

**OFFICIAL MINUTES  
COMMISSION MEETING OF THE CITY OF BRUNSWICK, GEORGIA  
REGULAR MEETING  
8:30 A. M., April 6, 1994**

**PRESENT:** His Honor Mayor Homer L. Wilson, Commissioner Roosevelt Lawrence, Doris A. Davis and Rev. G. E. Darrisaw, and Dr. James MacLeod.

**INVOCATION:** The invocation was given by Commissioner Dr. James MacLeod

**APPROVAL OF MINUTES**

Commissioner Lawrence moved and Commissioner Darrisaw seconded the motion to approve the minutes of the meeting of March 16, 1994. The motion passed unanimously.

**BID SHIPYARD WELL**

The City Manager stated that the shipyard well was readvertised following the last Commission meeting and the bids were to be received up to 5:00 P.M., on April 5th, and opened April 6th, at the Commission meeting. The City Manager pointed out that only one bid was received as of 5:00 P.M., on April 5th. The City Manager opened the bid submitted by King & Prince Seafood in the amount of \$4,000.00 made payable to the City of Brunswick. The bid met all conditions.

Mayor Wilson questioned the last bid that was received. The City Manager explained that the last bid submitted by King & Prince was also \$4,000.00.

Commissioner Lawrence expressed his concern about accepting the only bid. He asked the City Attorney if there would be any repercussion from accepting the bid according to the law.

The City Attorney explained that there was an error in the previous advertisement and he contacted Attorney Gilbert who represents King and Prince Seafood and the other party about readvertising the shipyard well.

Commissioner Darrisaw moved and Commissioner Lawrence seconded the motion to accept the bid in the amount of \$4,000.00 from King & Prince Seafood for the Shipyard well. The motion passed unanimously.

**ALCOHOLIC BEVERAGE LICENSE**

The City Manager stated that Rydell Thomas submitted an application with a diagram attached showing the location of the building and the property line of the real property. The diagram also showed that there was not any church buildings or school buildings in the area. The City Manager stated that the application was completed and approved by the Chief of Police.

Commissioner MacLeod stated that he would vote against the license. Commissioner MacLeod questioned whether the neighbors have been notified about the alcoholic beverage license. He suggested that the Commission take time to consider it before granting a license.

The City Manager stated that there are no provisions in the ordinance to advertise an alcoholic beverage license for a lounge.

Commissioner Lawrence stated that the business has been approved before and the owner chose not to get a license. Commissioner Lawrence stated that Mr. Thomas knows about the widening of L Street and he wants to open his business. He further stated that he did not see why Mr. Thomas should not be granted a license.

Commissioner Lawrence moved and Commissioner Darrisaw seconded the motion to that petition of Rydell Thomas for an alcoholic beverage license for consumption on premises at the Two Spot, 1807 L Street be granted. On call of the question a show of hands was taken resulting in a vote of 4 to 1. Commissioner MacLeod voting No.

### **CEMETERY DEEDS**

Petition received to transfer Plots C and D of Lot No. 35, Section No. 46 in Greenwood Cemetery from Maney Twyne to Phorestine R. Appling. Original deed surrendered. Petition received from Emory Pickren to North 1/2 feet of Lot No. 15, Section No. B-9 in Palmetto Cemetery in lieu of original deed which has been lost misplaced or destroyed, but city records verify ownership. On motion of Commissioner Darrisaw and seconded by Commissioner Davis the petitions were unanimously granted.

### **QUIT CLAIM DEED**

Petition received from Attorney James Benefield, for quit claim deed in favor of his client Mrs. Vivian Moore to Dixville East of Cochran between George and London Lot No. 3, South 1/3 of Lot No. 4 and North 1/3, Town Commons Cochran and Stonewall Lot No. 3, North 2/3 of E-1/2, Lot No. 5, North 40 feet of South 2/3 of E-1/2.

On motion of Commissioner Darrisaw Seconded by Commissioner Davis, the Mayor was unanimously authorized to execute quit claim deed.

