

**OFFICIAL MINUTES
COMMISSION MEETING OF THE CITY OF BRUNSWICK, GEORGIA
REGULAR MEETING
8:30 A. M., September 1, 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 Rev. Commissioner G. E. Darrisaw.

APPROVAL OF MINUTES

Commissioner Lawrence moved and Commissioner Darrisaw seconded the motion to approve the minutes of the meeting of August 18, 1993. The motion passed unanimously.

DELEGATIONS

Wayne Dorris appeared before the Commission to request that Alco Service Club be given consideration for parking on MLK Boulevard. Mr. Dorris stated that because of the four laning and expansion of MLK Boulevard Alco Service Club will not have any parking spaces.

Herbert Taylor gave the history of the present location on MLK Boulevard and stated that if Alco Service Club did not receive parking spaces they would have to move to the County. Mr. Taylor stated that they attended meetings for widening MLK Blvd. and reviewed the preliminary plans and was assured parking would be provided for Alco Service Club.

Mr. Dorris requested that the City consider looking at a vacant lot behind their building to provide parking spaces. He next asked the City to consider requesting the state to provide parking areas in the median and general area for Alco Service Club.

Wayne Merrier stated that he operates a business in the area and he was willing to let people park in his parking lot because it helped with the vandalism in the area.

Mayor Wilson stated that if it meets the consent of the Commission, the City should take a look at the vacant lot to see what feasibility it has. Then the Commission could discuss the matter with DOT to find out if it would be permissible. Mayor Wilson stated that he realize that Alco provides a service to this Community that is much needed and he commended Mr. Dorris for providing the service. Mayor Wilson stated that if it was anything the City could do that would enable Alco to remain functional he was ready to do it.

Mayor Wilson thanked Mr. Dorris for his presentation and assured him that the City would do whatever they could to assist him.

Ben Slade, Chairman of the Habitat for Humanity Board of Directors appeared before the Commission to update the Commission on the Habitat for Humanity program. Mr. Slade stated that Churches have volunteered to help with the program and Habitat needed participation from local governments to help wipe out substandard homes.

Ed Pinkney was present to discuss the Habitat project and his involvement. Mr. Pinkney asked the City to help Habitat acquire property in the City of Brunswick, and submitted pictures of property in the city that Habitat wished to acquire. Mr. Pinkney stated that the City could donate or sell the property to Habitat.

Doug Alexander, attorney for Habitat for Humanity was present to request that 30 properties

in the City be sold or donated to Habitat. Attorney Alexander asked the City to begin the process or whatever is needed to do what is legally necessary for Habitat to build on these properties. Mr. Alexander requested that the City take action and a Resolution be prepared by the City Attorney to begin the process.

Commissioner Lawrence stated that he had a problem taking action on something he did not have time to study, pointing out that this was his personal opinion.

Commissioner Herrington stated that he would like to see abandoned property back on the City's tax roll.

Commissioner Davis moved and Commissioner Darrisaw seconded the motion to defer the matter until the next meeting to look at the abandoned properties in the City. The motion passed unanimously.

The City Attorney explained the competitive bidding process that the City use for citizens to acquire property.

Mayor Wilson thanked the representatives of Habitat for Humanity for their presentation.

Ken Plyman appeared before the Commission to request that the City investigate a trailer that was allowed to be placed on property in the City because of a fire years ago. He complained about the noise the tenants make and the bad condition of the property.

The City Manager stated that he has been unable to contact the owner of the property, and he should have information at the next meeting.

APPOINTMENT TO HOSPITAL AUTHORITY

A list of eight citizens were submitted to the Commission for consideration for appointment on the Hospital Authority Board. Commissioner Lawrence asked if the Commission could appoint a person to the Hospital Authority Board without having the appointment approved by the Hospital Authority, as it was reported in the Brunswick News. Commissioner Lawrence next asked if the Commission could submit one name to the Hospital Authority for appointment to the Hospital Authority Board.

The City Attorney stated that the appointment should be done in accordance to State Law. Commissioner Darrisaw moved and Commissioner Lawrence seconded the motion to defer the appointment until the next meeting. The motion passed unanimously. Commissioner Herrington recommended that no more applications be accepted for the Hospital Board during the deferment.

BIDS

The following bids were submitted for two Rear Loader Refuse Collection Trucks for Public Works Department:

Vendor	Bid	
Ray Pace Equipment 9365 Phillips Hwy 2000-\$153,104 (Their Specs)	FT 900-\$145,264 CFT 8000-\$149,244 Jacksonville, FL	FLN
Peach State Truck Sales P. O. Box 808 Norcross, GA 30091	FT 900-\$144,798 (ea. \$72,399) CFT 8000-\$151,608 (ea. \$75,804)	

Kings Colonial Ford FT 900-\$143,808.80 *

2615 Community Road CFT 8000-\$149,738.00
Brunswick, GA 31523

The City Manager recommended that the City accept the low bids of Kings Colonial Ford in the amount of \$143,808.80 and \$149,738.00 to purchase two Collection Trucks to meet the deadline of the GMA Lease Pool. Commissioner Lawrence moved and Commissioner Herrington seconded the motion to approve the City recommendation to accept the low bids of King's Colonial Ford. The motion passed unanimously.

