

**OFFICIAL MINUTES
COMMISSION MEETING OF THE CITY OF BRUNSWICK, GEORGIA
REGULAR MEETING
7:00 P. M., March 15, 1995**

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

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

APPROVAL OF MINUTES:

Commissioner Davis moved and Commissioner Lawrence seconded the motion to approve the minutes of March 1, 1995. The motion passed unanimously.

RECOGNITION OF COACH THERESA ADAMS

Mayor Wilson presented a Resolution to Theresa Adams, Coach at Glynn Academy for winning the Region III, AAAA Championship advancing to the State Play-Off. Mrs. Adams received the Resolution with words of appreciation.

ALCOHOLIC BEVERAGE LICENSE

Petition received from Victoria, John and Henry Vara to retail liquors including beer and wine for consumption on premises at O'Henry's Saloon located at 211 Monck Street. The application was approved by the Chief of Police and City Manager. Commissioner Plyman moved and Commissioner Davis seconded the motion granting the petition. The motion passed unanimously.

PUBLIC HEARING

This being the date, time and place for Public Hearing on proposal to rezone Lots 26 thru 32 and 1/2 of Lot No. 33 Block D of Washington Heights and Lots 13 and 14 of Block D Washington Heights from GR General Residential to General Commercial.

Charles H. McMillan stated that he would construct a 6,000 square feet building housing sixteen Community Care Workers. Mr. McMillan stated that the new building would bring in more property taxes than the whole block, pointing out that the property has been vacant for years. Mr. McMillan submitted a copy of plans for the proposed building.

Commissioner Plyman asked the type of materials the building would be constructed with. Mr. McMillan stated that the building would be constructed with concrete block and tabbed to blend in with Altama Professional Building in Varsity Plaza.

Mayor Wilson asked if the proposed rezoning was advertised. The City Manager stated that it was advertised for a public hearing tonight and the second public hearing would be held at the next Commission meeting.

Commissioner Plyman asked how many cars would sixteen employees generate in one day. McMillan stated that the employees might generate very many cars, but additional parking is located across the street.

Commissioner Plyman asked whether the property was vacant and what was the closest residential house to the proposed the building.

Mr. McMillan stated that there were residents on both sides, six rental houses and six houses that are owned by the residents and ten vacant lots.

Betty Hillery, representing her mother, Mrs. Walker and Mr. Thompson and several other property owners in the block stated that a petition with thirty-one signatures were signed by property owners opposing the rezoning. Mrs. Hillery submitted a copy of the petition to the Commission. Mrs. Hillery stated that a property owner petitioned the City to get a commercial license to operate a business out of his home and he was denied a license and he was a resident of Washington Heights. Mrs. Hillery stated that she was inspired by all the people in the neighborhood who objected to having a commercial building placed in their neighborhood. Mr. Hillery pointed out that Washington Heights is an old established African-American neighborhood dating back three generations. Mrs. Hillery asked the Commission to consider voting against the rezoning and to please support the residents of Washington Heights. Mrs. Hillery thanked Commissioner Lyde for coming to the meeting to support the residents.

Mayor Wilson stated that the Commission would not make a decision at this meeting.

Mrs. Hillery asked if it was necessary for all of the residents to come back to the second meeting. Mayor Wilson stated that he did not think it was necessary. Mrs. Hillery stated that she could attend the next meeting on behalf of the residents of Washington Heights.

Commissioner Plyman stated that the property would be used as Medical and the property should have been petitioned as Medical instead of General Commercial.

Mr. McMillan stated that the rezoning could be qualified as General Commercial according to the County Zoning Board. Commissioner Plyman stated that Limited Medical means a business could be placed on the property in the Medical Field and there is a big difference between Limited Medical and General Commercial.

Mrs. Hillery pointed out that the Baker Brothers moved out of their building and she questioned why Mr. McMillan could not utilize that building.

The City Manager stated that the Glynn County Planning Staff recommended that the proposed Zoning be denied.

Sammy Thompson stated that he purchased property next to Mr. McMillan's property. Mr. Thompson stated that the elderly property owners did not know what was about to take place, they thought the property was for sale. Mr. Thompson stated that he objects to the rezoning because it is a residential area and it should remain residential. Mr. Thompson stated that the Commercial Building would cause traffic congestion in the neighborhood.

Commissioner Plyman stated that the commission takes a serious attitude when the Glynn County Planning and Zoning Staff recommends that a rezoning be denied.

Commissioner Plyman stated that he would take a look at the property to see if there is any obstruction to the neighborhood before he entertain a vote.

Mr. Sims stated that he lived in Washington Heights for eleven years and objected to placing a commercial building in the neighborhood. He pointed out that the empty buildings should be utilized and it would increase tax revenues for the City.

