

**OFFICIAL MINUTES
COMMISSION MEETING OF THE CITY OF BRUNSWICK, GEORGIA
REGULAR MEETING
7:00 P. M., January 19, 1994**

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

ABSENT: Commissioner Dr. James MacLeod.

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

APPROVAL OF MINUTES

Commissioner Darrisaw moved and Commissioner Lawrence seconded the motion to approve the minutes of the meeting of January 5, 1994.

APPOINTMENTS TO CITY BOARDS

Commissioner Lawrence nominated David Lewis to serve on the Pilot Commission. There being no further nominations, the nominations for the Pilot Commission were closed. On nomination made by Commissioner Lawrence and seconded by Commissioner Darrisaw, David Lewis was reappointed to serve on the Pilot Commission for a term of seven years.

Commissioner Davis nominated Frank Vande Linde to serve on the Park and Tree Commission. There being no further nomination, the nominations were closed. On nomination made by Commissioner Davis and seconded by Commissioner Lawrence, Frank Vande Linde was reappointed to serve on the Park and Tree Commission for a term of five years.

Commissioner Darrisaw nominated Martha H. Johnson to serve on the Library Board. Commissioner Lawrence nominated Maureen Arnold to serve on the Library Board. Commissioner Darrisaw nominated Ed Liles to serve on the Library Board. There being no further nominations, the nominations were closed. On nominations duly made and seconded Martha H. Johnson, Maureen Arnold and Ed Liles were appointed to serve on the Library Board for a term of two years.

Commissioner Lawrence nominated W. A. Slaughter to serve on the Structural Fitness Advisory Board. There being no further nominations, the nominations were closed. On nomination made by Commissioner Lawrence and seconded by Commissioner Davis, W.A. Slaughter was reappointed to serve for a term of four years on the Structural Fitness Advisory Board.

Mayor Wilson instructed the City Manager to readvertise to fill the vacancies on the Structural Fitness Advisory Board.

CURFEW LAW

The City Attorney submitted a new ordinance outlining curfews for teenagers in the City. The City Attorney stated that he anticipated changes in the ordinance on the age defining a minor and curfew hours that would be placed in the ordinance.

Commissioner Lawrence moved and Commissioner Darrisaw seconded the motion to take the ordinance under advisement and consider adopting it at the next meeting. The motion passed unanimously.

Mayor Wilson pointed out that there is a likelihood that the age would have to be modified and the City would have to find out what would be done when the curfew is violated.

SUBDIVISION REGULATION AMENDMENT

The City Attorney stated that amending the subdivision regulation would allow the City Commission to have certain authority to act on subdivision tract within the City. Following the reading of the subdivision amendment Commissioner Darrisaw moved and Commissioner Lawrence seconded the motion to adopt the amendment to the Subdivision Regulation. The motion passed unanimously.

AN ORDINANCE TO AMEND ORDINANCE NO. 568, AS AMENDED, PROVIDING SUBDIVISION REGULATIONS, SO AS TO AUTHORIZE THE COMMISSION OF THE CITY OF BRUNSWICK TO ACT IN LIEU OF THE BRUNSWICK-GLYNN COUNTY PLANNING COMMISSION IN THE ADMINISTRATION OF SUCH SUBDIVISION REGULATIONS; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

THE COMMISSION OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1. Ordinance No. 568 of the City of Brunswick, adopted on September 18, 1968, is hereby amended by adding a paragraph to Section 400 thereof which shall provide as follows:

The Brunswick-Glynn County Joint Planning Commission having been dissolved by unilateral action of the Glynn County Commission, the City Commission shall be authorized to act in lieu of said Planning Commission in the administration of these subdivision regulations.

Section 2. This Ordinance shall become effective as of the date of adoption.

RESOLUTION FOR GMA LEASE POOL

On motion of Commissioner Lawrence seconded by Commissioner Davis the following resolution was unanimously adopted:

A RESOLUTION OF THE CITY OF BRUNSWICK (THE "LESSEE"), AUTHORIZING, INTER ALIA, THE ANNUAL APPROPRIATION OF ALL AMOUNTS REQUIRED PURSUANT TO LESSEE'S PARTICIPATION IN THE POOLED LEASE PROGRAM SPONSORED BY GEORGIA MUNICIPAL ASSOCIATION.

