

**OFFICIAL MINUTES
COMMISSION MEETING OF THE CITY OF BRUNSWICK, GEORGIA
REGULAR MEETING
8:30 A. M., JULY 3, 1991**

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

ABSENT: Commissioner James A. Stephens.

INVOCATION: The invocation was given by Commissioner Otis Herrington.

APPROVAL OF MINUTES

Commissioner Williams moved that the minutes of the meeting of June 19, 1991 be approved. Motion was seconded by Commissioner Herrington and unanimously carried.

Mayor Wilson informed the Public that the reason why Mayor Pro tem Stephens is absent is not because he had other things to do but because he is quite ill.

**PUBLIC HEARING ON THE ADOPTION OF THE
HISTORIC PRESERVATION ORDINANCE**

Brad Brown, on behalf of Old Town Preservation, was present to address the Adoption of the Historic Preservation Ordinance. He discussed the Ordinance with some of the City Commissioners and the City Manager. He believed that the ordinance would be a good step for the City to take and would help prevent any destruction or deterioration of our Historic Area. He pointed out that Brunswick has the second largest Historic District in the State of Georgia, second only to Savannah. He hopes that the ordinance will set up the commission to oversee any renovation projects or new buildings to come up in the area. He believes that the City needs to decide exactly what district to start with as a Historic District. He suggested starting with the district that is on the National Historic Register, which runs from Bay Street, Martin Luther King, Jr. Boulevard, First Avenue, to G Street and H Street. He also suggested that the City branch out into other areas such as Urbana, New Town and Dixville which would also fall under the Historic District Commission. He pointed out that the ordinance was brought up about eight years ago and but was not adopted because of the wording, which has been changed since that time. The ordinance will not say what one can or cannot do. The ordinance was set up in a way that will help people make the right decision on how they want to change the exterior of their house so that it will fit in with what is already there. The ordinance will also help with reconstruction so that shanty houses will not be seen next to Old Victorian houses. Mr. Brown suggested that the City Commission think about and discuss who should serve on the Preservation Commission.

Commissioner Herrington asked if there had been a public hearing. Mr. Brown stated that this was the first public hearing, the first time the idea has been brought before the public. Commissioner Herrington also asked whether or not the Historic Preservation Committee has gotten a consensus on how the Community feels about the idea.

Mr. Brown reported that from talking with different people in the community, the consensus is "they are for the project and feel that it will be a good road to follow." Even persons outside of the Historic District thought that the idea was good and have expressed an interest in possibly including their areas. Mr. Brown did not think it would be a good idea to jump on the whole area, consisting of Dixville, Old Town and New Town all at once. He believed that

this would cause the project to fall apart. He suggested starting with a smaller area then branching out. He also supported starting with just the Old Town area that is laid out by the National Historic Trust Branch in about two years or so. He asked the Commissioner for their comments on whether or not they thought the project would be a good step for the City to take.

Commissioner Herrington stated that he most definitely felt that preservation was a good idea and would support the project wholeheartedly, except he would first like to see what the consensus of the public would be at a public hearing.

Commissioner Williams stated that he would also be interested in knowing how the general public felt, but he did feel that the contents of the idea were good; therefore, he did not have any specific objections.

Commissioner Lawrence agreed that there should be a public hearing before the ordinance is adopted. He also stated that the public needs to give their input from the very beginning, which would include choosing persons to serve on the Commission. There needs to be more input and participation on the committees by the average citizen starting from day one.

Mr. Brown informed the Commissioners that this is the first public hearing; however, the idea was brought up by the citizens of Brunswick several years ago. In response to Commissioner Lawrence's question of who initially started the idea, Mr. Brown stated that the Old Town Preservation Association started the idea. To address Commissioner Lawrence's concern for input from the average citizen, Mr. Brown reported that he received input from the public at Roosevelt Harris's comprehensive plan meetings in which citizens discussed the idea. These meetings were held for the general public.