Mayor Wilson stated that the Commission would not make a decision tonight. The Commission would certainly take under consideration the statements that was made and make a decision at the next Commission meeting.

Mayor Wilson thanked the citizens for attending the Public Hearing.

This being the date, time and place for Public Hearing on proposal to rezone Lot No. 1 of Suburban Estates from R-9 One Family Residential District to GC General Commercial District.

The City Manager stated that the property would be rezoned to construct a Dentist Office on the vacant lot. The City Manager stated that the Glynn County Planning and Zoning Staff recommended approval of the Zoning request.

Commissioner Plyman pointed out that the rezoning was General Commercial instead of Limited Medical. Commissioner Plyman stated that a Dentist Office was in the Medical Field and it should be rezoned Limited Medical.

The City Manager stated that General Commercial rezoning would make it compatible with the Zoning of the property adjacent to that property which is the old Pontiac dealership.

Kelly Knox stated that she lives in Suburban Estates and a lot of people could not be present tonight at the Public Hearing. Mrs. Knox stated that she did not know how the Community feels about the proposed rezoning. She stated that the property owners in Suburban Estates was not sure about the rezoning and if the property owners knew that a Dentist Office was being constructed on the vacant lot they would not object to it being placed in the neighborhood. Mrs. Knox stated that the property owners would feel comfortable with the lot zoned as Limited Medical. Mrs. Knox mentioned the congestion from the Jehovah Witness Church was not as bad as they thought it would be.

Commissioner Plyman asked the City Manager if the zoning request could be changed by the Glynn County Planning and Zoning Staff. Commissioner Plyman stated that if there were no objections by the property owners and Dr. Alan Hampton he would like to see the application for the rezoning changed to Limited Medical. Commissioner Plyman stated that he felt the rezoning would fall under medical and not General Commercial.

The City Attorney stated that the zoning request could be changed to a slightly more restrictive zoning without sending it back to the Glynn Planning and Zoning Staff.

Mayor Wilson stated that the City would make a decision at the next Commission meeting.

Dr. Alan Hampton stated that he did not object to the City restricting the zoning to Limited Medical.

Commissioner Plyman stated that the Limited Medical Zoning would be a protective measure to the people in the Community. Commissioner Plyman pointed out that he had no objections to a Dentist Office, but in case in the future the owner changed his mind and sold the property to someone else any commercial business could be placed in the neighborhood.

Dr. Alan Hampton stated that his intentions is to build a Dentist Office and hoped the office would be there for many years to come or pass it on to another Dentist.

Mayor Wilson stated that he was delighted citizens attended the Public Hearing and made their position clear. Mayor Wilson stated that the Commission would make a decision at the next meeting.

ADOPTION OF ORDINANCE PROVIDING FOR A REFERENDUM

Commissioner Plyman moved and Commissioner MacLeod seconded the motion adopting the following Ordinance. The motion passed by vote of 4 to 1, Mayor Wilson voting No.

AN ORDINANCE TO PROVIDE FOR A REFERENDUM

ELECTION , PURSUANT TO OFFICIAL CODE OF GEORGIA ANNOTATED 3-3-7(j), TO DETERMINE WHETHER THE GOVERNING AUTHORITY OF THE CITY OF BRUNSWICK SHALL BE AUTHORIZED TO PERMIT AND REGULATE SUNDAY SALES OF DISTILLED SPIRITS OR ALCOHOLIC BEVERAGES FOR BEVERAGE PURPOSES BY THE DRINK; TO AMEND BRUNSWICK CODE 3-7, CONCERNING THE HOURS OF SALE OF ALCOHOLIC BEVERAGES, CONDITIONED UPON APPROVAL IN SUCH REFERENDUM; 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 City of Brunswick shall hold a referendum election on the third Tuesday in June, 1995, pursuant to Official Code of Georgia Annotated 3-3-7(j) to determine whether the governing authority of the City shall be authorized to permit and regulate Sunday sales of distilled spirits or alcoholic beverages for beverage purposes by the drink.

SECTION 2. In the event that such Sunday sales are approved in said referendum election, Brunswick Code shall thereupon be amended, ipso facto so that the said section shall provide as follows:

"Sec. 3-7. Hours of sale

"The following hours of sale are hereby established for the sale of alcoholic beverages and wine:

"(1) Retail package licenses shall not sell distilled spirits at any time on Sundays or any other day between the hours of 11:45 p. m. and 8:00 a. m.

"(2) Retail package licensees shall not sell wine or malt beverages on Sundays or any other day between the hours of 11:45 p. m. and 8:00 a. m.

"(3) Alcoholic beverages shall not be sold on Sundays for consumption on the premises except as set forth in subsection (4) of this section. Alcoholic beverages shall not be sold for consumption on premises on any other day of the week between the hours of 2:00 a. m. and 8:00 a. m.

