opposing the said proposed rezoning. She submitted a petition bearing two hundred ninety (290) signatures in which the said objections were set forth. She recalled the meeting with the representatives of the Union at which time they failed to reach any agreement on restrictions and limitations to be included in proposed General Commercial Rezoning. She pointed out that theirs was a stable neighborhood which the property owners wished to preserve and urged the Commission to abide by the established plan for the City and to deny the rezoning.

Fred Wages, manager of the said Union, stated that non-use of the property represent a financial loss to the union membership. He regretted the impasse but urged the Commission to reach a decision. Mayor Warwick announced that he could recess the meeting for the sole purpose of resolving the problem. He then asked for an expression from the Commissioners who were of the opinion that negotiations should continue that all avenues of compromise had not been exhausted. The Mayor then set Friday, July 10, at 6:30 P. M., as the date and time for the recessed meeting.

Commissioner Williams moved that minutes of the meeting of June 25, 1987, be approved and minutes of June 17, 1987, be approved subject to the following correction: in the discussion of the sale of the Brunswick Port Authority to the State Ports Authority to delete the remarks of Commissioner Tollison and in lieu thereof to substitute the following, "Commissioner Tollison stated that he attended meetings of the Brunswick Port Authority and on one occasion, in the absence of the Mayor, as Mayor pro tem had attended a joint meeting of the Brunswick Port Authority and the States Ports Authority, that County Chairman Pate had attended the meeting also". Motion was seconded by Commissioner Morgan and was unanimously carried.

Commissioner Tollison moved the adoption of the following resolution, which motion was seconded by Commissioner Morgan and was carried by unanimous vote:

BE IT RESOLVED by the Commission of the City of Brunswick that it hereby ratifies and confirms this date, July 1, 1987, the following appointments to the Board of Governors of the Brunswick-Glynn County Economic Development Authority: Ray Acosta, Robert Malone, and William Torrey, to serve three years; Hugh Langsford and Henry Godshall to serve two years; and William Hannon and Walter McNeely to serve as alternate, non-voting members.

Commissioner Williams moved the adoption of the following resolution, which motion was seconded by Commissioner Morgan and was carried by unanimous vote:

BE IT RESOLVED by the Commission of the City of Brunswick that it hereby authorizes and directs the Director of Finance to reimburse the General Fund from the Revenue Sharing Fund for the following payments:

- (1) To Motorola, Inc., Atlanta, the sum of \$18,375.00 for thirty-five (35) portable radios for the Police Department;
- (2) To Swacar Sales, Inc., Valdosta, the sum of \$18,516.00 for two (2) swacars and two (2) dumping devices for the Sanitation Department;
- (3) To King's Colonial Ford, Inc., Brunswick, the sum of \$27,180.00 for two (2) trucks for the Sanitation Department; and

- (4) To Carlton Company, Albany, the sum of \$11,645.00 for one
(1) bucket for the Sanitation Department.

W. A. Slaughter, as Chairman of the Board of Adjustments and Appeals on condemnation of unsafe building, was present for further clarification of the functions of the said Board. On invitation, the City Building Inspector appeared to participate in the discussion. He submitted a list of thirteen buildings which had been condemned over the past years, the owners of same having failed to take action. Mr. Slaughter recommended that the said buildings be condemned a second time. The City Attorney pointed out that the present condemnation notice was inadequate in that it did not list reasons for such condemnation nor did it advise the property owner of his right to a public hearing. The Mayor directed the City Attorney and the Building Inspector to work together on preparing a proper condemnation order. The Director of Community Development reported that two of the thirteen buildings which had been condemned were within the boundaries of the Dixville Rehabilitation Program and would be repaired in due time. The Building Inspector spoke of his need for assistance in the operation of his office since its removal to the City Hall. The Mayor advised that this would be considered at the next budget meeting of the Commission.

Mayor Warwick announced that he would attend the Planning and Zoning Seminar to be held in Savannah and the Director of Community Development would attend also.

Commissioner Tollison moved that the City return to the former procedure of rezoning petitions being initiated with the County Planning and Zoning Board. Mayor Warwick surrendered the chair to Mayor pro tem Tollison, and as Commissioner Warwick seconded the motion. In discussion Commissioner Morgan pointed out that in any case the City Commission must make the ultimate decision. On call for the question, Mayor Warwick and Commissioner Tollison voted "Aye" and Commissioners Morgan and Williams voted "Nay", resulting in a tie.

The Director of Community Development reported the award of a Grant in the amount of \$29,000. from the Criminal Justice Block Grant Program to fund one-half of the cost of the operational information system for the Police Department, and the award of a Grant in the amount of \$2,000. from the Coastal Highway District to fund a ceramics area at the Multi-Purpose Center for the Elderly. He then reported that Calsilite Insulation Products Company had requested that it be permitted to make its loan repayments by the month rather than by the quarter for the next fiscal year. Thereupon, Commissioner Williams moved the adoption of the following resolution, which motion was seconded by Commissioner Morgan and was unanimously carried.

BE IT RESOLVED by the Commission of the City of Brunswick that upon request for same it hereby authorizes Calsilite Insulation Products to make repayments on its UDAG Loan in the amount of \$6,238.42 per month, beginning July 1, 1987, and continuing to June 30, 1988, at which time the said Company will revert to its former schedule of quarterly repayments of \$18,715.27.

Mr. Slaughter, as resident of 2016 Reynolds Street, requested that heavy trucks be barred from travelling on said street. The Commission agreed and directed the Chief of Police to mark all north-south residential streets accordingly, thereby limiting heavy trucks to Bay, Newcastle, and Norwich Streets.

Chief Carter gave a detailed report on the study which he and Chief Rame had made on proposed merger of City and County Police Departments. Received by the Commission with interest.

MEETING RECESSED TO JULY 6, 1987, AT 6:30 P. M.

Mayor

Attest:

Secretary of the City Commission