

**OFFICIAL MINUTES  
COMMISSION MEETING OF THE CITY OF BRUNSWICK, GEORGIA  
REGULAR MEETING  
7:00 P. M., January 17, 1996**

**PRESENT:** His Honor Mayor Homer L. Wilson, Commissioners Roosevelt Lawrence,  
Dr. James MacLeod, Ken Plyman,  
and Commissioner-Elect Harold E. Jennings.

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

**APPROVAL OF MINUTES**

Commissioner Lawrence moved and Commissioner Plyman seconded the motion to approving the minutes of the meeting of January 6, 1996. The motion passes unanimously.

**RECOGNITION OF RETIRING EMPLOYEE**

Mayor Wilson presented a plaque and check to retiring Lieutenant Ray Tawney of the Brunswick Police Department for many years of dedicated service to the city of Brunswick. Police Chief Cowan stated that Lieutenant Tawney will be missed in the department, pointing out that he was losing his right hand man.

**ALCOHOLIC BEVERAGE RENEWAL**

Petition received from Albert White to retail beer for consumption on premises at A & W Fast Food, 1110 "G" Street, and having been approved by the Chief of Police and the City Manager, Commissioner Plyman moved and Commissioner Lawrence seconded the motion granting the license. The motion passed unanimously.

**ALCOHOLIC BEVERAGE**

Petition received from Charles E. Maxwell and Karen Krider Maxwell to retail beer and wine for consumption on premises at Oglethorpe on the Park, 1312 Newcastle Street, and being approved by the Chief of Police and the City Manager, Commissioner Plyman moved and Commissioner Lawrence seconded the motion granting the license. The motion passed unanimously.

**APPOINTMENTS TO THE PRIVATIZATION COMMITTEE**

Commissioner Plyman nominated Rev. Tommie Herrington to serve on the Privatization Committee. Mayor Wilson asked if there were any other nominations. There being no further nominations, the nominations were closed. Commissioner Plyman moved and Commissioner Lawrence seconded the motion appointing Rev. Tommie Herrington to serve on the Privatization Committee. The motion passed unanimously.

**PARK COMMISSION**

Commissioner Lawrence nominated Samuel Sullivan to serve another term on the Park and Tree Commission. Mayor Wilson asked if there were any other nominations. There being no further nominations the nominations were closed. Commissioner Lawrence moved and Commissioner Plyman seconded the motion reappointing Samuel Sullivan to serve on the Park and Tree Commission. The motion passed unanimously.

**PILOT COMMISSION**

Commissioner Plyman nominated William Hicks to serve another term on the Pilot Commission. Mayor Wilson asked if there were any other nominations. There being no further nominations, the nominations were closed. Commissioner Plyman moved and Commissioner MacLeod seconded the motion reappointing William Hicks to serve on the Pilot Commission. The motion passed unanimously.

### **LIBRARY BOARD**

Commissioner MacLeod nominated Carol Gaither to serve on the Library Board. Commissioner Lawrence nominated Maureen Arnold to serve on the Library Board. Commissioner Jennings nominated Lynn Krauss to serve on the Library Board. Mayor Wilson asked if there were any other nominations. There being no further nominations, the nominations were closed. Commissioner MacLeod moved and Commissioner Plyman seconded the motion appointing Lynn Krauss, Maureen Arnold and Carol Gaither to the Library Board. The motion passed unanimously.

### **STRUCTURAL FITNESS BOARD**

Commissioner Plyman nominated Bob Henderson to serve on the Structural Fitness Board. Commissioner Lawrence nominated Rev. Tommie Herrington to serve on the Structural Fitness Board. Commissioner Jennings nominated Brad Brown to serve on the Structural Fitness Board. By a show of hands Brad Brown received two votes from Commissioners MacLeod and Jennings. Bob Henderson received three votes from Commissioners Plyman, Lawrence and Mayor Wilson. Rev. Tommie Herrington received five votes. Commissioner Plyman moved and Commissioner Lawrence seconded the motion appointing Bob Henderson and Rev. Tommie Herrington to serve on the Structural Fitness Board. The motion passed unanimously.

### **PUBLIC HEARING**

This being the date, time and place for Public Hearing on Business License Fees. Commissioner MacLeod stated that according to legal counsel the City of Brunswick has a choice on whether to tax gross receipts earned all over the State of Georgia. Commissioner MacLeod proposed that the present outline that the City is studying be limited to gross receipts earned only in Brunswick.

Commissioner Plyman stated that one license is purchased in the State of Georgia and that license is paid to the municipality in which a person does business. Commissioner Plyman questioned how much loss this City would sustain by adopting the ordinance.

The City Manager stated that it is really impossible to know because the City does not have an idea of how much of a reduction gross receipts might bring in. Contractors and people of that nature would be the main ones effected by the change that was recommended by Commissioner MacLeod.

The City Manager pointed out most of the retail businesses will not see any changes in what they reported under the new ordinance.

