

**OFFICIAL MINUTES
COMMISSION MEETING OF THE CITY OF BRUNSWICK, GEORGIA
REGULAR MEETING
7:00 P. M., July 20, 1994**

PRESENT: His Honor Mayor Homer L. Wilson, Commissioners Roosevelt Lawrence,
Doris A. Davis, Dr. James
MacLeod and Ken Plyman.

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

APPROVAL OF MINUTES

Commissioner Lawrence moved and Commissioner Plyman seconded the motion to approve the minutes of the meeting of July 6, 1994. The motion passed unanimously.

PUBLIC HEARING

This being the date, time and place for public hearing on proposal to rezone Lot No. 2, Block O in Goodyear Park from R-9, Single Family Residential District to OC Office Commercial District. The City Manager stated that Mr. Davenport was present to answer questions about the rezoning. Mr. Davenport stated that the property would be utilized as a nursing administrative office for Coastal Nurse Care. Mr. Davenport stated that the nursing office would be used for administrative purposes and would not generate patient traffic. Mr. Davenport stated that nearby and adjacent properties are used as a hearing aid center, a drug store and a pharmacy. He pointed out that Health Care has grown and Coastal Nurse Care needs the space and offered to provide service to the neighborhood.

Commissioner Plyman stated that the only problem he perceived was from the spot-zoning he went through with a Doctor's office last year in his neighborhood. Commissioner Plyman stated that the City of Brunswick enjoys little middle income housing and to keep whittling away at it will result in no place to go, the matter should be left alone. He further stated that the City is running out of good neighborhoods and middle income housing.

Commissioner MacLeod stated that the County has considered the location of an Office Commercial District within an existing residential district as spot-zoning. Commissioner MacLeod asked Mr. Davenport has he considered other homes in the area that could be used as an administrative office.

Commissioner MacLeod asked if there were any residents from the area who would like to speak on the proposed rezoning. There was no one who spoke for or against the rezoning.

Mr. Davenport explained that it was impossible to find property that could be purchased in that area, because houses in that area were not for sale.

Commissioner Lawrence stated that he has always echoed the sentiments of spot-zoning and he felt it would be bad for the community especially in that area.

Mr. Davenport stated that he understood about the loss of residential housing, but there are other areas in the City for residential houses. He pointed out that the medical community was centered in one area and there was a reason for that. He explained that it was a convenient and cost cutting measure for the staff to quickly go to the hospital to see a patient, this cut down on travel

time and also cut down on the cost of health care, which is a significant matter in this country.

Mayor Wilson stated that he has opposed spot-zoning since he was on the Commission and has long said that this Commission should not encroach upon families who bought homes and intended to live in them there all their lives. Mayor Wilson stated that he certainly could see Mr. Davenport's point and how it would be beneficial and certainly convenient for those who work in that particular field. Mayor Wilson stated that he felt that if residents were there first and did not want it, in good conscious he could not support it. He stated that he had no reservations otherwise, but it had to be something of mutual agreement by the residents. Mayor Wilson recalled the doctor offices that were located downtown for many years who operated without pagers and very few had radios in their automobiles and they seemed to serve citizens very well. He further stated that he found it difficult to ask citizens to give up their homes in order that a doctor or any group could have it.

Mr. Davenport stressed that he understood Mayor Wilson feelings and pointed out that there were no objections at the second hearing, signs have been posted in front of the house advertising the public hearing and no one has objected in the City of Brunswick. Residents have been given ample opportunity and letters were mailed to residents in the area to let them know what was being done.

Commissioner MacLeod stated that although there was no objection there was no one to voice approval from the neighborhood. He could not necessarily say that the lack of disagreement was approval and silence does not mean consent. Commissioner MacLeod asked if there were anyone else that wanted to speak on the proposed rezoning to voice their opinion before the Commission voted.

Commissioner Lawrence stated that if the zoning happens this would automatically set a precedent all over the City and the next thing that could happen it could spring up in his community or someone else.

On call for the question the motion failed by vote of 0 to 5.

APPOINTMENT TO HOUSING AUTHORITY

Mayor Wilson requested that the appointment to the Housing Authority be deferred.

BIDS

The following bids were submitted for Chlorine and HFS Acid for the Water and Wastewater Department.