DATED: 1/19, 1994

WHEREAS, Lessee is participating in the Georgia Municipal Association, Inc. ("GMA") sponsored pooled lease program (the "Program") for the acquisition of equipment to be used by participating political subdivisions of the State of Georgia (the "Equipment"); and

WHEREAS, pursuant to the Program, Lessee entered into (i) a Lease Agreement Dated as of December 1, 1990 by and between GMA and Lessee (the "Lease") pursuant to which GMA leases the Equipment to the Lessee and (ii) an Administration and Servicing Agreement dated as December 1, 1990 (the "Servicing Agreement"), among Wachovia Bank of Georgia, N.A., Atlanta, Georgia, as servicer (the "Servicer"), Wachovia Bank of Georgia, N.A., as Trustee, GMA and each lessee participating in the program (including Lessee), pursuant to which Servicer services the collection and transmittal of payments for the Leases for GMA and transfers the moneys collected pursuant to the Servicing Agreement; and

WHEREAS, certificates of participation ("Certificates") have been issued pursuant to a Trust Agreement dated as of December 1, 1990, by and between Wachovia Bank of Georgia, N.A., as trustee ("Trustee"), and GMA evidencing undivided interests in the Lease payments; and

WHEREAS, in connection with the issuance of the Certificates and the creation of the Program, (i) Municipal Bond Investors Assurance Corporation (the "Credit Facility Issuer") issued its financial guaranty insurance policy (the "Policy") and entered into the Reimbursement and Indemnity Agreement by and between the Credit Facility Issuer, The Trustee, the Servicer and GMA (the "Credit Facility Reimbursement Agreement"); (ii) Credit Suisse, New York Branch ("Bank"), has agreed to purchase Certificates tendered pursuant to tender rights under the Trust Agreement in accordance with the terms of a Standby Purchase Agreement dated as of December 1, 1990 by and among the Trust, GMA, the Bank, the Servicer and the Tender Agent (the "Standby Purchase Agreement"); (iii) Chemical Bank serves as tender agent (the "Tender Agent") pursuant to a tender agent agreement dated as of December 1, 1990 by and among the GMA, the Trust, the Servicer, and the Tender Agent (the "Tender Agent Agreement"); (iv) BT Securities Corporation and at such time as specified in the Trust Agreement, Chemical Securities, Inc., will serve as remarketing agents (referred to collectively hereafter as the "Remarketing Agent"), pursuant to a remarketing agreement dated as of December 1, 1990 by and among the Remarketing Agent, the GMA, the Tender Agent, the Trustee and the Servicer (the "Remarketing Agreement"); and

WHEREAS, pursuant to the Lease Agreement, Lessee is required to appropriate annually the Minimum Annual Appropriated Amount set Forth on Schedule A hereof; and

WHEREAS, in order to give effect to, and comply with, the foregoing agreements and instruments, and in order to authorize payment of its obligations incurred thereunder (collectively, the "Program Obligations"), either (i) the Lessee has available to satisfy Program Obligations uncommitted and unappropriated funds in its current operating budget in an amount not less than the Minimum Annual Appropriated Amount as set forth in Schedule A of (ii) the Lessee must amend its current operating budget in accordance with Title 36, Chapter 36-81-5 of the Official Code of Georgia Annotated (the "Code") to authorize the payment of the Program Obligations; and

WHEREAS, if required, in order to amend its current operating budget, the Mayor and Council of Lessee have heretofore taken the following actions, all in accordance with Title 36, Chapter 81 of the Code: (i) through the Lessee's budget officer, prepared a proposed amended budget providing for payment of Lessee's Program Obligations in accordance with the requirements of Code Section 36-81-5(b) (the "Amended Budget", a copy of which is attached hereto as Schedule B) which was previously submitted to the Mayor and Council of the Lessee, (ii) at the time of receipt of the Amended Budget from the Lessee's budget officer, placed a copy of the Amended Budget in a public place in the Lessee, which place is convenient to the resident's of the Lessee, (iii) published a notice in the official organ of the Lessee advising residents of the Lessee that the Amended Budget is available for inspection; (iv) conducted a public hearing on the Amended Budget at least one week prior to the date hereof; and (v) taken all other action necessary to effect the foregoing;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section I. Confirmation and Reaffirmance of Program Obligations. The Lessee does hereby confirm, ratify and reaffirm all the Program Obligations, including, expressly, the Lease and the Servicing Agreement.