The City Manager stated that it would be impossible to give figures on how much it would cost because the City would not know what the difference would be and how much businesses can report. Application forms must be mailed out and the gross receipts must be reported before any calculations could be made to see how much of a decrease it would be.

Commissioner Plyman asked the Director of Finance how much of a loss the City would sustain under Option II.

The Director stated that the City would show a loss of approximately \$60,417.00.

Commissioner Plyman questioned whether there would be an offset on L.O.S.T. taxes to cover some of the loss. The Director of Finance stated that the City have seen an increase in sales tax and this would be a potential offset.

Commissioner Plyman stated that his first concern was not crucifying the city and yet make accommodations for the people who do business in the City. He stated that the City could never compare with Glynn County in the amount of business they enjoy.

The City Manager stated based on the estimates coming in now if the City forecasts out the sales collections for the balance of this fiscal year then potentially they may come in over what the City budgeted, however there is still some uncertainty as to exactly what the impact would be especially with the collection of only half of the property taxes.

The City Manager stated that one of the City's biggest revenues is franchise fees from Georgia Power and the City will not know the amount until sometime in March and the amount could be less than what was budgeted. He stated that he was hesitant about recommending something in mid budget year that will produce a substantial reduction in revenues.

Commissioner Plyman pointed out that the Commission received the information on the Business License Ordinance at the eleventh hour and that was at the last meeting of the year.

The City Manager advised the Commission does have more time, however he would not feel comfortable with recommending anything that would result in substantial budget cuts.

Commissioner Jennings stated that Option I was recommended because the City Manager, City Attorney and the Director of Finance spent a lot of time and research on it.

Commissioner Jennings questioned how much difference in revenue would it be on Option I. Commissioner Jennings decided that Option I would be the one to choose because he felt the City did not want to hurt big or small businesses.

The Director of Finance stated that a trial run using the same gross receipts and the same number of businesses with Option I showed a loss of actually \$2,000.00 because of the lower caps used in the first two categories. Commissioner Jennings stated that Option I would be the one to choose because he felt the City did not want to hurt big or small businesses.

Mayor Wilson asked what was the worst scenario the City could suffer if the sales tax would decline.

The City Manager stated that he anticipated having the Public hearing and having some discussion and feedback on what the Commission felt comfortable with and have the City Attorney prepare an ordinance to be adopted at the next meeting. He pointed out the longer the city wait the longer the delay for billing the licenses.

Commissioner Plyman suggested issuing a six months license. The City Manager stated that a six months license may not be allowable State Law.

Commissioner Plyman indicated that the six month's license would not cost more because the cap have already been established.

Commissioner MacLeod stated that he did not have time to study the changes and felt that a six month license would be a little drastic and recommended continuing to issue yearly licenses.

The City Manager recommended adopting Option I now and making changes at budget time to offset the reduction in revenues.

The City Attorney explained that it would be a difficult time to make a drastic change because he felt the City may have to refund a substantial amount of ad valorem taxes collected. He suggested having the Finance Department look at the volume of occupational taxes paid by contractors to get some vague idea of what the difference would be if a section of the ordinance was changed to require contractors to pay gross receipts tax based on services performed in the corporate limits.

The Commission authorized the City Manager to contact the Revenue Department to find out whether the additional \$100,000 sales tax the City will pick up is due to inflation or the growth of City products. The City Manager was asked to determine whether the sales tax was generated only in the City.

Commissioner Plyman reported that he submitted a bid for a bucket truck, but did not need the truck and recommended that the City purchase the bucket truck because the old City's bucket truck was inoperable.

Commissioner MacLeod asked Commissioner Plyman if he was the owner of the bucket truck. Commissioner Plyman told Commissioner MacLeod he was the best bidder and the bucket truck is owned by the bank.

Commissioner Lawrence asked legal counsel whether the procedure was a violation of the code book. The City Attorney stated that he did not see a problem.

Commissioner MacLeod expressed his concerns about the procedure that Commissioner Plyman used and stressed that the Commission should have been polled.

Commissioner Plyman reiterated that he did place a bid and did not know he would be the best bidder. He stated that if the Commission felt the least bit of reluctance he would keep the bucket truck.

Commissioner MacLeod suggested trying to establish a procedure for the future and if bids are going to be put in please contact the Commission. He stressed that the City Manager should have placed the bid for the bucket truck.

Commissioner Plyman told the Commission he bid on the truck for Ken Plyman and not the City of Brunswick. He did not feel a need to ask the Commission for approval if he bid for himself.

Commissioner Jennings pointed out that he read the code book and it stated that the Commission make policies and the City Manager was in charge of Department Heads and make decisions for the City.

Commissioner Lawrence asked if the matter was discussed with the Public Works Director. Commissioner Plyman stated that he spoke with the Director of Public Works and the City Manager.

Commissioner Plyman offered the motion to purchase the bucket truck for the City of Brunswick. There was no second to the motion. The motion failed for lack of a second.

