

**OFFICIAL MINUTES**  
**COMMISSION MEETING OF THE CITY OF BRUNSWICK, GEORGIA**  
**REGULAR MEETING**  
**8:30 A. M., JUNE 5, 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 Commissioner James A. Stephens

**APPROVAL OF MINUTES**

Commissioner Williams moved that the minutes of the meeting of May 15, 1991 be approved. Motion was seconded by Commissioner Herrington and was unanimously carried.

**DELEGATIONS**

Frankie Quimby was present to update the Commission on the Sea Island Festival on August 17 and 18. She requested \$500. Commissioner Williams stated that the City should share in the Festival by giving \$500. Commissioner Williams moved that the City contribute \$500. for the Sea Island Festival. Commissioner Stephens seconded. The motion carried by vote of 4 to 1. Commissioner Herrington, Stephens, Williams and Lawrence voting Yes. Mayor Wilson voting No. Mayor Wilson expressed his concern for the budget and stated that he was in favor of contributing a lesser amount of \$250.

David Fisher was present to express appreciation to the Commissioners for putting up 4-way stop signs, thus eliminating most of the traffic problems in Magnolia Park. He also thanked the City Police Department for their concern and operation in the area.

Bruce Elias proposed a grant application from the City of Brunswick to the Georgia Forestry Commission for a landscaping project. These are funds to landscape the intersection of 17 and Gloucester Street. Roger Steffens displayed a sketch of the landscaping project and explained it in more detail. Commissioner Stephens moved to authorize Bruce Elias to submit the grant for the City of Brunswick and Edenfield & Spencer to do design work for Landscaping Project. Commissioner Lawrence seconded. Vote was unanimously carried.

Dan Altobelli, of Moreland/Altobeli & Associates, was present to discuss plans for the widening of L Street. He stated that although the Public Hearing was very spirited and the comments very good, he was disappointed in the attendance. He mentioned several alternatives to the widening of L Street

Commissioner Herrington disagreed with Altobeli's comment, in reference to the Public Hearing, about the apathy of the leaders in the Community.

Commissioner Lawrence explained that the Public Hearing was not properly advertised. He also stated that if Mr. Jaudon had not called and notified other citizens, even fewer people would have attended the Public Hearing. Commissioner Lawrence suggested another Public Hearing with more advertising.

The City Manager assured the Commission that the Public Hearing would be properly advertised.

Commissioner Lawrence moved that the City hold another Public Hearing the week of the 8th in July. Commissioner Herrington seconded. The vote was unanimously carried.

The Pastor of Historic Payne Chapel was present and stated that he and the members support the widening of L Street and would not object to moving the Church.

#### **DELEGATION FROM MULTI-PURPOSE CENTER**

Mrs. Clements, serving as spokesperson for a group of Senior Citizens from the Multi-Purpose Center, presented the Commissioners a balloon bouquet and a plaque for their support and contributions to Senior Citizens activities. Received with appreciation.

#### **DOWNTOWN DEVELOPMENT AUTHORITY APPOINTMENT**

Commissioner Stephens moved that Paul Warwick be appointed to the Downtown Development Authority for a six-year term to 1997. Motion was seconded by Commissioner Williams and unanimously carried.

#### **STREETSCAPE PROJECT**

Cuffie Hise, Mainstreet Director, was present to discuss proposal for the next phase of the Streetscape Project. Commissioner Herrington moved approval of recommendation that the City contract with Edenfield & Spencer for the design of the Streetscape Project with the understanding that the City Commission will have final approval of the design.

#### **ST. MARK'S EPISCOPAL CHURCH PROPERTY**

Albert Shelander, representing St. Mark's Episcopal Church, was present to discuss the exchange of a portion of Blythe Square for a portion of church property in that block of equal size and value. Commissioner Herrington questioned the time frame for the removal of the St. Mark's Thrift Store from the property. Mr. Shelander

explained that he would present the question to the vestry and would notify the Commission of the date set. He also stated that the church would submit something in writing within at least sixty days of the deeding of property. Commissioner Herrington moved that the request be granted subject to the building being removed within sixty days of the conveyance of deeds. Commissioner Williams seconded. Vote was unanimously carried.