Roosevelt Harris, the Director of Community Development, informed the Commissioners of a group of citizens in 1977 in the Historic District of Brunswick who saw the need to get some momentum going in order to get the Old Town District placed on the National Register of Historical Places. This all began because of a problem at that time, which is still a simple problem today, of the resident's lack of concern for staying in Old Town. These citizens had begun to think seriously about moving out of the Old Town area. The preservation idea was thought of to bring interest back into the area, motivate the residents to want to remain there and to also encourage others to want to come and see the area. He stated that the work that has already been done in Old Town can be done in other areas. He also mentioned that this is just one public meeting but that the City Commission could have others if they choose. This was the first public hearing to gather public input regarding the idea.

Mark Mitchell, the City Manager, stated that, according to the recommendations of the ordinance, the Preservation Commission would be made up of seven (7) members consisting of three (3) members at large, two (2) architects and two (2) educators specializing in design or engineering. "This setup is subject to change." The City Manager also stated that there was no need for the ordinance to be as long as it is since many of the things covered in the ordinance are already covered in the State Law. There is no need to include them in the local ordinance should the Commissioners decide to adopt one.

Gene Highsmith, the City Attorney, elaborated on the City Manager's point of the ordinance being more detailed than it needs to be. He agreed that the ordinance should be simpler than it is. He also stated that the State Law generally covers the powers of the Historic Preservation Commission.

Mayor Wilson supported citizen input and a public hearing. He commended the persons who put forth a great deal of effort in preserving the City of Brunswick. He mentioned that a few years ago, there were portions of the south end of town which had reached a deteriorating state. A group of people took upon themselves to form an association known as Old Town Brunswick. If people would take a look at Old Town Brunswick today, they would realize that this group's efforts have been fruitful, and they ought to be commended. Mayor Wilson felt that everybody in Brunswick should be delighted that these people realized that there was

a need and wanted to do something about it.

Mayor Wilson pointed out that he would hate to see anything mandated upon a property owner; this was his only concern about the project. He mentioned that nothing would please him more than to see an effort put forth by the people of Brunswick to preserve and to protect our heritage. He further stated that some of the people present were the driving force that saved the south end when it was in a bad state. Mayor Wilson supports a public hearing, in which the citizens would be at liberty to ask any questions that they chose. This would inform the Commissioners of the particulars. Under the condition that the project does not circumvent any person who is not able to do certain things, he personally feels that the project is a good idea.

Maggie O'Connor pointed out that this ordinance is only a vehicle that allows the creation of Historic Districts. The ordinance itself does not create districts. In order to create a Historic District, the majority of the property owners must approve. Then the Preservation Commission must be set up, which the ordinance does. The Preservation Commission would recommend to the City Commission that a Historic District be created; therefore, at some point there will have to be a public hearing. She listed the following advantages of a Historic District: (1) There is a property tax freeze if one does substantial work to his or her property and (2) one may receive investment tax credits if one is income-producing, which also stimulates construction in jobs.

Ms. Wall assured the Commissioners that Old Town was not trying to mandate anything but only want to make the City look better in order to attract tourists to the downtown area and the Historic District. She mentioned that they have received a number of requests for the tour guide which is currently out of print because it is being revised. Tourists drive through the Old Town District to see the Victorian Houses. She also informed the Commissioners of the grass that has grown up in the median downtown. Ms. Wall stated that they were not trying to pick the persons to serve on the Preservation Commission and stressed the importance of choosing qualified persons to serve on the Preservation Commission so that it will be effective. She mentioned that the Old Town Association hopes to help the Commissioners see how the ordinance can improve the City.

Harry Tzucano reported the following projects in process downtown: (1) The street scape, which is very much needed to beautify downtown, (2) the restoration of Old City Hall, (3) the restoration of the Old Court House and (4) the tourist project on Bay Street. He explained that if the residents of the City put all of their efforts together and draw people from the City, County and out of town to look at the City, everyone will be benefited by more jobs and more money without the city having to hassle the budget. Mr. Tzucano believes that the ordinance is a step in that direction.

