

**OFFICIAL MINUTES  
COMMISSION MEETING OF THE CITY OF BRUNSWICK, GEORGIA  
REGULAR MEETING  
8:30 A. M., May 3, 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 Mark Mitchell, City Manager.

**APPROVAL OF MINUTES**

Commissioner Lawrence moved and Commissioner Davis seconded the motion to approve the minutes of the meeting of April 19, 1995. The motion passed unanimously.

**DELEGATIONS**

Bob Switek, Executive Director of the United Way appeared before the Commission to give an update on the budget and agency funding for 1995. Mr. Switek stated that the net budget for United Way was \$852,000 and the gifts to agencies would be \$730,458 and the administrative expense, 14.35%. The agencies funded for 1995 are: Red Cross, \$71,500; Amity House, \$63,000; Boys Scouts, \$62,000; Boys Club of Glynn, \$93,500; Boys and Girls Club of Glynn-McIntyre Court, \$5,000; Brunswick Day Care Center, \$9,000; Coastal Area Support Team, \$20,000; Crisis Line, \$11,900; First Steps, \$7,000; Georgia Legal Services, \$7,500; Girl Scouts, \$30,000; Glynn County Special Olympics, \$10,000; Hospice, \$34,000; International Seaman's House, \$7,500; Mary House Day Care, \$13,500; Meals on Wheels, \$14,412; Mental Health Association \$24,000; RSVP, \$6,000; Salvation Army, \$75,750; Senior Citizens Transportation, \$18,950; Share, \$41,500; USO, \$1,655; YMCA, \$63,000. Total amount for Agencies funded, \$690,667.

Mr. Switek stated that United Way had over 300 volunteers in addition to 175 volunteers that worked for various companies and organizations. Many people gave gifts ranging from \$10 to \$3000. Mr. Switek pointed out that 67,211 people received help from the United Way. Mr. Switek stated that the United Way is an active affiliation with the Commission on children and youth where he serves as chairman of the Advisory Board. The United Way is also partners in Education with the Glynn County Schools, and affiliated with Gatekeepers, Brunswick Chamber of Commerce Safe Kids Coalition, Safe Place Family Connection and Glynn County Disaster and Preparedness Team.

Commissioner Lawrence questioned whether United Way was continuing to aide the hospital in returning old debts and whether or not the United Way make contributions to the hospital.

Mr. Switek stated that the hospital have not requested any funds and all agencies requesting funding would have to follow the correct procedure.

Mr. Switek stated that once a year the United Way invites agencies by placing an ad in the newspaper, to make application to the United Way for possible funding.

Commissioner Lawrence stated that Mr. Switek was doing a tremendous job.

Commissioner Plyman told Mr. Switek that he referred a gentleman to the United Way for funding several months ago who organized the Jesus Outreach program on Norwich Street. Commissioner Plyman stated that the gentleman came before the Commission to request

funding and he wanted to know if he made application with the United Way. Commissioner Plyman stated that the Jesus Outreach program was working with the public with great results and he was pleased with their work. Commissioner Plyman stated that they were referred to the Health Department because of the work they were doing in the community.

Mr. Switek stated that he knew the Bishop that organized the program and he has not made application with the United Way for funding.

Commissioner Davis stated that it was good to know that all the money collected by United Way stays in Glynn County.

Mr. Switek stated that some people from outside are served by United Way and most of the people come in on ships and are not residents of Glynn County, they are housed at the Seaman's House.

Mayor Wilson stated that the commission would never be able to measure the generosity of the people who have given money to support these agencies and the Commission was certainly aware of the job that the United Way and volunteers are doing in the community. Mayor Wilson stressed that Mr. Switek should be commended and the Commission was grateful to the United Way and all the volunteers that made everything possible. Mayor Wilson thanked Mr. Switek for the update.

## **DELEGATIONS**

Dale Broussard, Manager of Century Cable appeared before the commission to update the Commission of cable services. Mr. Broussard stated that Century Cable would like to reimburse the city for legal expenses incurred over and above the normal operation of city business having to do with the name change of their company. Mr. Broussard submitted a check in the amount of \$9,800.