Section II. Appropriation; Amendment of Budget. In order to give effect to, comply with, and assume the liabilities associated with, the foregoing approvals, and authorize the expenditure of the amounts required to be expended pursuant to the Lease Agreement and the Servicing Agreement the Lessee does hereby adopt, ratify and approve the Amended Budget attached hereto as Schedule B or commit those portions of the current budget set forth on Schedule B to the payment of the Program Obligations and does hereby appropriate and commit moneys in an amount not less than the Minimum Annual Appropriated Amount to payment of Program Obligations for the current calendar year.

Section III. No Personal Liability. No stipulation, obligation or agreement herein contained or contained in the Lease, the Trust Agreement, the Servicing Agreement, the Standby Purchase Agreement, the Tender Agent Agreement, the Remarketing Agreement, or the Credit Facility Reimbursement Agreement shall be deemed to be a stipulation, obligation or agreement of any councilman, chairman, officer, agent or employee of the Lessee in his or her individual capacity, and no such councilmember, chairman, officer, agent or employee of the Lessee shall be personally liable on the Certificates or be subject to personal liability or accountability by reason of the issuance thereof.

Section IV. General Authority. From and after the execution and delivery of the documents hereinabove authorized, the Mayor and the Clerk are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of said documents as executed and are further authorized to take any and all further actions and execute and deliver any and all other documents and certificates as may be necessary or desirable to document compliance with the Code.

Section V. Actions Approved and Confirmed. All acts and doings of the officers of the Lessee which are in conformity with the purpose and intents of this Resolution shall be, and the same hereby are, in all respects approved and confirmed.

Section VI. Severability of Invalid Provisions. If any one or more of the agreements or provisions herein shall be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separable from the remaining agreements and provisions and shall in no way affect the validity of any of the other agreements and provisions hereof or of the Certificates authorized hereunder.

Section VII. Repealing Clause. All Resolutions or parts thereof of the City of Brunswick in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

Sections VIII. Effective Date. This Resolution shall take effect immediately upon its adoption.

GROUP INSURANCE AMENDMENTS

The Director of Finance submitted proposals for changes in the City's Group Insurance in benefits and premiums. The Director of Finance stated that large claims and inflation contributed to the making the changes.

Commissioner Lawrence asked if the changes were discussed with City Employees. The City Manger stated that employees would be made aware of the proposed changes.

No action was taken by the Commission. It was taken under advisement.

CAFETERIA PLAN

The City Manager discussed the additional benefits that could be offered to employees under the Cafeteria Plan. The City Manager stated that 8 proposals were received by the Director of Finance from companies that was interested in administering the Cafeteria Plan. After reviewing the proposals the Director of Finance narrowed down the list to three companies that were familiar with the plan. The Director of Finance recommended that the proposal of Colonial Life and Accident Insurance be accepted.

Commissioner Lawrence moved and Commissioner Davis seconded the motion to accept the recommendation of staff. The motion passed unanimously.

MONTHLY REPORTS

The following reports for the month of December were submitted and were filed as information: (1) General Fund (2) Water and Wastewater (3) Recorder's Court (4) Metro Squad (5) Community Development and (6) Uncollectible Water Accounts. Commissioner Davis moved and Commissioner Lawrence seconded the motion to accept them monthly reports. The motion passed unanimously.

CEMETERY DEEDS

On motion of Commissioner Darrisaw seconded by Commissioner Lawrence the following cemetery petitions were unanimously granted:

- (1) Transferring Spaces E and F of Lot No. 1-A, Section No. 207 in Palmetto Cemetery from Sarah B. Moodie to Earnest Moodie. Original deed surrendered.
- (2) Returning for resale spaces D and E of Lot No. 7, section No. 28 in Palmetto Cemetery from John T. Beckum. Original deed surrendered.

