

**OFFICIAL MINUTES
COMMISSION OF THE CITY OF BRUNSWICK, GEORGIA b
REGULAR MEETING
8:30 A. M., SEPTEMBER 2, 1992**

PRESENT: His Honor Mayor Homer L. Wilson, Commissioners Otis Herrington, Roosevelt Lawrence , Doris Davis and Rev. G. E. Darrisaw.

INVOCATION

The invocation was given by Commissioner Rev. G. E. Darrisaw.

APPROVAL OF MINUTES

Commissioner Herrington moved approval of minutes the August 19, 1992. Motion was seconded by Commissioner Darrisaw and was unanimously carried.

DELEGATIONS

Mickey Reeves representing Coastal EMS was present to discuss participating in the City's 911 system because his ambulance service could give faster response to the areas located between L Street and 4th Street. He stated that Coastal EMS is located on Norwich and First Street and it could respond faster in those areas than the Fire Department's ambulance.

Mr. Reeves requested that the City's dispatcher call their ambulance service when calls are received for that area. Mr.

Reeves explained that the State of Georgia Department of Human Resources Region 9 Director could regulate the areas for emergency services.

Commissioner Darrisaw asked questions concerning the state carving out areas for the Emergency services and having the power to over rule the City and County decisions.

The Commission raised questions about the ambulance service on the Islands.

Mr. Reeves stated that they do take calls on the Islands if requested by an individual.

Mayor Wilson stated that he did not question their ability to do the service and recalled years ago what happened when a Savannah Ambulance Service came into the City of Brunswick. Mayor Wilson asked if Coastal EMS would be covered for a two million dollar accident. He asked what would happen if people could not afford to pay his service.

Mr. Reeves stated that Coastal EMS is a stable company and he carries one million dollars of liability insurance for each occurrence. Mr. Reeves explained that he could not turn people away because the could not pay. Most of his service calls are covered by insurance or medicaid.

Mayor Wilson stated that the Commission would discuss the matter with the City Manager and get back with Mr. Reeves.

Mr. Reeves expressed his thanks to the Commission for listening to his presentation.

William Crosby, representing the Board of Education was present to discuss contracting the services of a City Police Officer to serve as security guard at Glynn Academy. Mr. Crosby stated that a six month study was conducted at schools and after reviewing the study with

twenty eight suggestions the Board decided to place a security guard at the school. Mr. Crosby requested that the City contract a uniformed Police Officer to serve at Glynn Academy and Glynn County Schools with all fringe benefits included. He pointed out that this would become a new position and a proposal was submitted to the City Manager, Major T. C. Cowan and Chief Jack Sidoran.

Commissioner Darrisaw thanked Mr. Crosby for coming to the Commission. He stated that the youth is the most precious commodity of this City. Commissioner Darrisaw asked if the Board of Education was looking to place an officer at other schools.

Mr. Crosby stated that it was pilot program and it may start at other schools.

Commissioner Lawrence asked why Glynn Academy was selected. Mr. Crosby stated that there were problems in the area around the school campus, breaking and entering automobile.

Commissioner Darrisaw moved that request be granted for the contracting of a police officer at Glynn Academy. Motion was seconded by Commissioner Lawrence and was unanimously granted.

Commissioner Herrington asked Mr. Crosby and Chief Sidoran who was responsible for providing wet gear to the school crossing guards. Chief Sidoran stated that he would look into the matter.

Cuffy Hise, Mainstreet Director appeared before the Commission to request that trucks coming down Newcastle Street be rerouted to truck routes. Ms. Hise stated that stores on Newcastle Street receive their orders on Grant Street, by rerouting trucks, this would keep large semi- trucks off of Newcastle Street.

L.A.R.P. BID RECOMMENDATION

The City Manager reported that the received only one bid for the resurfacing of streets on 1992 L. A. R. P. Projects. The City Manager recommended that the bids be rejected and re-bid because the bids were too high. Commissioner Lawrence moved to approve the recommendations of the City Manager. Motion was seconded by Commissioner Herrington and was unanimously carried.

OTHER CITY BUSINESS

The City Manager stated that the brought to the Commission's attention at the last meeting the matter of acceptance of Water and Sewer lines and mains installed by the developer in the area of Cardinal Apartments developed near I-95. He stated that the water and sewer main as well as the lift station were installed by the developer in the area. When the land was developed the developers requested that the City accept the ownership of the lines. The Water and Sewer lines were put in according to the City's specification with the exception of one pump in the lift station, however the developers have agreed to offer the sum of \$6,000.00 to cover any maintenance or repairs that would have to be made to the pump. The City Manager pointed out that this was a practice that the City has followed in the past with developers putting in pump lines and the City accept ownership which becomes a part of the City's system. He next recommended that the City approve the acceptance of ownership of the lines in the area and the necessary easements.