Commissioner Herrington assured the audience that the Commissioners were not opposing the idea; all of the Commissioners feel that the idea is good and would support it wholeheartedly. They would just like another public hearing.

Another member of the audience inquired about the procedure for advertising the public hearing for the ordinance.

The City Attorney explained that at one time it was necessary to publish an Ordinance in the newspaper before each meeting in which it was to be considered; however, this is no longer required. The only requirement now is that the ordinance be presented in the meeting for adoption. The ordinance does not have to be read aloud but simply has to be placed in the hands of the City Clerk. The Public is given notice through a notice of intent that is published in the newspaper without all of the details of the ordinance being published in full. A detailed publication of such material was found to be an unusual expense particularly in the case of the adoption of a bond resolution, which could be several hundred pages long with all of its supporting documents. The publication requirement was eliminated in order to save a great deal of money.

The audience member suggested that the Commission publish the notice of intent prior to the meeting. She also asked the reason why the notice of intent was not published before this public hearing and if this action had to be requested.

The City Manager explained that the notice of intent was not published this time because they did not feel that the Commissioners would be in a position to adopt the ordinance since this was going to be the first time that the ordinance would be discussed.

The City Attorney stated that the City Commission could direct him to publish a notice of intent in the newspaper prior to the next meeting.

The City Manager asked the Commissioner whether or not they wanted to have a separate public hearing, separate and aside from the next meeting to just address the ordinance or just put a notice of intent in the newspaper to adopt the ordinance at the next meeting.

In clarifying the Commissioners intention, Commissioner Herrington explained that the City Commission would like to have a public hearing separate from the Commission Meeting, so that the citizens would have the opportunity to give input and be able to ask questions of the committee's intent. Once the City Commission has input from the public, the ordinance can be brought before the Commissioners for them to make a decision.

Ms. Westbrook stated that the idea should be put before the public as an issue in itself. She further stated that a lot of things have happened during the thirty years that she has lived here; these things were initially started by their organization. She felt that it was a shame that just a few people came together to start a project as big and important as this one. Everyone needs to come together as a group of citizens and really put interest and input into the idea for it to be a success. She supports presenting the idea at a public hearing, reading the ordinance or whatever it takes.

Commissioner Lawrence moved that there be another public hearing solely for the purpose of presenting the ordinance to the citizens to gain public input. Commissioner Williams seconded. The vote was unanimously carried.

The City Attorney suggested that the creation and composition of the Historic Preservation Commission be identified as the major topic of the public hearing. The powers are covered in state law. There must be a process of a public hearing and the adoption of an ordinance designating historic property and historic districts before the state law can be implemented. The Commission must be established first, then before one can implement the state, there must be a public hearing, and the Historic District must be designated by a second ordinance. In response to Mayor Wilson's question about the procedure for establishing a Preservation Commission, the City Attorney recommended having a public hearing on the establishment of the Historic Preservation Commission to help decide on what the composition of the commission should be. The state law leaves the composition of the commission largely to the discretion of the local governments.

Ms. Wall asked whether or not it was alright for the committee to recommend some people to the Commissioners to serve on the Preservation Commission. Commissioner Herrington explained that the committee should publish the appointments along with the necessary qualification, as they are presented in the draft, so that the people applying will have the required background to serve on the commission; however, he saw nothing wrong with them making recommendations.

Commissioner Herrington moved that the date of the public hearing be set for Monday, July 15, 1991, 7:00 P. M., City Hall Commission Meeting Room. Commissioner Lawrence seconded. The vote was unanimously carried.

Mayor Wilson thanked the citizens in attendance for their interest and participation.

ADOPTION OF AMENDMENT TO UNFIT BUILDINGS ORDINANCE

The City Attorney explained that the original Unfit Building Ordinance was modeled in part after a general state law providing for the repair or demolition of unfit building, particularly the service requirement in regard to interested parties who have not resided in the city limits and could not be found in the city limits for purposes of service. As originally written, the ordinance required the publication of the entire petition along with the Judge's order scheduling a hearing in the newspaper. The amendment will simply make a change to permit the publication of an order only and the mailing, by certified or registered mail, of the petition and the order to the individual at the last known address according to the tax records. The only change is that it eliminates the publication of the petition. The cost of publishing a legal ad is \$4.75/column inch.