### **MONTHLY REPORTS**

The following reports for the month of February were received and filed as information: (1) General Fund (2) Water and Wastewater (3) Community Development (4) Metro Squad and (5) Record's Court. On motion of Commissioner Lawrence seconded by Commissioner Darrisaw the reports were unanimously approved.

### **BIDS**

The following bids were received on demolition of 1004 Amherst Street and 1309 London Street for Community Development Rehab:

	Contractor	1004 Amherst St.
		1309 London St.
J&R Construction	\$1,250.00	\$1,200.00
Charlie T's	\$1,200.00	\$1,200.00
Southern Resources	\$1,625.00	\$1,475.00
Wilson Masonry	\$2,300.00	\$2,300.00
Diversified	\$2,000.00	\$2,000.00

Maintenance

Commissioner Darrisaw moved and Commissioner Lawrence seconded the motion to accept the low bid of Charlie T's in the amount of \$1,200.00. The Motion passed unanimously.

## **BID**

The Data Processing Director Submitted bid for a 12 to 24MB Memory Upgrade and an Expansion Cabinet and two 560MB Inbuilt Disk to Upgrade Computer Main frame in the amount of \$7,385.00. The Data Processing Director recommended that the low bid of User Connection, Inc. be accepted to upgrade computer Main frame. Commissioner Lawrence moved and Commissioner Darrisaw seconded the motion to accept the bid of The User Connection, Inc. in the amount of \$7,385.00. The motion passed unanimously.

## **AMENDMENT TO UNFIT BUILDING ORDINANCE**

The City Attorney stated that a brief memo was given to the Commission explaining the reason for adopting the two minor changes in the Unfit Building Ordinance. He stated that there has been a couple of buildings that came to the attention of the Commission and not to the attention of the Advisory Board, therefore the City could not proceed under the ordinance as it exist at the present. The other change relates to the codification. Section II does not change anything except that it would make it easier for the City to handle the codification and bring it up to date.

Mayor Wilson asked if it would enable the City to move more rapidly without having to go through an existing board. The City Attorney stated that it would and there have been one vacancy over the past few months and no one interested in filling the vacancy.

Commissioner MacLeod stated that he had no objections to the Ordinance but one of the problems he noticed is that the City is not addressing the problem because the ordinance still deals with demolition or nothing.

Commissioner MacLeod expressed his concern about demolishing an unsightly building and having to contend with an unsightly lot. Commissioner MacLeod suggested that the City work up some sort of system of fines to get citizens attention to make them clean up. Commissioner MacLeod stated that the laws seem to focus on demolition and does not have sufficient fines that might motivate people without having to go to court and run the risk of demolition. Commissioner MacLeod stated that he would like the matter investigated to find out if the city could work out some system of fines that applies to unsightly houses are torn down and the City then have the problem of an unsightly lot and this does not add to the beautification of Brunswick. He stated that the City have to search for some answer to get the citizens attention and levy fines.

Commissioner Darrisaw stated that he agreed with Commissioner MacLeod. Commissioner Darrisaw asked the City Attorney whether the City already had a law in place which allows the City to clean a lot and bill the owner if they do not clean the lot.

The City Attorney stated that an Ordinance was adopted several months ago that provided for cleaning up trash and debris under some circumstances and the City Manager could authorize the removal of some things from private property. The City's Inspector would visit lots or respond to complaints about over grown lots and contact the owner and give them 10 days to clean up the lot. After ten days if the lot is not cleaned the City would go in and clean the lot and bill the owner for that service.

Commissioner Darrisaw asked Commissioner MacLeod if that would address what he said about cleaning up unsightly lots.

Commissioner MacLeod stated that the City should fine citizens for unsightly lots in the City.

Commissioner MacLeod further stated that the laws are not being enforced and the City should follow guidelines to have lots cleaned instead of threatening to demolish their property. Commissioner MacLeod pointed out that there are houses with old tires in them breeding mosquitoes and the City is not enforcing the law.