#### **CEMETERY DEEDS**

On motion of Commissioner Herrington and seconded by Commissioner Stephens, the following petitions were unanimously granted:

1. Petition received to return for resale Lot No. 9, N-10 feet, Section No. 133 in Palmetto Cemetery from J. S. Rhoden. Original deed surrendered.
2. Petition of Lori D. Rector for deed to Spaces C, D, E, & F of Lot No. 1-A Section No. 204 in Palmetto Cemetery in lieu of original deed which has been lost, misplaced or destroyed, but City records verify ownership.
3. Petition of Mrs Ramath English for deed to Lot No. 14, Section No. 59 in Greenwood Cemetery in lieu of original deed which has been lost, misplaced or destroyed, but City records verify ownership.
4. Petition of Corine Robinson for deed to Spaces A, B, C, F, G, & H of Lot No. 13, Section No. 96 in Greenwood Cemetery in lieu of original deed which has been lost, misplaced or destroyed, but City records verify ownership.
5. Petition of Katie Flanders for deed to Lot No. 8, Section No. 59 in Greenwood Cemetery in lieu of original deed which has been lost, misplaced or destroyed, but City records verify ownership.

#### **QUITCLAIM DEED**

Petition received from Barnett Bank, present owner, for quit claim deed to Riverside Section No. II, Lot No. 63, to clear title record of tax deed taken by the City, which deed was subsequently redeemed, but was lost, misplaced or destroyed without being recorded.

On motion of Commissioner Williams and seconded by Commissioner Herrington, the Mayor was unanimously authorized to execute quitclaim deed as petitioned for.

#### **SELDEN PARK POOL**

Mayor Wilson opened the discussion for the \$150,000. funding for Selden Park's Pool since there was a full Commission.

Commissioner Lawrence stated that he loved Selden Park but could not see giving \$150,000. for Selden Park's Pool based on other things that the City may need the money for.

Commissioner Williams stated that an Olympic-size pool is a great opportunity that would come around only once and should not be passed up. He felt that the pool would benefit the City and County, allowing them the chance to participate in the Olympics. He believed that the City would be making a long-term mistake, a major error, by not taking advantage of the opportunity.

Commissioner Stephens stated that he did not know Selden Park would be brought up for discussion, so he was not prepared. He could not see where the City was going to get the money from; therefore, he could not support giving \$150,000. toward the Selden Park Pool.

Commissioner Herrington stated that "tax" money should be used for the improvement of Selden Park because the City's budget was low. He suggested that the Commission consider it another time.

Mayor Wilson stated that there were other things that the City needed, and he could not rationalize spending \$150,000.

Commissioner Lawrence moved that \$150,000. for Selden Park be denied. Commissioner Herrington seconded. The motion carried by vote of 4 to 1. Mayor Wilson, Commissioners Stephens, Herrington and Lawrence voting Yes. Commissioner Williams voting No.

Mr. Charles Wilson was present to comment on Selden Park. He passed out written material on the same.

#### **MARINA**

Commissioner Herrington made a motion to authorize the City Manager and the City Attorney to begin advertising lease proposals for DNR property.

#### **OTHER CITY BUSINESS**

The City Manager requested permission to advertise for sale the strip of property in the 2800 block of Newcastle Street, which the City has no use for. Someone expressed an interest in purchasing it. Commissioner Stephens moved that the request be granted. Commissioner Lawrence seconded. Vote was unanimously carried.

The City Manager updated the Commission concerning the purse-snatchings, in the vicinity of the Court House, reported by the Mayor in the last Commission Meeting. The City Manager reported that the Police arrested someone and charged him with the offenses which had taken place.

The City Clerk explained that she would be out for 6-weeks, and Mrs. Johnson-Simon would be sitting in for her during the next two Commission Meetings.

Commissioner Williams inquired about the L Street drainage problem. Mayor Wilson also made comments and suggestions on the same.

Mayor Wilson inquired about the progress of the Animal Control Project, the Dog Truck. The City Manager reported that someone had been selected to carry on duties full time but was presently in training. In the mean time, two off- duty Police officers were operating the truck.

#### **OFFENSE ORDINANCE**

On motion of Commissioner Herrington and seconded by Commissioner Williams, the following Ordinance was unanimously adopted:

AN ORDINANCE TO DEFINE CERTAIN OFFENSES AGAINST PUBLIC ORDER AND SAFETY; TO DEFINE THE OFFENSES OF LOITERING OR PROWLING, LOITERING, PUBLIC DRUNKENNESS, DISORDERLY CONDUCT, AND LITTERING; TO PROVIDE FOR THE PUNISHMENT THEREOF; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

THE COMMISSION of the City of Brunswick hereby ordains:

#### SECTION 1. Loitering or Prowling.

(a) A person commits the offense of loitering or prowling when he is in a place at a time or in a manner not usual for law-abiding individuals under circumstances that warrant reasonable concern for the safety of persons or property in the vicinity.