Commissioner Herrington stated that he saw no problems with the ordinance if the City Attorney has thoroughly checked it out.

The City Attorney, stated that in divorce cases, for instance, the order or summons is published in the newspaper; the divorce petition is not published. The same principal would apply in the case of the ordinance. He did not think that there was any due process problem as a result of publishing the Ordinance only. He did feel that the area of concern, however, would be whether it affords the property owner due process of law in giving appropriate notice.

Mayor Wilson asked if every resource will be used to contact the property owners through certified mail and other things to insure that the City has done everything to contact the property owners within reason.

The City Attorney explained that the only address that the City would have is on the tax bill beside the address listed in the City directory and phonebook.

In response to Commissioner Lawrence's question of the purpose of the ordinance, the City Attorney stated that the ordinance eliminates a portion of the publication requirement. The ordinance does not give the City any broader powers as far as demolition or repair is concerned. It just saves money and newspaper space.

The City Manager addressed Commissioner Lawrence's concern of the City's power regarding the demolition or repair of unfit buildings. He informed Commissioner Lawrence that the City is now going before Judge Douglas with many of these cases. On the last cases that the City took before Judge Douglas, he gave the property owner so many days to do something about their property. If no real effort has been made within the given time, the City can take the case(s) back before the Judge for him to make a decision as to whether or not the property owner is moving in the direction of preparing the property, if this is the owners choice. The City Manager assured Commissioner Lawrence of the City's move in the direction of addressing his concern.

Mayor Wilson felt that the City of Brunswick has been very lenient over the years with the abandoned housed when action should have been taken many times. Now the City must do something. The ordinance will aid in the City's actions to correct the situation.

Commissioner Williams commented on property which has been abandoned and condemned for at least ten years. He suggested that the City decide on an approach in which the general public will know that the City is going to take action regarding the property. There has been too much of a continuation of nothing.

Commissioner Williams made a motion to adopt the amendment to the Unfit Buildings Ordinance. Commissioner Lawrence seconded. The vote was unanimously carried.

Commissioner Lawrence stated that the Ordinance should apply to "every" unfit building.

Commissioner Herrington agreed that every building that is in a bad condition should be either preserved or demolished if it is a hazard to the City.

AN ORDINANCE TO AMEND ORDINANCE NO, 885, ADOPTED DECEMBER 17, 1989, PROVIDING FOR THE REPAIR OR DEMOLITION OF UNFIT BUILDINGS; PARTICULARLY, TO AMEND SECTION 10 THEREOF PROVIDING FOR SERVICE OF THE PETITION AND ORDER IN LEGAL PROCEEDINGS AGAINST A BUILDING OR PREMISES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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

SECTION 1. Ordinance No. 885, adopted December 27, 1989, is hereby amended by striking Section 10 thereof in its entirety and by substituting in lieu thereof a new section designated as Section 10 which shall provide as follows:

SECTION 10. Said petition and order shall be served upon each person in possession of the property in issue, each owner and each party in interest. Said persons shall be served personally if they reside within the City of Brunswick or if they can be found within the City. If such persons do not reside within the City and cannot be found within the City, they shall be served by publishing a copy of the order, addressed to them, in the newspaper having general circulation in Glynn County, Georgia, in which Sheriff's advertisements appear, once a week for two weeks immediately preceding the date of such hearing, and a copy of the petition and order shall be mailed to such parties at their last known address as shown by the tax records of the City of Brunswick, at least fifteen (15) days prior to such hearing, by registered or certified mail."

SECTION 2. This ordinance shall be in full force and effect from and after the date of its adoption.