Mr. Broussard stated that the second order of business had to do with some recent changes in the account line up and rate structuring of Century Cable. Mr. Broussard gave a brief history leading up to the passing of the 1992 Cable Act and also why the FCC and Congress created guidelines for the Cable Industry to follow. Mr. Broussard stated that the formula that was used to determine rates for installation based upon monthly service and other criteria the first FCC mandate required that subscribers rates be reduced ten percent across the board. When the rates were enacted by the FCC, Century Cable found that the City of Brunswick and Glynn County were below the mandated rates and ten percent were dropped off the top. The FCC returned another mandate to give the consumers another seven percent reduction and the rates in Glynn County matched within a tenth of a penny to the rates that was established by the FCC across the county, and Century Cable is charging the same rates in Glynn County.

Mr. Broussard stated that he met with the Georgia Municipal Association, the city's consultant. Mr. Broussard stated that Century Cable's franchise was up for renewal and GMA stated that Century Cable had good programming, good prices and the best service they have seen for their dollar value. Mr. Broussard stated that the city received a letter notifying them of the rate changes and the city chose ninety days to review, investigate and either approve or not approve the new rates. Mr. Broussard advised the Commission that consumers would see during the billing cycle for May an increase in the Century Select Package, these services are not regulated by the City, however, when the city approves the rate change, consumers would see an increase in the unregulated services. Mr. Broussard stated that Century Cable is required to give a thirty day written notice and notice have been given and the rates would take effect in May.

Commissioner Plyman asked what mandated the rate increase. Commissioner Plyman stated that Century Cable added a few more channels to Century Select and whenever Century Cable determines they want to add channels they raise the consumer's bill.

Mr. Broussard stated that they have added programs in the past without raising rates.

Commissioner Plyman asked Mr. Broussard have they changed their policy.

Mr. Broussard stated that in the past Century Cable was not regulated by the FCC and profitability and liability determined whether the rates would increase. Mr. Broussard stated that now there are formulas and paperwork that determine the minimum allowable or the average allowable by law.

Commissioner Plyman stated that he was in the manufacturing business and the only time a company actually enjoy a rate increase and can justify it is if the need is there. Commissioner Plyman stated that he asked if Century Cable was in financial trouble and he was told No, the company was not.

Commissioner Plyman pointed out that raising rates because there is room left between the minimum and maximum is not fair to Century Cable's customers.

Commissioner Plyman stated that Star Cable Company was competitive and customers enjoyed lower rates and anytime competition is introduced, customers have lower rates or better service.

Mr. Broussard stated that in fact Star Cable rates were so low, they went out of business.

Commissioner Plyman stated that other mitigating things helped get Star Cable out of business. Commissioner Plyman stated that he did not like a monopoly. Commissioner Plyman asked Mr. Broussard to keep in mind that he had citizens on fixed incomes and the city raised water rates because they had to. Commissioner Plyman suggested that Mr. Broussard get back with Century Cable before they pass the increase on to the customers to re-evaluate the city's position and Century Cable's position and the consumers.

Mr. Broussard pointed out that cable rates are higher in the county and he would like to have higher rates in the city. Mr. Broussard stated that he could justify higher rates because the rates in Brunswick are lower than anywhere else.

Mayor Wilson asked Mr. Broussard how did Century Cable's profits stack up to other utility companies.

Mr. Broussard stated that he was not privileged to know that and there is certain information available to the public.

Mayor Wilson asked the City Manager the ratio of profit that was generated by Century Cable.

The City Manager stated that Century Cable is required to give the city their gross revenues and they pay five percent of that for their franchise fee.

Mayor Wilson stated that he was reluctant about an increase. Mayor Wilson stated that he concurred with Commissioner Plyman and pointed out that people would like to pay a reasonable or just price for cable television.

Commissioner Lawrence stated that he certainly don't want to believe the price of cable is increasing because Century Cable was driving consumers to purchasing satellite dish.