(b) The following circumstances may be considered in determining whether concern is warranted: (1) the fact that the person takes flight upon the appearance of a policeman, (2) the fact that the person refuses to identify himself, (3) the fact that the person fails or refuses to give a reasonable and truthful explanation of his presence and conduct or (4) the fact that the person endeavors to conceal himself or any object.

(c) Unless flight by the person or other circumstances make it impracticable, a police officer, prior to any arrest under this section, shall afford the person an opportunity to dispel any concern which otherwise would be warranted by requesting the person to identify himself and explain his presence and conduct. No person shall be convicted of an offense under this section if an arrest was not authorized under this subsection.

SECTION 2. Loitering.

(a) A person commits the offense of loitering when he idles, loafes or loiters in, on, upon, about or around any street, highway, sidewalk, alley or other public right of way or any public building or other building or premises open to the general public so as to interfere with the use thereof or free passage by other persons.

(b) A person commits the offense of loitering when he remains in, on, upon, about or around any public building or place or other building or premises open to the public or any lounge or barroom for the purpose of procuring others to engage in any sexual acts for hire.

(c) A person commits the offense of loitering when he assembles or congregates with others in the parking area of any commercial business, shopping center or shopping mall for any purpose other than working, shopping or doing business related to the goods or services available at the commercial business, shopping center or shopping mall, without specific license from any person authorized to grant permission to use the premises for such assembly or congregation.

SECTION 3. Public Drunkenness.

A person commits the offense of public drunkenness by being in any public place or within the curtilage of any private residence not his own other than by invitation of the owner or lawful occupant, in an intoxicated condition caused by alcohol or any other mood-altering drug or combination of such drugs, which condition is made manifest by boisterousness, by indecent condition or act or by vulgar, profane, loud or unbecoming language.

SECTION 4. Disorderly Conduct.

(a) A person commits the offense of disorderly conduct when he acts in a violent or tumultuous manner toward another person or any property whereby any person is placed in fear of his safety or property is placed in danger.

(b) A person commits the offense of disorderly conduct when he remains in any place where there is disagreement being expressed between persons for the purpose of causing, provoking or engaging in a fight or brawl.

(c) A person commits the offense of disorderly conduct when he commits any violent act which interferes with another person's pursuit of a lawful activity or occupation.

(d) A person commits the offense of disorderly conduct when he jostles, roughly crowds or pushes another or others in a public place.

(e) A person commits the offense of disorderly conduct when he recklessly or knowingly commits any act which reasonably may be expected to prevent or disrupt a lawful meeting, gathering or procession.

(f) A person commits the offense of disorderly conduct when he engages in loud conversation or argument using profane, obscene or vulgar language within the hearing of other than the participants.

#### SECTION 5. Littering.

(a) As used herein the term "litter" means all kinds of garbage, trash, debris and junk, including kitchen waste, glass, cans, plastic or paper containers, newspapers, magazines, slag, gravel, construction materials, dead animals, abandoned motor vehicles and parts thereof, discarded furniture and appliances, leaves and other lawn or garden waste and other refuse and discarded matter of every kind and description.

(b) The term "public or private property" shall mean the right of way of any street, highway or alley, any public building and the grounds thereof, marshland and any body of water or watercourse and the shores thereof, any park, playground or recreational area, and private property which is open to view from public property or other private property.

(c) A person commits the offense of littering by dumping, depositing, throwing or leaving litter on any public or private property within the City of Brunswick.

(d) The foregoing subsection shall not apply under the following circumstances: (1) If the litter is placed in a litter receptacle or container installed on such property, (2) if the litter is being stored temporarily in an orderly and unobtrusive manner on private property in the course of routine commercial, institutional or industrial business operations, (3) if litter such as discarded furniture and appliances or other items too large to be placed in a receptacle or container are being stored temporarily in an orderly and unobtrusive manner on residential property, not to exceed ten days, or (4) if leaves and other lawn and garden waste are left on or near the public right of way and not on any paved area of the right of way, awaiting routine pickup by City employees.

#### SECTION 6. Punishment.

Any person convicted for the commission of any of the offenses defined hereinabove shall be punished as provided in Section 4 of Ordinance 899.

SECTION 7. Severability.

If any provision of this Ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, such provision shall be deemed a separate, distinct and independent provision, and such holding shall not affect the remaining provisions of the Ordinance.

SECTION 8. Effective Date.

This Ordinance shall be of full force and effect as of the date of its adoption.

**MEETING ADJOURNED.**

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Mayor

Attest \_\_\_\_\_  
City Clerk