Vendor		Bid			
Apperson Chemicals	150 lb cyl.	<u>.45</u>	54,000.00	Jacksonville, FL	1 ton cyl. <u>.30</u>
	30,000.00				
	HFS cyl.	<u>.15.5</u>	2,402.50		
	Annually		82,406.00		
Jones Chemicals	150 lb. cyl.	<u>.30</u>	36,000.00	Jacksonville, FL	1 ton cyl. <u>.20</u>
	20,000.00				
	HFS cyl.	<u>.11</u>	1,705.00		
	Annually		57,705.00		

Commissioner Lawrence moved and Commissioner MacLeod seconded the motion to accept the low bid of Jones Chemicals in the amount of \$57,705.00. The motion passed unanimously.

DELEGATIONS

Gary Cook appeared before the Commission to request \$1,000.00 to fund the Super One Training Program on Alcohol and Drugs.

Mr. Cook stated that a one day ten hour substance use prevention education training class could be taught in Brunswick by the Metropolitan Council on Alcohol and Drugs for the fee of \$2,000.00. Mr. Cook stated that he was also requesting funding of \$1,000.00 from the County. Mr. Cook stated that the schools in Atlanta adopted the program also the Juvenile Court system. Mr. Cook further stated that he spoke with the Juvenile Court Judge and was told that he would be glad to use the program in Brunswick.

Commissioner Lawrence questioned the amount for the training and the number of days it would take for the training, and its success rate.

Mr. Cook stated that he took the class in Atlanta and the program would cost \$2,000.00 and it would be a one day session. Mr. Cook stated that the program was adopted by the school system in Metropolitan Atlanta because it was a success.

Commissioner Plyman asked if the Board of Education contributed to the cost of the program. Mr. Cook explained that the program was not a part of the school system, but it could be used as a training tool to help the parents and child.

Commissioner MacLeod stated that he had no problem with the program, but was concerned about how the program would work and the amount of funding. Commissioner MacLeod stated that he taught school for thirty years and the schools can not do it all.

The City Manager stated that the City would begin the budget process and the request could be considered as a part of that budget process.

Mayor Wilson thanked Mr. Cook and stated that the request of \$1,000.00 would be discussed during the budget hearings.

Attorney Doug Alexander representing Habitat for Humanity appeared before the Commission to submit the site plans for seven houses that would be constructed on property that was purchased from the City on Bay Street. Attorney Alexander asked the Commission to approve the plat map showing the seven lots. Attorney Alexander stated that Habitat has complied to all provisions set forth in the Zoning Ordinance.

Commissioner Lawrence stated that when the property was purchased by Habitat, the Commission voted to place six houses on that property.

The City Manager read the minutes of the meeting of January 19, 1994 accepting the bid from Habitat and approving the construction of six houses on the property.

Commissioner MacLeod stated that he would like to see the six houses that were approved constructed on the property, pointing out that the City did not agree to seven houses.

Commissioner Davis stated that she understood that six houses would be placed on the lot. She stated that seven houses would be too congested.

Commissioner Plyman questioned the easements between the houses. Attorney Alexander stated that the Habitat project Manager was present to answer all questions. Attorney Alexander pointed out that he understood that the plat with the subdivided lots he submitted complied with the City's Building Code.

The Habitat Project Manager stated that the plat shows the front, side and rear setbacks of each lot. He further stated that the lot size met all the minimum square footage requirements set forth by the City Building Code regulations that pertain to square footage to build a house.

Mayor Wilson stated that Habitat appears to have met all specifications for the Building Code. He further stated that Commissioner Lawrence did make a motion that was seconded and passed.

Commissioner MacLeod stated that the City gave the property to Habitat and the City has the right to make the property as desirable as possible.

Commissioner MacLeod moved and Commissioner Lawrence seconded the motion to approve the plat with the six subdivided lots.

Attorney Alexander stated that the property was purchased from the City for \$4,000.00. He stated that Habitat was trying to build some decent affordable housing that is needed in the City. He stated that he was given an opportunity to bring back plans for seven houses.

Commissioner Lawrence asked the price of the habitat houses. The price was quoted as being between \$30,000 and 35,000 which was interest free.

On call for the question the motion passed by vote of 4 to 1. Commissioner Plyman voting No.

The City Manager was authorized to approve the plat with the six lots for Habitat.

Attorney Alexander next requested to purchase the tax deed that the City has acquired through tax sales.

The City Attorney stated that he was processing the property along with other lots in the City.

