

**OFFICIAL MINUTES  
COMMISSION MEETING OF THE CITY OF BRUNSWICK, GEORGIA  
REGULAR MEETING  
8:30 A. M., February 3, 1993**

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

**INVOCATION:** The invocation was given by Mark Mitchell, City Manager.

**APPROVAL OF MINUTES**

Commissioner Darrisaw moved that the minutes of the meeting of January 20, 1993 be approved. Motion was seconded by Commissioner Lawrence and was unanimously carried.

**DELEGATIONS**

Attorney Jim Gilbert appeared before the Commission to ask the Commission for their approval to refinance bonds for the Housing Authority. Attorney Gilbert stated that the City, County and Housing Authority must approve the reissuance of bonds. Commissioner Herrington and Davis stated that they had some questions to ask the City Attorney. Attorney Gilbert stated that the Bond hearing is set for February 9th. Commissioner Lawrence mentioned problems that citizens were having qualifying for low interest apartments. Attorney Bishop explained that twenty percent of their apartments is for low interest tenants. Commissioner Darrisaw moved to recess for five minutes to give the Commission an opportunity to talk with the City Attorney. Motion was seconded by Commissioner Lawrence and was unanimously carried. The Commission reconvened to discuss the matter with the City Attorney. The City Attorney stated that the refinancing of bonds would not cause any liability for the City.

Commissioner Herrington moved to approve the reissuance of bonds for the Housing Authority. Motion was seconded by Commissioner Darrisaw and was unanimously carried.

WHEREAS, the Housing Authority of the City of Brunswick (the "Issuer") proposes to issue certain revenue bonds to refund and refinance certain revenue bonds designated as "Multifamily Housing Revenue Bonds (Federal National Mortgage Association Program/Island Square Project), Series 1985A, "originally issued on March 7, 1985, in the original principal amount of \$3,250,000, and "Multifamily Housing Revenue Bonds, Series 1985B (Island Square Project), "originally issued on March 18, 1985, in the original principal amount of \$1,552,986, previously issued by the 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 obligations to be issued:

\$4,200,000.

- (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

WHEREAS, the Issuer held a public hearing with respect to the proposed financing of the Project on February 2, 1993; 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

WHEREAS, the Issuer has requested that the Governing Body approve the issuance of the Bonds as herein described:

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

(1) The issuance of the Bonds by the Issuer as above described 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 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.

ADOPTED this 3rd day of February, 1993.

Ken Plyman was present to discuss the possibility of the City operating a Municipal Cable System in the City of Brunswick. Mr. Plyman stated that the City has only one cable company because Rentavision acquired Star Cable Co. and this has created a monopoly. Jim Jordan was in attendance and stated that he would like to see another Cable System in the City of Brunswick. Commissioner Darrisaw asked the City Manager to explore the possibilities and bring back information to the Commission. The City Attorney stated that the new FCC regulations should be available in March.

Charles Van Diviere was present to request that the City adopt an Ordinance to help handicap persons patrol handicap parking spaces. Mr. Van Diviere pointed out that the Law states that handicap persons cannot write tickets in the City for handicap parking violations. Commissioner Lawrence stated that the Commission would take it under advisement, and asked the City Manager to get with Chief Sidoran to work on the matter. Commissioner Herrington stated that he was concerned about the liability. It was the concensus of the Commission to have the City Manager discuss the matter with the Police Chief.

## **ARCHAEOLOGICAL DIG**

The City Manager submitted request of Fred Cook to continue Archaeological Digs on Dartmouth Street and First Avenue. Commissioner Herrington moved to grant Mr. Cook permission to continue Archaeological Digs in the City of Brunswick. Motion was seconded by Commissioner Darrisaw and was unanimously carried.

## **FIRE TRUCK BID**

Chief Lee Stewart recommended that the low bid of Pierce Dash in the amount of \$230,819.00 be accepted. The City Manager explained the GMA Lease Pool Program. Following a brief discussion Commissioner Herrington moved approval of the recommendation of Chief Stewart to accept the low bid to purchase Fire Truck. Motion was seconded by Commissioner Darrisaw. On call for the question the motion carried by vote of 4 to 1. Mayor Wilson voting No.

## **HISTORIC PRESERVATION FUND GRANT APPLICATION**

The Department of Community Development Director, Roosevelt Harris, Jr. appeared before the Commission seeking approval of a Georgia Department of Natural Resource 60/40 matching Historic Preservation Fund Grant Application. In order for the application to be considered, it must be postmarked no later than February 15, 1993.

Of the \$15,300. total project cost, the City is applying for 60% or \$9,080. in grant funds. The City, using Community Development recaptured funds, will be responsible 40% or \$6,220.

A total of \$73,000. will be awarded to Certified Local Governments for eligible projects. The minimum individual grant amount is \$1,000.; the maximum individual grant amount is \$25,000.

If the application is approved, the implementation process will began in August of 1993.

Following a brief discussion Commissioner Herrington offered a motion for approval of Historic Preservation Grant Application to be submitted by the Director of Community Development to the Department of Natural Resources. Motion was seconded by Commissioner Davis and unanimously carried.

## **CEMETERY DEEDS**

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

(1) Returning for resale N-14ft of Lot No. 11, Section No. 163 in Palmetto Cemetery from Joseph A. Pitts.

