

**OFFICIAL MINUTES
COMMISSION OF THE CITY OF BRUNSWICK, GEORGIA
REGULAR MEETING
8:30 A. M., MARCH 6, 1991**

PRESENT: His Honor Mayor Homer L. Wilson, Commissioners James A. Stephens,
Thomas P. Williams, Otis
Herrington and Roosevelt Lawrence.

INVOCATION: The invocation was given by Rev. Earl James, Grace Methodist Church.

APPROVAL OF MINUTES

Commissioner Stephens moved that the meeting of February 20 and Called Meeting of February 26, 1991 be approved. Motion was seconded by Commissioner Lawrence and was unanimously carried.

PUBLIC HEARING

This being the date, time and place for public hearing on proposal to rezone Lot 7, Block D in Goodyear Park Subdivision from R-6 One Family Residential District to OC, Office Commercial pursuant to advertisement.

Deborah Chapman, Glynn County Community Development staff member recommended that rezoning be denied, stating that conditions have not changed over the years and is still residential in nature. The staff feels that a zoning change to commercial would constitute a spot rezoning. Mrs. Chapman gave the rezoning history on the subject property. Mayor Wilson recognized the number of citizens present that wished to speak in favor or against proposed rezoning.

Mr. Wray Avera, present owner of property spoke on behalf of said rezoning. He stated that because of traffic conditions no one is willing to occupy resident and plans are being made to four-lane Fourth Street. The property across the street has already been zoned Commercial and there are other nearby businesses. He asked the Commission to take that under consideration.

Christine Powell resident of the City stated that she has been living in the said neighborhood for 35 years and plan to retire.

Joe Ferrier, Attorney for property owners submitted petition with 131 signatures requesting denial of proposed zoning. Mr. Ferrier quoted Zoning Standards and policy procedures used for approving or denying rezoning.

The Commission stated that they opposed spot zoning, and families should have the right to live in homes in residential neighborhoods.

Commissioner Lawrence moved that the proposed rezoning be denied because a zoning change would change the residential nature of neighborhood and the zone change would establish spot zoning. Motion was seconded by Commissioner Herrington and was unanimously carried.

AMENDMENT TO HOUSING AUTHORITY BOND ISSUE

Attorney James Gilbert appeared before the Commission to submit an amendment and

modification of Revenue Bonds by the Housing Authority. On motion of Commissioner Williams seconded by Commissioner Lawrence the following Resolution was unanimously adopted:

**RESOLUTION OF THE COMMISSION OF THE CITY OF BRUNSWICK,
GEORGIA, APPROVING THE AMENDMENT AND MODIFICATION OF
REVENUE
BONDS BY THE HOUSING AUTHORITY OF THE CITY OF BRUNSWICK**

Whereas, the Housing Authority of the City of Brunswick (the "Issuer") proposes to amend and modify the terms of certain revenue bonds of the Issuer designated as "Multifamily Housing Revenue Bonds, Series 1985B (Island Square Project)," originally issued by the Issuer on March 18, 1985, in the principal amount of \$1,552,986 to assist in financing certain facilities (the "Project") developed by Coastal Islands Associates (the "Borrower") more particularly described as follows:

- (a) General, functional description of the type and use of facilities to be financed:

Multifamily rental residential housing development consisting of 104 dwelling units;

- (b) Maximum aggregate face amount of the obligations (the "Bonds") proposed to be issued:

\$1,332,986;

- (c) Initial owner, operator or manager of facilities to be financed;

Coastal Islands Associates, a Georgia general partnership;

- (d) The location of the facilities:

Demere Road, St. Simons Island, Glynn County, Georgia; and

WHEREAS, the proposed amendments will result in extension of the maturity of said revenue bonds to February 15, 2006, and for certain purposes may be considered to be a reissuance thereof in the currently outstanding principal amount of said revenue bonds of \$1,332,986; and

WHEREAS, the Issuer held a public hearing with respect to the proposed financing of the Project of March 4, 1991; and

WHEREAS, a report regarding the public hearing has been furnished to the Commission of the City of Brunswick (the "Governing Body") by the Issuer and has been filed with the minutes of this meeting; and

WHEREAS, Section 147 (f) of the Internal Revenue Code of 1986 (the "Code") provides that the governmental unit having jurisdiction over the issuer of private activity bonds and over the area in which any facility financed with the proceeds of such bonds is located shall approve the issuance of such bonds; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body, and IT IS HEREBY RESOLVED by the authority of the same, as follows:

- (1) The amendment and modification of the Bonds by the

Issuer as above described and the proposed extension of the maturity of the Bonds to be affected thereby is hereby approved to the extent required by said Section 147 (f) of the Code and the provisions of the laws of the State of Georgia governing the Issuer.