Mr. Broussard stated that four percent of Century Cable customers have bought satellite dish and Century did not raise rates because of competition. Mr. Broussard stated that Century Cable should have raised rates two years ago, but their hands were tied.

Commissioner MacLeod stated that the complaints he received is not centered around the rates, but are about the stations they actually pick up. Commissioner MacLeod stated that he understood exactly what consumers were talking about because Channel 19's reception is so

troubled that it may as well not be there.

Commissioner MacLeod stated that he would like to bring to Mr. Broussard's attention that it is not so much the rates, the problem is the difficulty between stations.

Mr. Broussard stated that he appreciated that comment and pointed out that he would send a technician out to check the stations. Mr. Broussard stated that he saw a problem with Channel 4 on St. Simons Island.

Commissioner Davis stated that she have problems with Channels 3, 4 and 9.

Mayor Wilson thanked Mr. Broussard for the update and stated that he was concerned with the quality of service from Century Cable and greater assessments on citizens.

#### **ADOPTION OF WATER AND WASTEWATER FY 94-95**

The City Manager stated that the city was behind on adopting the Water and Wastewater Budget and a rate increase was in effect in midyear to save the consumers money. The City Manager stated that a copy of the budget was issued to each Commissioner. The City Manager stated that Commissioner Plyman pointed out earlier the City was required to put in place an increase. The City Manager stated that the Water and Wastewater budget was balanced in the amount of \$6,656,480. and submitted the budget for approval.

Commissioner MacLeod pointed out that Commissioner Plyman has already stated that it is not the City's will or pleasure, but the bond issue required that the City raise water rates. Commissioner MacLeod stated that the Federal Reserve Board was primarily responsible for raising interest rates.

Commissioner MacLeod moved and Commissioner Davis seconded the motion to approve the Water and Wastewater FY 94-95 budget in the amount of \$6,654,480.

Commissioner Plyman stated that he would like to offer a motion to study the budget because it is the first time he have seen this budget.

Commissioner MacLeod stated that he already have a motion on the floor.

Commissioner Lawrence stated that the budget have been discussed. Commissioner Plyman stated that he never received the figures for the budget.

Commissioner Plyman stated that he would like to discuss the budget. He stated that he would like to scrutinize the Water and Wastewater before the commission approves a six million dollar budget. Commissioner Plyman recommended that the budget for Water and Wastewater be discussed in a budget session like the commission do for every other department because there is no exception for the Water and Wastewater department.

Commissioner Lawrence asked the City Manager was there any reason why Commissioner Plyman was not brought up to date about the budget. Commissioner Lawrence stated that Commissioner Plyman mentioned that this was the first time he has seen the budget.

The City Manager stated that copies of the proposed Water and Wastewater budget was issued to the Commission as information when the commission discussed the rate increase and the rate analysis with the consulting engineers.

Commissioner Plyman stated there was never a discussion about the proposed budget. Commissioner Plyman stated that he would not treat Water and Sewer differently from any other department.

Commissioner MacLeod stated that the Commission have to face the fact that the rates had to be raised because of the requirements of the municipal bond financing.

Commissioner Plyman stated that he knew why the City had to raise the water rates. Commissioner Plyman stated that he would like to scrutinize some of the expenditures in the Water and Wastewater budget. Commissioners Plyman stated that every other department head came before the Commission in a budget hearing and their budgets were scrutinized and he did not feel the Water and Wastewater was different from any other department in the City. Commissioner Plyman stated that the Commission still have an obligation to make sure that these monies are spent properly.

Commissioner Lawrence asked the City Manager if the budget is for 1995. The City Manager stated that the budget was of FY 94-95.

Commissioner MacLeod pointed out the this was last year's budget.

Mayor Wilson stated that the Commission would be approving the differential of the required increase. Mayor Wilson stated that he have known about the budget for six months.

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

### **LISSNER PROPERTY**

The City Attorney stated that the Old Town Preservation Association would like the City to deed the Lissner property to the Association. The City Attorney stated that the City is prohibited by law to deed the property to the Association.