TITLE III CONTRACT

The Director of Community Development submitted the contract for Title III Services between Coastal Georgia Regional Development Center and the City of Brunswick for a period of one year, July 1, 1994 thru June 30, 1995 in the amount of \$90,974.00. Commissioner MacLeod moved and Commissioner Davis seconded the motion to accept the contract. The motion passed unanimously.

MONTHLY REPORTS

The following reports for the month of June, 1994 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 Davis moved and Commissioner Lawrence seconded the motion to accept the monthly reports. The motion passed unanimously.

CEMETERY DEED

On motion of Commissioner Lawrence and seconded by Commissioner MacLeod, the following petitions were unanimously granted:

1. Petition received to transfer Southend of Lot No. 13, Section No. B-14 in Palmetto Cemetery fro Mrs. C. E.

Yeargin to Grace Dent. Original deed lost, but City records verify ownership.

2. Petition received to transfer Plot B of Lot No. 9, Section No. 3 in Palmetto Cemetery from Frances Long to Dorothy Wise. Petitioner to retain Plot A of Lot No. 9, Section No. 3. Original deed lost, but City records verify ownership.
3. Petition received to transfer N-20 ft. of Lot No. 13, Section No. B-14 in Palmetto Cemetery from Mrs. C. E. Yeargin to Emory Winn. Original deed lost, but City records verify ownership.
4. Petition received from Sandra B. Ward for deed to spaces 3, 4, 5 and 6 of Lot No. 4, Section No. 222 in Palmetto Cemetery in lieu of original deed which has been lost, misplaced or destroyed, but City records verify ownership.
5. Petition received from D. W. Byers for deed to spaces 1, 2, 3 and 4 of Lot No. 5, Section No. 222 in Palmetto Cemetery in lieu of original deed which has been lost, misplaced or destroyed, but City records verify ownership.

OTHER CITY BUSINESS

Willie Mae Lewis was present to discuss the collection of trash in her neighborhood. Mrs. Lewis stated that her trash has not been picked up by the City and that persons who worked with Commissioner Plyman picked up the trash. She stressed that Commissioner Plyman was doing a better job than the City was with the trash collections.

Mrs. Adams was present to discuss trash that have been picked up by the City in twenty weeks. Mrs. Adams stated that Commissioner Plyman picked up her trash. Mrs. Adams stated that she observed the trash truck passing her house and they never picked up the trash they just rearranged the trash pile in the alley. She stated that she complained to the City Manager and also to Public Works. Mrs. Adams stated that she was tired of calling the City and that she was desperate over the whole situation.

Mayor Wilson stated that he agreed that the City does have major problems with picking up trash and the City will try to correct the problem.

Commissioner Lawrence stated that sometime back the Commission discussed placing Public Works in zones.

The City Manager stated that the program have been implemented. Commissioner Lawrence stated that apparently the program was not working.

Commissioner Plyman suggested that work orders be assigned every morning by the Supervisors and inspected and checked off and reported to the City Manager. He stated that this would prevent workers from missing any areas, pointing out that the City was losing productivity.

Commissioner MacLeod recommended that the Commission hold a work session with the employees that are responsible for trash collection in the City to review their schedules.

The City Manager stated that the Commission would have an opportunity to meet with the Department Head during the budget session to discuss their concerns.

Commissioner Lawrence advised the City Manager to speak with the Public Works Director to find out about the trash problem and relay it to the Commission. Commissioner MacLeod stated that he would like to address the problem to the Public Works Director and not to someone in the middle.

BOONE PROPERTY

The City Manager stated that a work session was held last week to discuss the Boone Property on the corner of Gloucester and Albany Street. At the conclusion of the session he suggested that a meeting take place with Mr. Boone and persons working with him trying to resolve the issue and to bring back options to the Commission about how the situation may be handled.

The City Manager read a memo that was presented to the Commission recommending two options. The first option was to allow Mr. Boone an opportunity to secure funding to stabilize the building, and set a deadline by which the financing must be secured and by which construction on the support structure must begin. Also set a deadline for work on the renovation of the building. Failure to meet any of these deadlines would result in the City issuing an immediate contract for demolishing the building.

The second option was to issue a contract immediately to demolish the building, and placing a lien on property to recoup the cost.

Commissioner MacLeod reiterated that the building was a safety hazard and something needs to be done about it. He recommended the immediate demolition of the building as quick as possible.

Commissioner Lawrence asked if other options have been placed on any other property owner that had property similar to Mr. Boone. The City Manager stated that he did not know of any other buildings in the City. Commissioner Lawrence stated that he did think it was right for the Commission Board to make rules for Mr. Boone's property when certain things have been done in other areas and they made exceptions to the rule.