Commissioner Herrington asked if giving the City ownership of the lines was a part of the original proposal.

The City Manager stated that the developers were willing to put up \$6,000.00 to cover any possible occurrence with no strings attached.

Commissioner Darrisaw moved that the City Manager's recommendation be accepted. There was no second to the motion.

Mayor Wilson stated that on the surface the offer sounds good, but the City is presently getting compensation for water and sewer out there at the current rates. The City would be taking a system for \$6,000.00 from developers that refused to come in the City and \$6,000.00 would not pay for repairs in 10 years. The Mayor stated that the City would assume the responsibility of the line.

Commissioner Darrisaw asked what was the advantages of taking over the system.

The City Manager explained that the City would gain ownership of the area improvements that was put in place and any future expansion that need to be made in the area. The infrastructure will already be in place and tied into which could save the City some cost in the future for expansion. The City has already realized some benefit from the fact that the developer put in the mains and lift stations at the their own expense. The City would collect some additional benefits for water, but the sewer is regulated by a Federal agreement. The area was not contiguous to the City limits therefore annexation to the property was not in question.

The City Manager pointed out that the property was on the other side of I-95 and it was impossible for annexation under the current State Annexation laws. The City is under the 204 plan and is charged with providing sewer service where available on the mainland.

Commissioner Lawrence questioned the percentage of development on that particular piece of land. The City Manager stated the he did not have the information on development.

Mayor Wilson stated that the City has done this in the past and this is something that the City has to be very careful about accepting things like this. It is just a matter of the developer wanting to get out from underneath the responsibility, but since the City is in the water and sewer business he had to concur with the motion that was made by Commissioner Darrisaw.

Commissioner Darrisaw stated that the motion did not get a second and since the Mayor brought questions up he felt that some things need to be discussed further. He questioned how urgent did they need a decision.

The City Attorney stated that this has been pending for several months. The City signed an agreement for a connection with a grant back in 1982, 1983 and 1984 for the expansion of the Academy Creek Plant to provide water and wastewater treatment service to the mainland area within the City limits. He explained that accepting these lines will be consistent with the City's obligation to the United States EPD Agency and with the County to provide this service.

Commissioner Darrisaw asked the City Attorney to explain the statement with the county to provide this service. The City Attorney explained that the City has undertaken to provide wastewater treatment service on the mainland and inside the City limits and the area north of the city limits that is serviced by Academy Creek Plant, in accordance with the facilities 201 agreement carried out in the very late seventy's and early eighty's is a part of this obligation.

Commissioner Darrisaw stated that he that heard the City would pick up the liability for the amount of money. He asked what was the advantages to the City to take up joint ventures other than a commitment that has been made.

The City Manager stated that the advantages will be an opportunity to have ownership over the lines, having control over the lines and additional customers can be charged to get on lines. The City Attorney explained the reasons why the City did that in the 1980.

Commissioner Darrisaw moved that the City accept the proposal contingent on the developers

bringing it up to specifications. Motion was seconded by Commissioner Herrington and was unanimously carried.

Commissioner Darrisaw moved that the owner of the Old Hospital property submit their request to the Zoning Board of Appeals for a variance. Motion was seconded by Commissioner Herrington and was unanimously carried.

The City Manager reported that the Record Keeping procedure will begin next Tuesday. He next reported that a review of all equipment and vehicles have been done and no serious problems were found only minor ones and not life threatening safety problems.

Commissioner Darrisaw moved that the bid for property in the 2800 block of Newcastle Street submitted by Alex Hall be rejected as recommended by the City Manager. Motion was seconded by Commissioner Lawrence and was unanimously carried.

The City Manager reported that he will meet with Mr. Dan Altobelli in the afternoon about the M Street project. He next reported that he met with Synox Corporation regarding a new sludge treatment process and received preliminary information on diagram work and piping. It may be cheaper than the composting feasibility study cost estimate.

Commissioner Darrisaw questioned the grievance procedure. He recommended that the 10 days be amended to 5 days with the general consensus of the Commission.

The Commission discussed the I Street Pool Room and the revocation of the business license. It was explained that another person was issued a license for the Pool Room that was revoked by Judge Douglas.

The Commission next discussed the Charter on addressing of the Commission and Administration. The City Manager read the Authority and Duties of the City Manager.

Commissioner Herrington stated that he brought it up because the Commission need some type of say because of the previous things he had said. He felt that things were not getting done, the City should have some type of leeway and he wanted the Board to address the issue.