"(4) Alcoholic beverages may be sold for consumption on the premises on Sundays until 2:00 a. m. Alcoholic beverages may be sold for consumption on the premises on Sundays from 12:30 p. m. until 12:00 midnight in any licensed establishment which derives at least 50 percent of its total annual gross sales from the sale of prepared meals or food in all of the combined retail outlets of the individual establishment where food is served and in any licensed establishment which derives at least 50 percent of its total annual gross income from the rental of rooms for overnight lodging.

"(5) Alcoholic beverages may be sold on a primary or election day either by the package or for consumption on the premises; provided, however, that no sale shall take place within two hundred fifty (250) feet of any polling place or of the outer edge of any building within which such polling place is established on primary or election days."

SECTION 3. For the purpose of calling the referendum

election provided for hereinabove, this ordinance shall become effective as of the date of adoption; provided, however, that the amendment of Brunswick Code 3-7 set forth hereinabove shall become effective as of the date of the official certification of the result of said referendum election if more than one-half of the votes cast on the question are for approval of Sunday sales. If fewer than one-half of the votes cast on the question are for approval of such Sunday sales, then this ordinance shall be null and void.

TRASH ON MARTIN LUTHER KING BOULEVARD

The City Manager stated that the Delegation was not present to discuss trash on Martin Luther King Boulevard.

Commissioner Lawrence asked the City Manager if he knew what the trash complaints were about in the 2000 block and 2100 Block of Martin Luther King Boulevard.

The City Manager stated that Mrs. Mobley took the call from the Delegation and she indicated that the primary concern was people not the residents in the area placing trash in the median on Martin Luther King Boulevard. The City Manager stated that he suggested possibly that the City contact the residents and businesses along MLK Boulevard and ask them to place trash on their side of the street rather than placing trash in the median, that was their main concern.

Commissioner MacLeod asked if there was any sign or anything forbidding people from placing trash in the median. Commissioner MacLeod stated that the City should consider placing a specific sign in the median saying No Littering or No Dumping.

Commissioner Plyman stated that he would like to see the City adopt the Governor's Bill fining \$1,000.00 for littering in the State of Georgia. Commissioner Plyman stated that the littering fine went from \$300.00 to \$1,000.00, and the City should post signs warning people in the City about the \$1,000.00 fine for littering in the City of Brunswick.

Mayor Wilson stated that he knew exactly what Commissioner Plyman was saying and pointed out that the City should wait to see the results of the Governor's Bill and monitor the collection process.

Mayor Wilson asked the City Manager to look into the trash problems since he was familiar with the problems. Mayor Wilson stated that Commissioner MacLeod did point out the need to apprise people of placing trash on their side of the street instead of placing it on the median or on their neighbors side of the street.

TRANSPORTATION PLANNING COMMITTEE UPDATE

Jennifer Detloff appeared before the Commission to discuss and submit a copy of the Brunswick Area Transportation Study. Ms. Detloff stated that the Long Range Transportation Plan has just been completed by the Glynn County Zoning and Planning Committee in December. The County was mandated by the Intermodal Surface Transportation Efficiency Act to complete the document. Ms. Detloff stated that the long range comprehensive transportation plan includes all the transportation projects being studied or completed in Glynn County.

Mayor Wilson stated that it would take some time for the Commission to study what the Planning Department has put together. Mayor Wilson stated that it would be in the City's best interest to study the documents before a decision was made. Ms. Detloff stated that the transportation study was purely for information.

FORGIVENESS OF SECOND MORTGAGE DEBT

The Director of Community Development stated that loans were made to twenty five families, who purchased homes with the assistance of Urban Development Action Grant Funds and he requested that the loans be forgiven for the reason that families have lived in their homes for ten years and the next four years at different intervals all of these families will reach the final ten years.

The Director of Community Development gave back ground information on the Urban Development Action Grant that assisted persons with an up-front second mortgage. The grant amount the City received was \$405,000 and all the funds with the exception of \$20,000 was used to assist Home Buyers in Urbana Oaks. The remaining \$20,000 was used for administration purposes. The project concluded in 1987 with twenty five single family and town homes constructed in the 1800 block of Lee, Johnston and Bartow Streets.

The Director of Community Development pointed out that the program was a great success because families purchased property in the City and increased the population. The Second Mortgage up-front program was discussed at public hearings and HUD agreed to forgive the loans for a certain length of time. Persons who signed up for the program was told that the loan would be forgiven at the end of ten years providing that all payments were current. The Director of Community Development requested that the City amend the Grant Agreement to reflect that the balance on the second mortgage be forgiven as submitted in the approved application.

The City Manager pointed out that the program was designed to get people to stay in the City of Brunswick.

Commissioner MacLeod stated that a letter of congratulations should be given to property owners along with their forgiveness debt.

Mayor Wilson questioned the amount of money the property owners paid back on the second mortgage to the City of Brunswick.