Mayor Wilson recalled the Hartridge property that had to be demolished because it caught on fire.

Commissioner Lawrence stated that the building should be saved based on what has been echoed in the past. He stated that this was not Mr. Boone's fight, the building is historical and history should be preserved.

Commissioner Plyman stated that he visited the building to make sure he was making the right decision. He noticed that the walls were not bonded and there were no ties to hold the building. Commissioner Plyman asked if Mr. Boone was allowed the time to reconstruct the building would there be any insurance or a bond to protect the property and hold the City harmless from any accidents.

The City Attorney stated that a surety bond could be purchased from an insurance company and the cost would be extremely high. Commissioner Plyman pointed out that the cost of a lawsuit would also be high. Commissioner Plyman stated that he spoke with the gentleman that lived in the house behind Mr. Boone's property and he found that the man slept on the other side of the house.

Mayor Wilson stated that he razed over one hundred structures in the City. He stated that he visited the building and he explained why the building fell. Mayor Wilson stated that he realized that the building was a hazard and the City has to do something to protect life, limb and property. He mentioned the first commercial building on Gloucester Street was built by a black man. He stated that the building would not be unsafe if it was shored up properly. He

asked when the building could be shored up and how quick it could be done to protect the general public.

Larry Evans was present and stated that Mr. and Mrs. Boone have been hard at work after the work session and have made progress with Albert Shelander and Coastal Bank to get funding to began shoring the building.

Mrs. Boone stated that she was a hard worker and did not want something for nothing. She stated that last week her husband and some other knowledgeable gentlemen worked together with Mr. Shelander and the Coastal Bank to come up with a plan and some financing that would make it possible for them to get the building secure within a reasonable time in the near future. The building would at least be safe and in the distant future it could once again serve the community in some viable capacity.

Mrs. Boone requested on behalf of her husband that the Commission please give them the opportunity to work to the best of their ability with the help that they receive to make certain that the building is safe in whatever the Commission considers a reasonable time.

Mayor Wilson asked Mrs. Boone the length of time they were requesting. Mrs. Boone stated that the persons that will be doing the work would have to give the time. She stated that she did not know anything about construction, but she did know that the work would be done as speedily as possible if the City would allow them that opportunity.

The City Manager stated that it would take two to three weeks for the financing and then the construction could begin to stabilize the building.

Rev. Zack Lyde stated that he realized that everyone was concerned about the safety of the Community and he thought that Commissioner Lawrence stated it well when he said it was way beyond the scope of Mr. Boone and the Commission. The reason for it is that there are a world full of people who want the building saved. Rev. Lyde stated that it was folks that want the building saved because it was a part of them, most of them had their dreams in the building, their whole future in that building because of the fact that someone built it was from their community and made them proud. He urged the Commission not to make hasty decisions, and asked them to do the right thing and find a way to repair the building.

Commissioner Lawrence expressed his feelings about the amount of time that was placed on Mr. Boone to complete the shoring of the building. He stated that he had a problem with requesting that the work be completed in fifteen days.

Commissioner Plyman explained to Commissioner Lawrence why he asked for a time limit on repairing the property.

James Myers stated that he owns property on the corner of F and Albany Street and he constructed a building there in 1990. He stated that Mr. Boone did try to get financing to restore his building. Mr. Myers stated that the building met a lot to him because his father had an office next to the building. Mr. Myers asked the Commission to give Mr. Boone an opportunity to secure financing.

Hattie Coleman stated that the building was sacred to her and to the community there has been a destruction of many things she considered as land marks and cornerstones in the black community. She stated that in the Historical Black Community many things have been destroyed and she asked that something be done to restore the building. Mrs. Coleman submitted copies of the Sea Gull magazine dated 1949 to show the many events that took place at the Sea Gull Hotel in Brunswick located on the corner of Albany and Gloucester Street in the same building.

Mayor Wilson went on record stating that it was not his desire to tear down the building. He stated that he would like to protect life, limb, and property, and also Mr. Boone.

Commissioner Plyman suggested that Mr. and Mrs. Boone check to see if it was financially feasible for them to obtain a surety bond or an insurance policy protecting the City against any person getting hurt at that site.

Mr. Boone stated that she would check on the insurance, but it would be cost prohibited and had no way for them to pay for the insurance. Mrs. Boone asked that they be allowed to move forward in a speedy manner to get the building secured.