## **MONTHLY REPORTS**

The following reports for the month of December 1995 were received and filed as information: (1) General Fund (2) Water and Wastewater Fund (3) Community Development (4) Metro Squad (5) Municipal Court and (6) Uncollectible water Accounts. Commissioner Lawrence moved and Commissioner MacLeod seconded the motion approving the monthly reports. The motion passed unanimously.

## **CEMETERY DEEDS**

Commissioner MacLeod moved and Commissioner Lawrence seconded the motion granting the following cemetery petitions:

1. Returning for resale Spaces A & B of Lot No. 9, Section No. 13 in Palmetto Cemetery from L.P. & Idanell Knowles. Original deed lost, but City records verify ownership.
2. Transferring Spaces A & B of Lot No. 11, Section No. 10 in East Palmetto Cemetery from James Murray Cox to Tyrone Y. Foster. Original deed lost, but City records verify ownership.
3. Issuing another deed to Mrs. Anna Robinson to S-1/2 of Lot No. 22, Section No. 72 in Greenwood Cemetery in lieu of original deed which has been lost, misplaced or destroyed, but City records verify ownership.

## **OTHER CITY BUSINESS**

The City Manager reported that a tentative date has been set to have a joint meeting with the County on February 6, at 6:00 p.m., at the County Courthouse.

The consensus of the Commission was to set another tentative date to meet with the County. Commissioner MacLeod indicated that he would be in Conference in Virginia on February 4th - 9th. The City Manager stated that he would inform the County and offer to change the date to Tuesday, February 13, 1996.

The City Manager reported that bid packages for the Waterfront Park would go out soon. He recommended that the City do the demolition work in house and rebid items in phases.

It met the consensus of the Commission to authorize the City Manager to do the work in house.

The City Manager stated he received a letter from Commissioner Lynn requesting the City to reexamine the appointment to the RDC Board.

Mayor Wilson stated he received calls from Chairman Jones of the Camden County Commission and he objected to RDC telling the Commission who to appoint.

Commissioner Plyman moved and Commissioner Jennings seconded the motion recommending resolving the RDC issue at a joint City/County meeting. The motion passed unanimously.

Commissioner MacLeod recommended moving the cramped quarters of the Building Inspection Office to the Red Cross Building. Commissioner Plyman suggested making the Building Inspections Department a separate department.

Commissioner MacLeod moved to transfer the Building Inspections Office to the Red Cross Building. There was no second to the motion. The motion failed for lack of a second.

The City Manager stated he would like to discuss the transfer at the next meeting. He stated that the Building Inspections Office need more space.

Commissioner MacLeod stated he was not trying to bring the Building Inspections up to a Department Head, he only wants more office space.

It met the consensus of the Commission to have a report on the Building Inspections Department at the next meeting.

Commissioner Plyman recommended issuing a penny or two cents tax on a bottle of liquor or beer purchased in the City, pointing out that bottles are thrown all over the City. Commissioner Plyman asked the Director of Finance to give an amount of beer and liquor sold in the City.

The Director of Finance reported that two distributors in the City averaged 20 to 30 thousand dollars worth of alcoholic beverages in the City each month.

Commissioner MacLeod recommended that the exact figures be presented to Commission for discussion.

Commissioner MacLeod recommended making the law more stringent to get a license to sell alcoholic beverages in the city.

Commissioner Jennings questioned who would pay the tax on the bottles. Commissioner Plyman recommended taxing the distributors.

Commissioner Plyman recommended that the County adopt the same tax on bottles, and place it on the agenda for the Joint City/County meeting.

Commissioner Plyman reported he would like to establish a Cemetery Improvement fund and issue tax exempt receipts for donations to the fund. Commissioner Plyman requested setting up a perpetual fund for the cemetery to offset the Cemetery Budget.

Commissioner MacLeod recommended that the City Attorney submit legal information on setting up the fund.

Commissioner Lawrence reported that the Structural Fitness Board members and the Building Inspector were advising people to repair their homes.

Commissioner Lawrence questioned why the Structural Fitness members and the Building Inspector would tell residents to do repairs and mail a letter out after the repairs are made to demolition their home.

Commissioner MacLeod recommended that residents receive in writing a citation requesting repairs from the Building Inspector.

The City Manager reported that the Structural Fitness Board met and discussed their authority.

The Commission requested to have the Building Inspector at the next meeting to discuss the problems.

The City Attorney submitted a proposed Amendment to the Zoning Ordinance. The Zoning Ordinance will be discussed at the next Commission meeting.

Commissioner Jennings stated that he spoke with Mr. Richardson and the staff of the Water and Wastewater Department about the water situation in the City. Commissioner Jennings stated that he would like for Mr. Richardson to appear before the Commission to discuss the water situation.

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

Following the Executive Session, Commissioner Lawrence moved and Commissioner MacLeod seconded the motion to adjourn the meeting at 9:00 p.m.

**MEETING ADJOURNED.**

\_\_\_\_\_  
Mayor

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