The Director of Community Development stated that he did not have the total amount and pointed out that the money was granted to the City by an Urban Development Action Grant.

Mayor Wilson stated that he would like for the City Manager to calculate the amount of property taxes paid to the City by the twenty five property owners.

Commissioner MacLeod stated that persons have brought property in the City and established credit. He pointed out that the program was good.

Commissioner Lawrence moved and Commissioner MacLeod seconded the motion granting forgiveness to the property owners that received up-front loans and lived in their homes for ten years, providing that they are current with their loan payments. The motion passed unanimously.

CALSILITE LOAN REQUEST

The City Manager stated that Calsilite requested a deferment in payments. Calsilite stated that the company would pay the first three years principal on the loan in the amount of \$82,632.94 in exchange for a deferred interest payment on the present loan for three years. The deferment would allow Calsilite to purchase ten adjacent lots.

Commissioner Lawrence questioned how long Calsilite has been in business and how many loan payments were made by the Company to the City of Brunswick.

Mr. Gardin, representing Calsilite stated that the company have been in business since the mid 1970's. The City Manager stated that Calsilite received a loan from the City in 1988 and was granted a five year deferment.

The Director of Community Development explained the number of payments received from Calsilite and the deferrals.

Mr. Gardin explained that the first owners of Calsilite was on the verge of Bankruptcy and after he purchased the business he fulfilled his promise and added 30% more employees to the company and Calsilite continued to grow and provide jobs.

Commissioner Plyman stated that he opposed the deferment loan because the loan was deferred once and Calsilite was rebuilding their company with seed money.

The Director of Community Development requested that the information be given to the auditors and bring back a recommendation to the Commission concerning the deferment.

Commissioner Lawrence stated that other companies would not have an opportunity to use the seed money from the City if Calsilite uses all the money.

The City Manager pointed out that the \$82,000.00 payment from Calsilite would be used as recaptured funds.

It met the consensus of the Commission to have the Director of Community Development gather information from the auditors and bring back the information to the Commission.

CEMETERY DEEDS

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

(1) Returning for resale N-10 feet of Lot No. 15, Section No. C-2 in Palmetto Cemetery from Lloyd Douglas.

Original deed lost, but City records verify ownership.

(2) Transferring Lot No. 2, Section No. 15 in Palmetto Cemetery from Ben Overstreet to Benjamin Jarred Waldron.

Original deed lost, but City records verify ownership.

(3) Transferring Lot No. 1, Section No. 15, in Palmetto Cemetery from Sherran Waldron to Benjamin Jarred

Waldron. Original deed lost, but City records verify ownership.

OTHER CITY BUSINESS

Commissioner Lawrence moved and Commissioner Plyman seconded the motion authorizing the City to pay RDC dues. The motion passed unanimously.

Commissioner Plyman moved and Commissioner Lawrence seconded the motion to maintain the same percentage of the sales tax as negotiated with the County. The motion passed unanimously.

The Commission unanimously nominated Commissioner Plyman and Commissioner MacLeod to the serve on the SPLOST Committee.

The City Manager stated that he received a request from the Department of Transportation for the use of 10 to 15 acres off of Lanier Boulevard to be used as a staging area for contractors that will be working on Lanier Bridge and a field office for the Department of Transportation.

Commissioner Plyman stated that the City should not give the Department of Transportation free use of 15 acres. Mayor Wilson stated that in the past the City did provide a staging area for contractors.

Commissioner Lawrence moved and Commissioner Davis seconded the motion approving the use of 10 to 15 acres of land on Lanier Boulevard for a field office for the Department of Transportation and a staging area for contractors. The motion passed unanimously.

The City Clerk stated that Robert Herrington was nominated to serve on the Zoning Board of Appeals at the last meeting. Commissioner Davis moved and Commissioner MacLeod seconded the motion appointing Robert Herrington to serve on the Zoning Board of Appeals.

The City Manager reported the winners of the Worker's Comp Incentive Program.

Commissioner Plyman moved and Commissioner MacLeod seconded the motion authorizing the City to purchase furniture for the lobby in the City Manager's Office in the amount of \$1,000.00. The motion passed unanimously.

Commissioner Plyman stated that the City was paying \$1.00 per day for prisoners housed at the Detention Center. Commissioner Plyman stated that the City was not paying for State Warrants. Commissioner Plyman stated that persons that are arrested should pay the \$15.00 per day fine

Commissioner MacLeod stated that he would like more information on the fees that the City should be paying to the Sheriff's Department.

This met the consensus of the Commission to collect information about fines from the Sheriff's Department and discuss the fines.

Commissioner Lawrence stated that a \$35.00 probation fee was already being collected and he objected to adding another \$15.00 fee to City residents.

MEETING ADJOURNED

Mayor

Attest:

City Clerk