County Commissioner Gladys Lyde was present and stated that she thought it was unreasonable for Commissioner Plyman to request that the Boone's secure a bond by tomorrow.

Commissioner Lawrence moved and Commissioner Davis seconded the motion giving Mr Boone an opportunity to find the financing that he need to secure the building until they find other financing to renovate the building.

Commissioner MacLeod stated that it was evident to him that Commissioner Lawrence's motion had no time limit. He stated that the City could be left with this problem indefinitely and the present danger still was there and the City would still have a safety hazard. Commissioner MacLeod went on record stating that he felt the building should be demolished.

Commissioner Plyman stated that he did not believe Mr. Boone should have the City liable for any accident that the City could eliminate. He stated that he sympathize with Mr. Boone about the accident and it was an act of God and it was something he could not foresee. Commissioner Plyman stated no matter how valuable that building was to the Community he treasured a human life over a brick any day of the week.

On call for the question the motion passed by vote of 3 to 2. Commissioner Plyman and Commissioner MacLeod voting No.

Gary Cook asked the Commission if they would consider his request. Commissioner Lawrence stated that the Commission would take it under advisement.

Allen Cox appeared before the Commission to discuss the Adult Dancing Ordinance that was adopted by the County Commission. He stated that the Ordinance prohibits adult dancing particular or total nudity from any establishment that makes more than twenty percent of its profits off of alcoholic beverage sales. Mr. Cox requested that the City consider adopting the same ordinance. He stated that he knew the adult dancing ordinance was not announced or placed on the agenda, but he thought it was urgent because an adult dancing club was trying to move into the City. Mr. Cox stated that the City already had one adult dancing establishment that could be grandfathered into the City. Mr. Cox stated that he would like to protect the Community from those kind of establishments. He explained that the City did not have an ordinance in place to keep this type of business from opening in the City and requested that the City declare a moratorium on placing adult clubs in the City, pending adoption of an adult dancing ordinance.

Commissioner MacLeod stated that he had not read the ordinance and could not vote on it. Commissioner Lawrence stated that he would like for the City Attorney to draw up an Ordinance and hold a public hearing. Mayor Wilson stated that he opposed nude dancing.

The City Attorney stated that a moratorium would not be necessary because the City does not specifically license any particular kind of entertainment.

Mr. Cox pointed out that businesses does not have to obtain a license to nude dance in the City.

The City Attorney stated that he could have an ordinance drawn up by the next meeting. The City Attorney explained that the moratorium had to be advertised before the City could

declare it, and an ordinance must be in place. The City Attorney stated that the City would not allow nude dancing.

Commissioner MacLeod advised Mr. Cox to submit material and information to the Commission and the City Attorney concerning the ordinance to study.

Commissioner Plyman mentioned that House Bill 516 was found to be discriminating to club owners and by the Glynn County Commission adopting the adult dancing Ordinance does not make it law.

The City Manager commended Commissioner Davis for being appointed as Second Vice President of the Georgia Municipal Association.

The City Manager recommended that the Commission make an appointment to the RDC Board to replace the late Commissioner Rev. G. E. Darrisaw. Commissioner Plyman moved and Commissioner Davis seconded the motion to appoint Commissioner Dr. James MacLeod to serve on the RDC Board.

The motion passed unanimously.

Commissioner Lawrence moved and Commissioner Davis seconded the motion authorizing the unexpired term of the late Rev. Mann on the Park and Tree Commission to be advertised. The motion passed unanimously.

The City Manager presented copies of the proposed Budget to the Commission for review.

The City Manager recommended that the City consider a Water and Sewer rate increase for the current bond issue, and seek proposals for a rate study.

Commissioner MacLeod brought up for discussion privation of trash pickup in the City. Mayor Wilson pointed out that many Municipalities have gone to privation. Commissioner MacLeod recommended the use of privation of trash in the City.

Commissioner Plyman requested that the City hire one person to help with his trash program in the City. Mayor Wilson stated that it was a personnel matter and it should be discussed. Mayor Wilson stated that if the City could get production in hiring more employees to help pick up trash it would be worth raising the millage rate.

EXECUTIVE SESSION

Commissioner MacLeod moved and Commissioner Plyman seconded the motion to hold an Executive session to discuss a Personnel Matter. The motion passed unanimously.

Following the Executive Session the meeting was adjourned.

MEETING ADJOURNED.

Mayor

Attest _____
City Clerk