(2) Such approval by the Governing Body does not constitute an endorsement to a prospective purchaser of the Bonds of the creditworthiness of the Borrower or the Project, and the Bonds shall not constitute an indebtedness or obligation of the State of Georgia or of any county, municipal corporation or political subdivision thereof, but the Bonds shall be payable solely from the revenues derived from the Project and pledged to the payment thereof, and no owner of any of the Bonds shall ever have the right to compel the exercise of the taxing power of said State or of any county, municipal corporation or political subdivision thereof, nor to enforce the payment thereof against any property of said State or of any such County, municipal corporation or political subdivision.

(3) This resolution shall take effect immediately upon its adoption.

ALCOHOLIC BEVERAGE LICENSE RENEWAL

Petition received from Albert White to retail beer and wine for consumption on premises at 110 G Street, having been approved by the Chief of Police and the City Manager, Commissioner Herrington moved that petition be granted. Motion was seconded by Commissioner Lawrence and was unanimously carried.

Petition received from D. L. Fredrick, Sr., to retail beer for consumption on premises at 1615 Albany Street, having been approved by the Chief of Police and the City Manager, Commissioner Lawrence moved that petition be granted. Motion was seconded by Commissioner Stephens and was unanimously carried.

The following bids were received on 65 Smith and Wesson Model 4046 Pistols for Police Department:

Vendor	Bids
Larry's Gun Co. Screven, GA	\$21,474.70
The Gun Shop Brunswick, GA	\$38,900.55
G T Distributors, Inc. Rossville, GA	Recommended - Low Bid \$14,888.25* (Meets all specifications)
Southeastern Equipment Co. Decatur, GA	\$17,199.00

Commissioner Lawrence moved that the low bid be accepted. Motion was seconded by Commissioner Herrington and was unanimously carried.

The following bids were received on Salvaged Cars:

Vendor	Bid
Brunswick Metal & Battery 1200 Cedar Street Brunswick, GA	\$2,070.00
Glynn Iron & Steel South Shipyards Brunswick, GA	\$1,860.00
J. Wray Avera, II 139 Merion St. Simons Island, GA	\$2,702.00*
A & L Wrecking 3000 Whitlock Street Brunswick, GA	\$2,040.00

The City Manager recommended that the high bid of J. Wray Avera, II be accepted. Commissioner Williams moved that the City Manager's recommendation be approved. Motion was seconded by Commissioner Herrington and was unanimously carried.

AUDIT

Jimmy Szwest, CPA, Shell & Hogan was present to discuss the 1990 Financial Report. Mr. Szwest reported that the audit was conducted in accordance with generally accepted auditing standards. The audit found the City to have 3.9 million dollars in the General Fund.

EDUCATIONAL TRAINING

Chief Sidoran was present to request approval of an Educational training program at Brunswick College and incentive pay to police officers who further their education. Commissioner Herrington moved that request be granted. Motion was seconded by Commissioner Williams and was unanimously carried.

AT&T LEASE

Commissioner Stephens moved that a 60 month Lease agreement to **AT&T** for Telephone equipment for the Police Department in the amount of 24,435.00 be approved. Motion was seconded by Commissioner Williams and was unanimously carried.

WATER SYSTEM IMPROVEMENTS BIDS

The Director of Water and Wastewater submitted the following bids for Water and Wastewater Improvements Phase I South End:

Vendor	Bid Bond	Base Bid
Gruhn May, Inc. Jacksonville, FL	Cashier's Check 10%	\$877,658.75
Southeastern Utilities Statham, GA	U. S. Fidelity 10%	\$897,477.50

Southern Champion Tucker, GA	St. Paul Mercury 10%	\$877,742.00		
John R. Walker, Inc. Macon, GA	Employer's Insurance of Wausau 10%	\$888,638.17		
Douglas Electric & Plumbing Douglas, GA	American Casualty 10%	\$746,521.52*		
Arco, Inc. Savannah, GA	No Bid			
Eagle Creek Const., Inc. Insurance Co.	St. Paul Fire & 10%	\$899,021.88	Springfield, GA	Marine

Following review of bids Commissioner Lawrence moved that the low bid be accepted. Motion was seconded by Commissioner Herrington and was unanimously carried.

CEMETERY DEEDS

Petition received from Margie Thornton Googe to return for resale N-10 ft. of Lot No. 13, Section No. B-3 in Palmetto Cemetery. Original deed surrendered. Commissioner Williams moved that petition be granted. Motion was seconded by Commissioner Lawrence and was unanimously carried.

Petition received from Harry L. Middleton to return for resale Lot No. 9-A, Plot No. 1 in Palmetto Cemetery. Original deed lost, but city records verify ownership. Commissioner Williams moved that petition be granted. Motion was seconded by Commissioner Lawrence and was unanimously carried.