REDEMPTION DEEDS

Redemption requested in the name of present owner Michael Robinson to Perry Park Lot No. B-174. All taxes interest and cost in the amount of \$322.78 has been paid. Commissioner Darrisaw moved and Commissioner Lawrence seconded the motion authorizing the Mayor to execute the redemption deed. The motion passed unanimously.

Petition received from Attorney M. F. Martin, III for quit claim deed in favor of his clients Sarah L. & Charles Tait, IV to Old Town Lots 325, 326, 327 and 328, property acquired at tax sale. All taxes, interest and cost have been paid and account is clear. Commissioner Darrisaw moved and

Commissioner Lawrence seconded the motion authorizing the Mayor to execute quit claim deed. The motion passed unanimously.

DELEGATIONS

Glynn County Commissioner Jack Hardman appeared before the Commission to discuss a four year county wide special purpose local option sales tax referendum that would generate \$43,754,963.00. Commissioner Hardman submitted a report outlining the distribution of the proposed sales tax. The distribution would be based on the 1990 U.S. Census data. Glynn County would receive 70.7% the City of Brunswick would receive 27.3% and Jekyll Island would receive 2.0% of the sales tax. The report also outlined the proposed projects that would be funded by the sales tax.

Mayor Wilson recommended that the Commission review the report. Commissioner Darrisaw recommended that the Commission discuss the sales tax in a joint City-County Meeting. The Commission did not vote on the proposed sales tax.

Interim Police Chief T. C. Cowan appeared before the Commission to give a report on crime in the City of Brunswick. Chief Cowan submitted statistical information on murder, aggravated assault, motor vehicle theft, burglary, arson, armed robbery and robbery in the City of Brunswick for four years. Chief Cowan recommended the establishment of a new program called ISSUE 94. The program will educate the public and encourage public involvement. Chief Cowan outlined the ongoing programs in the Police Department and introduced the new programs the Police Department would like to initiate such as the Cadet program and a Police Hiring Supplement program. Chief Cowan stated that the Cadet Program would involve young men and women ages 18 to 21 who are interested in careers in law enforcement. The Police Hiring Supplement Program, a federal program would educate the public with the hiring of a Crime Prevention Officer and would also be used to expand the bike Patrol. The Commission thanked Chief Cowan for the brief informational report.

Commissioner Darrisaw stated that lights are needed to help combat crime in the City. The City Manager was instructed to give a report on where lights are needed at the next meeting.

Commissioner Darrisaw stated that he would ask Pastors of Churches to underwrite the Cadet Program. Commissioner Darrisaw asked the City Manager to bring a report back to Commission.

OTHER CITY BUSINESS

Barney Riley appeared before the Commission to discuss the City purchasing the Dixie O'Brien Building to house the Public Works and Water Department. Mr. Riley pointed out that the Dixie O'Brien property was valuable and asked the City to consider the property.

Mayor Wilson pointed out that the City has looked at the O'Brien Building.

Ben Slade, representing Habitat for Humanity appeared before the Commission to discuss the parcel of land that was advertised by the City. Commissioner Lawrence stated that he was concerned with placing nine houses on the tract of land. Mr. Slade stated that he had no objections with lowering the density to six homes.

Commissioner Lawrence moved and Commissioner Davis seconded the motion granting Habitat the parcel of land provided that six houses be built on that land. The motion passed unanimously.

Mr. Thower suggested that plans be drawn up for seven houses and if the City did not agree then change the plan.

Commissioner Darrisaw moved and Commissioner Lawrence seconded the motion to accept the bid the Habitat in the amount of \$4,000 for the parcel of land. The motion passed

unanimously.

Commissioner Darrisaw moved and Commissioner Lawrence seconded the motion to hold an Executive Session to discuss a Personnel Matter. The motion passed unanimously.

After the Executive Session, there being no further business the meeting was adjourned.

MEETING ADJOURNED.

Mayor

Attest _____
City Clerk