Commissioner MacLeod recommended that the City issue a 99 year lease for \$5.00 to the Old Town Preservation Association.

The City Attorney stated that he would not recommend a 99 year lease. Mayor Wilson recommended to lease the property as long as the Old Town Preservation was functional.

The City Attorney recommended that Old Town draft an agreement for the lease of the Lissner property.

Larry Evans stated that a lease agreement should be long enough for the preservation to borrow money or renovate the property. Mr. Evans recommended a 40 year lease.

Commissioner Lawrence stated that he would recommend 20 years plus another renewal for 10 years.

Mayor Wilson stated that it is the intent of the Commission to have a clause placed in the lease reverting the building back to the City.

The City Manager stated that Old Town Preservation would not sell alcoholic beverages. Old Town Preservation would like to serve champagne at functions such as weddings.

Mayor Wilson stated that the City would be aiding and abetting.

Mayor Wilson recommended that the City Attorney come up with a legal opinion so that the Commission can resolve the matter.

### **OTHER CITY BUSINESS**

Larry Evans stated that he met with the Park and Tree Commission and the suggested name for the park was Oglethrope Bay Market at Mary Ross Park. Mr. Evans requested that the City accept the name.

Commissioner Plyman asked what happened to the Farmer's Market at Mary Ross Park.

Mr. Evans stated the reason Oglethrope Bay was added to the name is because people could identify that the park was on the water.

Mr. Evans suggested that the committee attend a work session to discuss the park and get input from the Commission.

The City Manager reported that Commissioner Davis' term has expired on the Visitor's Bureau and recommended that the Commission appoint a Commissioner to serve on the Visitor's Bureau.

Commissioner Lawrence moved and Commissioner MacLeod seconded the motion reappointing Commissioner Davis to the Visitor's Bureau.

The City Manager reported that GMA was making new appointments to the Policy Committees. The City Manager pointed out that Commissioner Davis, the City Manager, and the City Clerk presently serve on committees. The City Manager stated that the Commission should inform him if they were interested in serving on the GMA Policy Committees.

The City Manager reported that Habitat For Humanity requested that the City waive the fee for water and sewer tap. The City Manager pointed out that other Habitat houses were built and the water and sewer tap was not waived.

Commissioner Plyman stated that the City should check with Habitat to see if the water and sewer tap fees are not carried on to the home owner.

Commissioner Lawrence stated that he did not feel that the city should waive the water and sewer tap fees.

Commissioner MacLeod stated that he would feel comfortable voting on the matter after Commissioner Plyman's question is answered.

The City Manager stated that Zack Lyde appeared before the Commission and requested that the City contribute funds to the African American Tourist Consortium. The City Manager stated that the county contributed 8/10 of 10% of what they collected in hotel/motel taxes.

The City Manager stated that a total of one percent would be roughly \$638.00.

Commissioner Lawrence stated that if the City contribute anything, they should contribute something worthwhile. Commissioner Lawrence recommended contributing \$2,000 or \$3,000.

Commissioner Plyman stated that the percentage was investigated and he thought the city should give the one percent, \$638.00.

Commissioner Davis pointed out that the City and County should not be compared, and a reasonable donation should be made.

Commissioner Plyman stated that the Commission should consider the percentage factor and a line should be drawn somewhere. Commissioner Plyman stated that Mr. Lyde should be happy with the percentage factor.

Commissioner Plyman moved to contribute \$638.00 to the African American Consortium.

The motion died for lack of a second.

Mayor Wilson recommended that the amount of \$638.00 be doubled.

Commissioner Plyman asked if this was an annual donation or a one time deal. Commissioner

Plyman asked for the amount the Chamber of Commerce contributed to the African American Consortium. The City Manager stated that the Chamber did not contribute any funding.

Commissioner Plyman asked why the group could not become a permanent part of the Chamber's budget.

Commissioner MacLeod moved and Commissioner Davis seconded the motion, granting the African American Consortium \$1200.