Commissioner Lawrence stated that he has seen the City exercise the law in dealing with the Patterson property. The owner was mailed a notice to clean up his lot. After the owner received several notices up to a certain point the City went through the proper procedures and demolished the house and cleaned the lot. Commissioner Lawrence recommended that the City enforce the law more.

The City Manager stated that the City does not have a system that authorizes him to fine a citizen because a house is unsafe or unsanitary. There is only a provision to take a citizen to court and request that they repair their house.

Mayor Wilson suggested that the City Attorney fine tune the ordinance by finding some way to enhance the City's position in enforcing citizens to clean their lots. Mayor Wilson asked the City Attorney to come up with a policy to move in an expeditious manner that could also be binding.

Commissioner Lawrence stated that the City should not get in the habit of fining citizens who have lost their jobs and cannot afford to repair their houses. "The City should not get in the habit of taking citizens houses." Commissioner Lawrence asked the City Attorney to take that matter into consideration.

On motion of Commissioner MacLeod seconded by Commissioner Lawrence the following Ordinance was unanimously adopted:

AN ORDINANCE TO AMEND ARTICLE IV OF CHAPTER 12 THE CODE OF THE CITY OF BRUNSWICK, PERTAINING TO UNFIT BUILDINGS; PARTICULARLY TO AMEND SECTION 12-118 THEREOF PROVIDING FOR COMMENCEMENT OF LEGAL PROCEEDINGS AND SECTION 12-120 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 HEREBY ORDAINS:

SECTION 1. Article IV of Chapter 12 of the Code of the

City of Brunswick is hereby amended by striking Section 12-118 in its entirety and by substituting the following in

lieu thereof:

**"Sec. 12-118. Legal proceedings; order for hearing.**

"Legal proceeding against a building or premises may be commenced pursuant to this article, in the discretion of the inspector, by filing a petition to abate the nuisance in the municipal court, setting forth a legal description of the property in issue, enumerating the defects or conditions complained of, identifying the owner and parties in interest, if known, and specifying the appropriate means of service. Upon the filing of a petition in the municipal court, the judge shall issue an order setting the petition down for a hearing within not less than ten (10) days nor more than thirty (30) days to determine whether

the building or premises described in the petition is a public nuisance."

SECTION 2. Article IV of Chapter 12 of the Code of the

City of Brunswick is hereby further amended by striking Section 12-120 in its entirety and by substituting in lieu

thereof the following:

"Sec. 12-120. Service of petition and order for hearing.

"The petition and order pursuant to this article shall be served upon each person in possession of the property in issue, each owner and each party in interest. The persons shall be served personally if they reside within the city, they shall be served by publishing a copy of the order, addressed to them, in the newspaper having general circulation in the county, 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 addresses, as shown by the tax records of the city, at least fifteen (15) days prior to such hearing, by registered or certified mail."

Section 3. This ordinance shall be in full force and effect from and after the date of its adoption.

### **CONSULTING SERVICES**

Dan Altobelli representing Moreland Altobelli and Associates appeared before the Commission to request that the City enter into a no cost contract with Moreland Altobelli and Associates to place their firm on call for engineering services. Mr. Altobelli stated that the contract would allow the City to place the engineering firm on hold like an on call engineering service. The Commission would determine whether the contract would be activated whenever the City has an engineering problem. Mr. Altobelli stated that the contract would expedite the process which usually takes about sixty days for the City to activate someone to do the work. The contract would spell out how the engineering firm gets paid, what they get paid and when they get paid. Mr. Altobelli requested that the City enter into a standard contract.

Commissioner Darrisaw stated that he would like to see everything spelled out in the contract.

Commissioner Lawrence moved and Commissioner Darrisaw seconded the motion to take the matter under advisement. The motion passed unanimously.

### **OTHER CITY BUSINESS**

The City Manager stated that Commissioner MacLeod asked that the matter of unlocking car doors be placed on the agenda. The City Manager stated that the policy of the City for several years is that the Police Department will unlock car doors if there is a car running or if a child is in a car or some other emergency. The policy was changed some years ago because of the potential for damaging locks in the attempt to unlock cars.