REDEMPTION DEED

Commissioner Stephens moved that the Mayor be authorized to execute quit claim deed in favor of Floyd and Christine Miller. Motion was seconded by Commissioner Herrington and was unanimously carried.

EASEMENT

Commissioner Williams moved that the Mayor be authorized to execute easement to Southern Bell. Motion was seconded by Commissioner Stephens and was unanimously carried.

CORRECTION DEED

Commissioner Stephens moved that the Mayor be authorized to execute corrected deed to F. J. Torras following a complete title search of said property. Motion was seconded by Commissioner Lawrence and was unanimously carried.

OTHER CITY BUSINESS

Mayor Wilson discussed the use of property adjacent to the New DNR Headquarters by the Coast Guard. He stated that the Coast Guard plays an important role in the Community, the Coast Guard protects life, limb and property. Commissioner Stephens suggested that the

Coast Guard furnish Boat Ramps and Picnic tables for public use.

Dr. W. L. Johnson appeared before the Commission to discuss drainage problems in the 2100 block of Stonewall and L Street. Dr. Johnson questioned why the rain water does not drain in the storm drain. Mayor Wilson instructed the City Manager to check with Hercules to see if there was an obstruction in the lines that would disturb the drainage of that area and to also check the line at L and Stonewall Street to see if the drain was functioning properly.

AMENDMENT TO WATER AND WASTEWATER ORDINANCE

Commissioner Williams moved adoption of the following ordinance. Motion was seconded by Commissioner Lawrence and was unanimously carried.

AN ORDINANCE TO AMEND ORDINANCE NO. 787 (THE WATER AND SEWER ORDINANCE) ADOPTED SEPTEMBER 1, 1982, AS AMENDED, PARTICULARLY SUBSECTIONS (d) AND (h) OF SECTION 8 THEREOF, ASSIGNING RESPONSIBILITY FOR MAINTAINING WATER SERVICE LINES AND BUILDING SEWER LINES; TO AMEND SAID ORDINANCE, PARTICULARLY SUBSECTION (e) OF SECTION 9 THEREOF, SO AS TO PROHIBIT THE DRIVING OF MOTOR VEHICLES OVER WATER METERS AND TO PROHIBIT THE PARKING OF VEHICLES ON OR ABOVE WATER METERS OR OTHERWISE OBSTRUCTING ACCESS TO WATER METERS; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

THE COMMISSION OF THE CITY OF BRUNSWICK hereby ordains as follows:

SECTION 1. Ordinance No. 787 of the City of Brunswick, adopted September 1, 1982, as amended, is hereby amended by striking subsection (d) of Section 8 in its entirety and by substituting in lieu thereof a new subsection (d) which shall read as follows:

(d) The owner of the property to be served shall be responsible for the cost of the installation of the building sewer or water service line from the facility to be served to a point where the building sewer or service line ties into the City's system, including any portion of the building sewer or service line which extend onto the public right of way or City easement.

SECTION 2. Said Ordinance is further amended by striking subsection (h) of Section 8 in its entirety and by substituting in lieu thereof a new subsection (h) which shall read as follows:

(h) The owner of the property served shall be responsible for maintenance of portions of the building sewer between the facility served and the public right of way or City easement and portions of the water service line between the facility served and the water meter, provided that if the water meter is located on the property served, the owner shall be responsible, also, for maintenance of portions of the water service line between the meter and the public right of way or City easement. The City shall be responsible for maintenance of other portions of the building sewer and

water service line and meter, provided however, that the City Manager, in his discretion, may hold the owner responsible for the cost of maintenance, repairs or replacement of such portions of the building sewer or water service line and meter in the event he finds that such maintenance, repairs or replacement were made necessary by fault attributable to the owner or occupant of the property, or his agent, employee or contractor.

SECTION 3. Said Ordinance is further amended by striking subsection (e) of Section 9 in its entirety and by substituting in lieu thereof a new subsection (e) which shall read as follows:

(e) It shall be a violation of this Ordinance (i) for the owner or occupant of property served to drive or knowingly permit to be driven a motor vehicle over or so near the water meter as to risk damage to the meter or connections thereto or (ii) for any person to park and leave unattended any motor vehicle on or above a water meter or otherwise to do any act which would obstruct access to a water meter by authorized City personnel. The commission of any such violation of this Ordinance within the corporate limits shall be punishable in the Municipal Court of the City Brunswick. Such violation either within or outside the corporate limits may be deemed cause for discontinuance of service.

SECTION 4. This Ordinance shall be effective as of the date of its adoption.

MEETING ADJOURNED

Mayor

Attest _____ City Clerk