BID RECOMMENDATION OF SALE OF CITY OWNED PROPERTY

At the Commissioners' instruction, the property in the 2800 block of Newcastle Street described as all of Southern 1/2 of New Town, Lot No. 607, was published in the paper of June 17, 1991. The lot is 15 x 150 feet, 2250 sq. ft. Mr. John R. Fuller offered \$1,050 for the lot, which is about .50 per sq. ft.

Commissioner Herrington offered a motion that the property be sold to Mr. John Fuller, the only bidder. Commissioner Lawrence seconded. The vote was unanimously carried.

REPORT ON METRO DRUG SQUAD

Officer Andrews thanked the Commissioners for the support that they have given to the Metro Drug Unit. He gave background information on the unit. The reason for forming the Metro Drug Unit in 1988 was because the Chiefs of both Police Departments realized that in order to have the manpower and resources to fight narcotics in the Community, it would be easier and a lot cheaper to combine the units. One reason was because of the high cost of the equipment and the fact that the agencies were duplicating the same services which resulted in a lot of wasted manhours. The combined units are coordinating and working well together. Mr. Andrews pointed out that they have to be concerned with numbers but should not have to justify their budget based on numbers. If the unit investigates some of the bigger people, the

numbers will fall off because it will take more time.

Jerry Hogue presented to the Commissioners some numerical figures for the period starting from January, 1991 to June 1991. He also reported that the warrants for seventy-three (73) people in last months undercover operation involved help from other agencies. It took three months to complete the operation. The equipment such as the video camera used and the undercover operation itself is expensive and time consuming. Since the officers can be recognized by the residents of the City, officers from out of town must be used. Mr. Hogue gave a general account of the property and money seized out of the operations. He stated that the unit has a lot of problems with repeat offenders. Out of those arrested in the last operation, thirty-four (34) were repeat offenders. The problem with repeat offenders starts at the state level. The prisons are overcrowded; therefore, if the offenders are convicted, they serve only a short period of time. There is no fear of punishment, so they continue to go back on the streets and do the same things. He reported that the Metro Drug Squad is doing a fine job; there are just more offenders than there are officers.

Mayor Wilson stated that drugs are a universal, national problem and the users could not use the drugs if no one supplied it and vice versa. He hopes that the Metro Drug Squad will concentrate on persons bringing the drugs into our Community. He also hopes that Governor Zell Miller will follow through with a bootcamp whereby these people can be confined for a reasonable length of time and pay a penalty for violating the law. He stressed the importance of the Georgia Citizens and Officials encouraging the Governor and Legislature to go ahead with this bootcamp. Mayor Wilson stated that he will bring it to Governor Miller's attention.

APPROVAL OF GRFA GRANT ACCEPTANCE

Roosevelt Harris, the Director of Community Development, reported that the State of Georgia has recently been allocated \$596,000 by the Housing and Urban Development Rental Rehabilitation Program (HUD). This year, the money for HUD totaled \$68,500,000. The City of Brunswick has been awarded \$37,250. for the 1991 fiscal year. This represents enough money to renovate about five houses. The landlord has to match the money up to \$8,500. for a three bedroom unit. Roosevelt stated that if the Commissioners approve the GRFA Grant acceptance, the reserved funds can be utilized. Commissioner Williams moved that the GRFA Grant acceptance be approved. Commissioner Herrington seconded. The vote was unanimously carried.

Roosevelt Harris requested that the Commissioners grant funds so that the City's Comprehensive Plan, a mandated plan, can be completed. He found that other cities have been spending \$1 to \$3 per capita to complete this mandated plan. This plan is pursuant to the 1989 Georgia Planning Act. To date, the plan has costed the City nothing because Roosevelt Harris utilized money from an internal account which totaled almost \$15,000. Completing and submitting the plan to CGRDC by October will cost the City about \$6,468. Based on the population this amount comes out to only about .39 per capita. More than half of the plan has already been completed. He has held neighborhood meetings and received a lot of important input concerning the plan. The plan will represent the Community.

Commissioner Herrington offered a motion to grant the request. Commissioner Williams seconded. The vote was unanimously carried.