The City Manager stated that the Glynn County Police Department has carried on a policy that would unlock cars in certain circumstances if your keys were locked in the car.

Commissioner MacLeod stated that the Glynn County Police Department will unlock the doors of a vehicle and they do not make persons sign any statement freeing them from any damage that may occur. Commissioner MacLeod further stated that the City Police Department will give people a company's name that will unlock the car for a

\$25.00 charge. Commissioner MacLeod mentioned that he called Statesboro and talked with the Council and City Manager about the policy they use. He found out that Police Officers carry statements that have to be signed by the owner of the car to free the Police Officer of liability from any damage caused to their car. Commissioner MacLeod suggested that citizens receive the service free. He recommended that the Police charge \$5.00 to discourage people from doing it continuously. Commissioner MacLeod stated that the Commission's job is to serve the people.

Major Cowan, Acting Police Chief stated that Police Officers should be trained to use the slim jim. The Chief stated that he had concerns about liability and cars being damaged.

The City Manager suggested that a fee be put in place for unlocking the doors and Police Officers would be issued an envelope to give to citizens to mail in the fee.

Commissioner MacLeod moved and Commissioner Lawrence seconded the motion authorizing the Acting Police Chief to put a policy in place after all the mechanics has been worked out.

The motion passed unanimously.

Bill Cullen representing Coastal Bank appeared before the Commission to request that the City use recaptured funds in the amount of \$213,750.00 to assist in the total renovation of Jered Brown Brothers Office Complex (Liberty Building). These funds are from loans made to local Industries from Urban Action Development Grant funds that are paid back to the City. Commissioner Lawrence stated that the Director of Community Development should be present and suggested that in the future the Director be present at the meetings concerning that Department.

Commissioner Darrisaw moved and Commissioner Lawrence seconded the motion granting the recaptured funds in the amount of \$213,750.00 to assist with renovating the Liberty Building. The motion passed unanimously.

A representative from the Coca Cola Company was present to discuss where the Farmer's Market would be located this year. The City Manager stated that construction would be going on at the old Farmer's Market site and the City is looking for a temporary site which is Queen's Square. He further stated citizens was concerned about the trucks coming in the area. Commissioner Darrisaw stated he was concerned with big trucks coming in the area and the danger it would cause to children. Commissioner Darrisaw stated that Old City Hall did not meet the American Disabilities Act regulations.

Commissioner Darrisaw stated that he would like for Mr. Reeves from the Coca Cola Company to speak to the Commission. The City Manager stated that the rest rooms at City Hall did meet ADA requirements.

Randy Johnson representing the Coca Cola Company stated that the Company did not oppose placing the Farmer's Market on Richmond Street. He suggested that the City put yellow curbing on Richmond Street to prevent parking.

## **EXECUTIVE SESSION**

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

Mayor Wilson left the meeting and Mayor Pro-Tem Darrisaw presided.

The City Manager requested that the Commission select a member to serve on the Special Purpose Local Option Sales Tax Committee. Commissioner MacLeod recommended that the upcoming appointments to the SPLOST Committee be advertised.

The City Manager reported that he received calls about payments that was made by check to

the Business License Department. He stated that those problems have been taken care of and a policy is in place that all monies collected should be deposited in one week.

Commissioner Lawrence stated that he would like the Commission to interview each candidate for Police Chief before the City Manager makes his recommendation.

The City Manager reported that the Georgia Municipal Association requested that the City submit names of Elected City Officials and appointed City Officials who now participate or would like to participate in the GMA Policy Process for 94-95. The City Clerk asked to continue serve on the Municipal Government Policy Committee. This met the consensus of the Commission. Commissioner Lawrence informed the City Clerk that she must notify the Commission two weeks in advance before attending a policy committee meeting.

**MEETING ADJOURNED**

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Mayor

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