Commissioner Plyman recommended that the motion be amended to include the donation being a one time deal only.

Commissioner MacLeod stated that the Commission would discuss the funding whenever another request was submitted for funding.

The motion passed unanimously.

The City Clerk stated that a request was made at the last meeting to find a cost for microfilming the City's historical records. The City Clerk stated that Mrs. Mobley submitted the information. The City Clerk stated that she was in the process of receiving estimates from Grace Binding on re-binding the minute books.

The City Manager stated that the Locksmith have repaired the lock on the vault in the Clerk's office and documents could be locked up. The City Manager stated that a microfilming system cost \$20,000.

Commissioner MacLeod stated that he was not interested in purchasing the microfilming equipment. He stated that he was interested in paying someone like RDC to microfilm the records.

Commissioner Davis requested that the stop signs be looked at.

Commissioner MacLeod moved and Commissioner Plyman seconded the motion authorizing the City Manager to commend the Fire Department in writing for handling the downtown fire.

### **CEMETERY DEEDS**

Commissioner Davis moved and Commissioner Lawrence seconded the motion granting the following petitions:

1. Returning for resale Space A of Lot No. 4, Section No. 19 in East Palmetto Cemetery from Ruby Oswalt. Original deed surrendered.
2. Returning for resale Lot No. 20, Section B-4 in Palmetto Cemetery from Stanley D. Deason. Original deed surrendered.
3. Replacing deed to Irvin C. Glover for Spaces A,B,C & D of Lot No. 10, Section No. 14 in East Palmetto Cemetery in lieu of original deed which has been lost, but City records verify ownership.

### **REDEMPTION DEEDS**

Redemption requested in the name of present owners Fred and Leila Dale on New Town Lots 1635 and 1636 for 1983 and 1988 all taxes, interest and costs have been paid. Commissioner Davis moved and Commissioner Lawrence seconded the motion unanimously authorizing the Mayor to execute redemption deeds as petitioned for.

Commissioner Davis stated she would like to hear reports from the City Boards updating the Commission on what they are doing.

Commissioner Davis reported that the City Managers was having major surgery on Tuesday and the City need to have an assistant City Manager. Mayor Wilson stated that Rick Drummond actually serves as Assistant City Manager.

Commissioner Lawrence stated that in lieu of Commissioner Davis' request, his personal opinion would be to appoint Mayor Wilson to serve in the absence of the City Manager since the Mayor served as the City Manager for the City.

Mayor Wilson stated that he would not be present all day and he did not mind serving as the City Manager.

Commissioner Plyman stated that Mayor Wilson is right, Mr. Drummond is the Assistant City Manager.

The City Manager stated that Mr. Drummond would be in City Hall and also Mrs. Mobley.

Mayor Wilson stated that he would like to know what is going on at City Hall.

Commissioner Lawrence stated that he felt the Mayor should serve in that capacity and in his absence he may appoint who ever he wants to serve in his absence.

The City Manager stated that the person the Mayor chose could coordinate with the Mayor to keep him informed daily.

This met the general consent of the Commission.

Commissioner Plyman stated that he would like to start a cemetery fund. Commissioner Plyman Stated that a seperate fund could be set aside to be used for the betterment of both cemeteries. Commissioner Plyman stated that an ornament fence is being built for the cemetery.

Commissioner MacLeod asked if the ornament fence is one of the improvements to the cemetery.

Commissioner Plyman stated that a lot of improvements are needed especially in Baby Land. Commissioner Plyman told Commissioner MacLeod he should go out and look at the cemetery.

Mayor Wilson asked if the cemetery fund would be placed in the budget.

Commissioner Plyman stated that the funds would be donated by citizens in the community for cemetery improvements and the city would control the funds and this would be placed in the budget.

Commissioner MacLeod asked Commissioner Plyman if he presented the fence to be used at the cemetery to the Park and Tree Commission for approval.

Commissioner Plyman stated that the fence was still in his garage at home. Commissioner Plyman stated that he would like to get estimates for brick work in the cemetery.