(2) Returning for resale Spaces G and H of Lot No. 1, Section No. 104 in Greenwood Cemetery.

## **REMOVAL AND DISPOSAL OF JUNKED MOTOR VEHICLE ORDINANCE**

The City Attorney submitted the Disposal of Junked Motor Vehicle Ordinance for Adoption. Clifford Bogus, was present to object the adoption of proposed Ordinance. Mr. Bogus gave reasons for his objection and asked the Commission not to adopt the proposed Ordinance. Mr. Amos stated that he objected to the adoption of the proposed Ordinance. Commissioner Lawrence gave reasons why he had problems with asking persons who had their cars fenced in to remove them. The City Manager explained the process of writing tickets to remove

abandoned cars off of City streets. Mayor Wilson stated that the City must have an ordinance in place for abandoned cars in the City.

Commissioner Herrington moved adoption of the following Ordinance. Motion was seconded by Commissioner Davis. On call for the question the motion carried by 4 to 1. Commissioner Lawrence voting No.

AN ORDINANCE TO PROVIDE FOR THE REMOVAL AND DISPOSAL OF DISCARDED, DISMANTLED, WRECKED, SCRAPPED, RUINED, OR JUNKED MOTOR VEHICLES OR PARTS THEREOF; TO PROHIBIT OPEN STORAGE OF SUCH MOTORE VEHICLES OR PARTS; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

THE COMMISSION OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1. The Code of the City of Brunswick is hereby amended by adding thereto a section which shall be designated Sec. 14-12 and which shall provide as follows:

**"Sec. 14-12. Discarded, dismantled, wrecked, scrapped, ruined, or junked motor vehicles.**

"(a) The City Manager of the City of Brunswick shall be authorized in his discretion to cause the removal and disposal of any discarded, dismantled, wrecked, scrapped, ruined, or junked motor vehicles or parts thereof without further authorization when such motor vehicles are located on any property owned or leased by the City and when such motor vehicles or parts thereof are in such condition that they constitute a health hazard or unsightly nuisance.

"(b) A motor vehicle may be deemed to be discarded within the meaning of paragraph (a) of this section whenever the City has sent notice to the owner of record at his last- known address via certified or registered mail indicating that the City is in possession of such motor vehicle and the owner fails to claim it within a reasonable time thereafter, whether or not such notice was actually received by the owner.

"(c) In order to carry out and effectuate the purposes of paragraph (a) of this section, the City Manager shall be authorized to sell such motor vehicles or parts thereof and to enter into such contracts as he may deem necessary with private individuals and firms for the removal and disposal of the vehicles or parts.

"(d) It shall be unlawful for any person owning or having custody of any dismantled, wrecked, scrapped, ruined, or junked motor vehicle to leave or store such vehicle upon any street or other City property.

"(e) It shall be unlawful for any person owning or having custody of any dismantled, wrecked, scrapped, ruined, or junked motor vehicle or parts thereof to store or permit any such vehicle or parts to remain on any private property within the City for a period of more than thirty days after the receipt of a notice requiring removal of such vehicle or parts. This paragraph shall apply to automobile service stations and accessory sales stores but shall not apply to motor vehicles or parts stored in an enclosed building or to auto repair or body shops or licensed motor vehicle salvage dealers.

"(f) It shall be unlawful for any person, after notification to remove any dismantled, wrecked, scrapped, ruined, or junked motor vehicle or parts thereof has been given, to move such vehicle or parts to any other private property within the City upon which storage is not permitted.

"(g) The open storage of dismantled, wrecked, scrapped,

ruined, or junked motor vehicles or parts thereof on private property as prohibited in this section is hereby declared to be a public nuisance which may be abated pursuant to Chapter 12, Article IV of this Code."

SECTION 2. All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed and superseded to the extent of such conflict.

SECTION 3. This Ordinance shall be effective from and after the date of adoption.

### **OTHER CITY BUSINESS**

Commissioner Herrington reported that the sidewalks on Newcastle Street were quite low, and asked who was responsible for checking the work when it is completed by a contractor. Commissioner Herrington moved that the City Manager get a report on the sidewalks on Newcastle Street in the front of Old City Hall. Motion was seconded by Commissioner Lawrence and was unanimously carried.

Commissioner Davis reported that the grass should be mowed around Old City Hall. She next reported complaints about the noise and people gathering at the Jiffy Store on Gloucester Street. Commissioner Herrington reported that people were jumping over the fence and doing other things.

Commissioner Lawrence stated that the trash on the streets should be focused on. He next asked for a budget report from each Department Head. The City Manager stated that every department is within their budget amount.

The City Attorney reported that the property that was rezoned on Albany and L Street should submit any appeals for variances for setbacks to the Zoning Board of Appeals.

Mayor Wilson asked the City Manager for an updated report on the Farmer's Market. The City Manager gave a updated report on the sites that were being considered for the New Farmers Market.

Commissioner Herrington asked the City Attorney to address the press about the litigation matter that the Commission recessed for earlier in the meeting. The City Attorney stated that as a general rule most of the items can be discussed in a legal Executive Session.

### **MEETING ADJOURNED**

Commissioner Herrington moved that the meeting be adjourned at 10:15 A. M. Motion was seconded by Commissioner Davis and was unanimously carried.

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Mayor

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