At the Commissioner's request, Roosevelt Harris asked his staff to do a work write-up based on the Secretary of Interior Standards for renovating historic buildings. The write-up only represents what needs to be done. It does not really allude the cost. The staff members went to each office and wrote it up so that the Commissioners would get an idea of what is needed to repair upstairs. The following things are going to be somewhat costly: (1) Public assessibility, which requires an elevator and (2) the asbestos, which will need to be removed. He recommended putting shelves in the vaults to keep the original appearance and to be utilized for storage, as opposed to removing the vaults.

Roosevelt Harris stated that they were presently working on putting some numbers together. Someone is going to come in and give an "idea" of the cost of taking out the asbestos, and Roosevelt Harris will also get some general information on the cost of installing elevators.

CEMETERY DEED

Petition received to return for resale S-1/2 of Lot No. 93-A, Catholic Section in Palmetto Cemetery from Donald Benson. Original deed surrendered. Commissioner Williams moved that petition be granted. Motion was seconded by Commissioner Herrington and was unanimously carried.

REDEMPTION DEED

Redemption requested in the name of the present owners Julius C. and Constance B. Smith in Magnolia Park S/D, all of Lot No. 13, in Block "B", which property was acquired by the City at tax sales for years 1982, 1983 and 1984. On motion of Commissioner Lawrence and seconded by Commissioner Herrington, the Mayor was unanimously authorized to execute redemption as petitioned for.

H. L. Credle expressed his concern regarding the DNR property. He mentioned that the property has been vacant for months and asked if the property will be up for bid.

The City Manager stated that at the last meeting, the Commissioners had authorized the City Attorney and himself to begin putting together ads and a package for the lease of the building. The City Attorney has been working on it since then.

The City Attorney explained that the sale of the property can be advertised, but the highest bid must be accepted even if the person who buys the property is not going to make that use of the property which will provide the greatest benefit to the public. For this reason the City Attorney researched the idea of turning the property over to a development authority. He did not recommend turning it over to the Brunswick-Glynn County Development Authority nor the Downtown Development Authority because it does not have any authority outside of the downtown area. He stated that the City could turn the property over to a development authority appointed by the City Commissioners under the General Provision of State Law, which authorize the City Commission to establish such an authority. Otherwise, the City will have to sell it or lease it to the highest bidder.

Mayor Wilson had to leave. Commissioner Williams presided the remainder of the Commission Meeting.

OTHER CITY BUSINESS

The City Manager reminded the Commissioners of the Public Hearing on L Street to be held at Jordan Grove Baptist Church, 7:00 P. M., Monday, July 8, 1991. He informed the Commissioners of two signs which were placed along the L Street Corridor. One sign was moved to the intersection of L Street and Stonewall Street because of more traffic along that area which should bring about a better attendance at the public hearing.

The City Manager informed the Commissioners that he and Chief Stewart had attended the County Commission Meeting. The County Commissioners consented to quit claiming their interest in a portion of Fourth Street property so that the City can begin the construction of the Fire Training Center which will start soon.

The City Manager informed the Commissioners of a meeting which he has set up for today with a representative from Georgia Power to discuss the street lighting cost. He is also

presently looking at the water situation at Glyngo Industrial Park. He believes that a major part of the problem could very well be an encrustation of a line. He has met with Bill Powell, and they are going to take a sample of the line and look at the inside of it. If encrustation is a problem, they are going to look into running a devise through it which will break the encrustation off of the sides and open it back up to its full original flow level.

Commissioner Williams expressed his concern for the need to construct sidewalks on L Street going north of Altama on both the east and west sides. He stated that people were having to walk in the street and on the curbing. This is a dangerous situation for the children during school and during summer vacation because of the heavy traffic especially from 3 PM to 4 PM.

The City Manager reported that next year's proposed budget has \$25,000. in it for the construction of sidewalks. If the money stays in the budget, the Commissioner can develop a list of areas which need to be included in the Sidewalk Program. This could turn into a three or four-year plan. They can determine the amount which the City would need to budget every year.

MEETING ADJOURNED.

Mayor

Attest _____
City Clerk