Mayor Wilson pointed out that the wrought iron fences were sold to someone else. Commissioner MacLeod stated that he would like to clear the matter with preservationist about placing an ornament fence in the cemetery.

Commissioner Lawrence stated that Commissioner Plyman was placing the fence in the

cemetery on a volunteer basis and he would incur all cost because he has already stated working on the fence, but he was just asking for the Commission's approval. Commissioner Plyman stated that he made a section of a twelve foot high fence and a lot of people are willing to help him. Commissioner Plyman stated that he would like the City to collect the funds for the cemetery and issue a tax exempt certificate to citizens that donate to the cemetery fund.

Commissioner Lawrence asked was it legal for the City to authorize tax exemption certificates to persons to furnish proof that a contribution was made to the cemetery fund.

Commissioner MacLeod recommended that research be done and receive input from citizens about the fence. Commissioner Plyman asked Commissioner MacLeod to stop by and look at the fence.

Commissioner Plyman moved and Commissioner Lawrence seconded the motion authorizing the removal of North and South Stop signs on K and Reynolds Street. The motion passed unanimously.

Commissioner Lawrence reported that trash was not being picked up by the assigned groups in the Public Works Department.

Commissioner Lawrence reported that yard men cleaning yards for pay were stacking trash in the yard. Commissioner Lawrence stated that trash should be removed by the yard men when they clean yards in the City. Commissioner Lawrence reported that persons using blowers were blowing trash in the street. Commissioner Lawrence requested that the problem be addressed.

The City Manager stated that the ordinance could be amended to address cleaning yards. The City Manager stated that he would check the littering ordinance for violations of blowing trash. The City Manager stated that the ordinance could be amended to include yard trash and blowing trash.

Commissioner MacLeod reported that the owner of the building on Albany and Gloucester Streets are in the process of negotiating a financial package with the Gateway Center.

Commissioner MacLeod congratulated the persons responsible for removing houses in the City. He stated that he was happy to the houses removed.

Mayor Wilson stated that he met with Commissioner Hardman from the County and the County offered the City a 60/30 split of the sales tax. Mayor Wilson stated that the City is requesting a 60/40 split and this offer was still on the table. Mayor Wilson stated that the City should submit a proposal to the County about housing City prisoners.

The City Manager stated that he met with Camden County and they offered to house the prisoners for a fee of \$25.00 per day with the City paying the transportation cost and medical fees.

Commissioner MacLeod requested that a complete package be drawn up by Camden County for housing City prisoners.

Commissioner MacLeod moved and Commissioner Plyman seconded the motion to reject the 60/30 percentage of the sales tax from the County. The motion passed unanimously.

Mayor Wilson stated that he would like to know the date Union Street would be paved by the Department of Transportation. The City Manager stated that the paving should be started by Seaboard Construction Company.

Mayor Wilson stated that he would like the street behind Mrs. Murphy apartments on Kay Avenue to be checked for water drainage. Mayor Wilson reported that trash was also being

dumped in that area.

Police Chief Cowan submitted quotes for reroofing the Police Department. The City Manager stated that he would check the estimates on the roof. Commissioner Plyman stated that he would like to have an estimate for a gable roof. This met the consensus of the Commission.

Commissioner Plyman moved and Commissioner Lawrence seconded the motion to hold an Executive Session to discuss a confidential legal matter. The motion passed unanimously.

Commissioner Davis name Keith Collier to the Solid Waste Advisory Committee.

Following the Executive Session Commissioner Plyman rescinded the motion requesting a 60/40 percentage of sales Tax from Glynn County.

Commissioner Lawrence moved and Commissioner MacLeod seconded the motion requesting a 60/40 percentage and the City is willing to renegotiate the distribution of the local option sales tax taking under consideration all of the factors provided under state law. The motion passed unanimously.

Keith Collier stated that he would like to see the outside of the City Hall building cleaned. Mayor Wilson stated that the City would look into cleaning the outside of the building.

**MEETING ADJOURNED.**

\_\_\_\_\_  
Mayor

Attest:

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