APPROVAL OF L.A.P.R. STREETS

The City Manager submitted lists of streets to be considered for resurfacing by the L.A.R.P. Program. The City Manager explained the program sponsored by the Department of Transportation that would pay the cost to have city streets resurfaced. Commissioner Herrington recommended that the City submit a letter to the Department of Transportation to be considered for the street paving program. Commissioner Davis named two streets that she requested to be considered for resurfacing, Gloucester to Sycamore and MLK to Oak Street down Sycamore Street. Commissioner Herrington moved and Commissioner Lawrence seconded the motion to approve the L.A.R.P. list. The motion passed unanimously.

BRUNSWICK/GLYNN DEVELOPMENT AUTHORITY NOMINATION

William R. Parker appeared before the Commission to recommend that Ben Slade be nominated to the Board of the Brunswick-Glynn County Development Authority.

Commissioner Herrington moved and Commissioner Darrisaw seconded the motion nominating Ben Slade to serve on the Brunswick-Glynn Development Authority. The motion passed unanimously.

MONTHLY REPORTS

The following reports for the month of July were received and filed as information: (1) General Fund (2) Water and Wastewater (3) Community Development (4) Metro Squad (5) Municipal Court and (6) Uncollectible Water Accounts. Commissioner Darrisaw moved and Commissioner Davis seconded the motion to accept the monthly reports. The motion passed unanimously.

ADOPTION OF CABLE ORDINANCE

On motion of Commissioner Herrington seconded by Commissioner Davis the following ordinance was unanimously adopted:

AN ORDINANCE TO AMEND CHAPTER 6 OF THE CODE OF THE CITY OF BRUNSWICK, PERTAINING TO CABLE TELEVISION; TO PROVIDE FOR THE REGULATION OF BASIC SERVICE TIER RATES AND RELATED EQUIPMENT, INSTALLATION AND SERVICE CHARGES OF ANY CABLE TELEVISION SYSTEM OPERATING IN THE CITY OF BRUNSWICK; TO PROVIDE THAT FEDERAL LAW AND REGULATIONS SHALL CONTROL IN THE EVENT OF CONFLICTING PROVISIONS; TO REPEAL CONFLICTING PROVISIONS; AND TO PROVIDE AN EFFECTIVE DATE.

WHEREAS, on October 5, 1992, Congress enacted the Cable Television Consumer Protection and Competition Act of 1992, which, among other things, provided that the basic service tier rates and the charges for related equipment, installation and services of a cable television system (hereinafter called "Basic Service Rates and Charges") shall be subject to regulation by a franchising authority in accordance with regulations prescribed by the Federal Communications Commission (hereinafter referred to as the "FCC"); and

WHEREAS, on April 1, 1993, the FCC prescribed such regulations in the Report and Order, In the Matter of Implementation of Sections of Cable Television Consumer Protection and Competition Act of 1992: Rate Regulation, MMDocket 92-266, FCC 93-177 (released May 3, 1993, hereinafter called the "FCC Rate Regulations"); and

WHEREAS, the City of Brunswick (hereinafter, the "City") is a franchising authority with the legal authority to adopt and the personnel to administer regulations with respect to the Basic Service Rates and Charges of any cable television system operating in the City (hereinafter referred to as the "franchisee"), including, without limitation, the system currently being operated by Century Cable (the "Company"), pursuant to the Franchise Agreement between the City and Rentavision of Brunswick, Inc., date November 2, 1984; and

WHEREAS, the City desires to regulate the Basic Service Tier Rates and Charges of the Company and any other cable television system operating in the City and shall do so in accordance with the FCC Rate Regulations, notwithstanding any different or inconsistent provisions in the franchise, or franchise agreement;

NOW, THEREFORE, the Commission of the City of Brunswick hereby ordains:

SECTION 1. The Code of the City of Brunswick is hereby amended by striking Sec. 6-18 and by substituting in lieu thereof a new section which shall be designated as Sec. 6-18 and which shall provide as follows:

"Sec. 6-18. Regulation of basic service tier rates and charges.

"(a) The City of Brunswick will follow the Federal Communications Commission Rate Regulations in the City's regulation of the basic service tier rates and the charges for related equipment, installation and services of any cable television system operating in the City, notwithstanding any different or inconsistent provisions in the franchise agreement between the City and the franchisee.

"(b) In connection with regulation by the City pursuant to subsection (a) of this section, the City will ensure a reasonable opportunity for consideration of the views of interested parties."

SECTION 2. The code of the City of Brunswick is hereby amended by adding thereto a new section which shall be designated as Sec. 6-24 and which shall provide as follows:

"Sec. 6-24. Conflicting provisions.

"In the event of any conflict between any provision of this chapter and any Federal statute or any regulation of the Federal Communications Commission, the Federal statute or regulation shall be controlling."

SECTION 3. All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed and superseded to the extent of such conflict.

SECTION 4. This Ordinance shall be effective from and after the date of adoption.

OTHER CITY BUSINESS

Commissioner Darrisaw moved and Commissioner Lawrence seconded the motion designating Commissioner Davis as voting delegate and Commissioner Herrington as alternate delegate at the Pre-Legislative Conference in Gainesville, Georgia, September 23, 1993. The motion passed unanimously.

EXECUTIVE SESSION

Commissioner Lawrence moved and Commissioner Darrisaw seconded the motion to hold an executive Session to discuss a legal matter. The motion passed unanimously.

Following the Executive Session Mayor Wilson announced that the City Attorney and the City Manager will meet with Major T. C. Cowan to see if the open meeting law will exempt the City from giving out information.

MEETING ADJOURNED.

Mayor

Attest _____
City Clerk