Commissioner Lawrence asked what part of the Charter did Commissioner Herrington want to add to or amend.

Commissioner Herrington stated that he would like to see the part about the Commission having some say in Administration. Commissioner Herrington stated that Personnel is one concern where the Commission can not speak to Department Heads. The Commission need that leverage in order to get something done.

Commissioner Darrisaw stated that he have not seen anything in writing about Personnel, but he was told that Administration was the City Manager's job and the Commissioners had a hands off policy. Commissioner Herrington stated that the hands off policy needs to be addressed. Commissioner Lawrence stated that it is a policy, but it is not hands off and the policy states that the City Manager had the authority to prepare rules and regulations on personnel matters.

The Mayor was asked to address the hands off policy. Mayor Wilson stated that he did not want to work with lower department levels, he stated that he would rather work with Department Heads and the City Manager. He felt like the Commission should not get involved with day to day operations. The Commission can deal with the City Manager and if the Manager do not handle it then the Commission could make a recommendation to the City Manager to handle the problem.

Commissioner Herrington stated that he agreed with the Mayor and the Commission should

not be handling problems within the City. Commissioner Herrington questioned whether the Commission had that leverage.

The City Attorney explained that his understanding of the Charter was that it does not change the form of composition of the City Government of the City of Brunswick and under the previous charter the Executive and Administrative powers of the City of Brunswick is vested in the City Manager. The City Manager had except with respect to the appointment of the City Manager and the City Clerk the exquisite legislative power for the City and that legislative power is vested in the City Commission and the Executive and Administrative power is vested in the City Manager.

Commissioner Darrisaw stated that any decision that is made by the City Manager is not appealable to the Commission. The City Attorney stated that they are appealable if they are made to the legislative discretion of the City Commission. He felt that respect to hiring and terminating Department Heads is left up to the City Manager.

Commissioner Darrisaw stated that if for example the City Manger unfairly dismisses or favoritismly hires a person and the person dismissed wants to appeal it, according to the current policy there is no appeal. The City Manager's decision is final.

The City Attorney stated that it is his legal opinion that the City Manager has the final say so on employment decisions. The Charter would have to be changed on the grievance procedure by the State Legislature. Commissioner Darrisaw stated that the present Charter does not give the Commission any right to question or over rule or even to entertain any grievance as it relates to any decision that is given to the City Manager by the Charter.

The City Attorney pointed out that the City is always free to address it in the legislative capacity.

Commissioner Darrisaw stated that Commissioner Herrington is not talking about day to day administration. Commissioner Herrington is talking about some type of procedure for appeals, if in the event and employee had a grievance he would have an appeal process.

Mayor Wilson stated that an employee should have a right in civil court to get some type of damage.

Commissioner Darrisaw stated that an employee should have a right to seek further appeals and it should stop with the City Council and not the City Manager.

Commissioner Lawrence asked was the grievance procedure that was approved by the Commission in a meeting legal. Commissioner Lawrence asked how to amend a paragraph in the Charter without going through the Legislature.

The City Attorney stated that the City Manager would handle Administration. It does not mean a person needs to appeal to the City Manager.

Commissioner Darrisaw stated that it is the Commission's desire that in any event of a person or any employee come before the Commission maybe able to appeal a final decision that was made by the City Manager, that person would have that right without any repercussion from the City Manager or anyone else.

Commissioner Darrisaw moved that the City Manager and City Attorney move immediately to take steps to change the Charter if necessary whereby it can provide opportunity for appeal to go beyond the City Manager's position to the a Commission in areas in situations where it is not necessary to take steps to amend the a Charter to accomplish this goal, then it will take that step, but at any case there should be a progress report on the Agenda for the first meeting

in October. Motion was seconded by Commissioner Lawrence and was unanimously carried.

Mayor Wilson stated that he should not have to come to the Commission before he could present a proclamation. He stated that he thought it was the Mayor's job to present proclamations. Commissioner Darrisaw stated that he only requested that a copy of the Proclamation be placed in the Commission boxes. The Commission should be notified whenever a proclamation should be presented and it should be presented by the Mayor if available, Mayor Pro-Tem, Commissioners or the City Manager.

Commissioner Lawrence stated that slow signs be placed in the area of Burroughs-Mollette.

EXECUTIVE SESSION

Commissioner Darrisaw moved that the Commission hold an executive session to discuss pending litigation. Motion was seconded by Commissioner Lawrence and was unanimously carried.

MEETING ADJOURNED.

Mayor

Attest: _____
City Clerk