

**OFFICIAL MINUTES  
COMMISSION OF THE CITY OF BRUNSWICK, GEORGIA  
REGULAR MEETING  
7:00 P. M., February 21, 1996**

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

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

**APPROVAL OF MINUTES**

Commissioner Plyman moved and Commissioner Lawrence seconded the motion to approve minutes of the meeting of February 6, 1996. The motion passed unanimously.

**PUBLIC HEARING**

This being the date, time and place for Public Hearing on proposal to rezone Lot 281 of Montpelier Subdivision from R-9 One Family Residential District to LM Limited Medical. Dr. Emeri Comer representing Maxie Comer Sinderson stated that he would like the property rezoned to Limited Medical. Dr. Comer stated that residents of Player Street were present to show their support.

Commissioner Plyman stated that the City of Brunswick enjoys a limited quantity of houses and opportunities are taken away from families to have homes within the city limits.

Commissioner MacLeod stated he disagreed with Commissioner Plyman for the fact that the neighbors did not object to the proposed rezoning. Commissioner MacLeod stated that families would not purchase homes near the hospital because the residential area is surrounded by medical buildings. Commissioner MacLeod pointed out that the City is doing a disservice to the citizens in the area who want to sell their property.

Commissioner Jennings stated he was sixty percent against the rezoning until visiting the area and speaking with property owners. Commissioner Jennings recalled noticing medical offices and residential apartment buildings in the area. Commissioner Jennings pointed out that neighbors do not want property sold to someone who would disrupt the neighborhood, and property owners in the area stated that they did not object to the rezoning.

Commissioner Lawrence suggested that the City stop rezoning property in residential areas to commercial because the entire City of Brunswick would be zoned commercial.

Elmer Box, resident of the City stated he lived in the area and was concerned about his neighbor selling the house to someone rowdy.

Commissioner Plyman expressed his concerns regarding the hospital purchasing property in the area. Commissioner Plyman stated that a request will be made to the Commission to adopt a resolution asking the legislators to give the City control over the zoning of hospital property in the City.

Commissioner Plyman pointed out that a fifty six million dollar expansion is being constructed at the hospital and questioned where will the doctors have their offices.

Commissioner MacLeod stated that he would not consider asking for control over rezoning,

pointing out that the hospital will expand and offer other services.

Commissioner Jennings recommended asking the Hospital to update their ten year old land use plans.

Commissioner Plyman stated that members of the Hospital Staff, the City's staff and representatives of Hercules visit the hospital area because of the complaints from residents about flooding, rodents and mosquitoes where the asphalt was poured. Commissioner Plyman pointed out that drainage problems would still be in the area and everyone would eventually sell out. He suggested that the City look out for encroachment on future neighborhoods.

Gene Mosely, resident of the City stated that he lives next door to a dental office and at 5:00 p.m. the dentist office closes and there is no noise at night. Mr. Mosely stated that he objected to a noisy neighbor.

Commissioner Lawrence recalled a Commission meeting when persons attended the meeting and were totally against the rezoning and the City approved the rezoning. Commissioner Lawrence expressed his concerns regarding the way rezonings are not treated the same.

Commissioner MacLeod stated that every zoning situation is different and cannot always be treated alike.

Commissioner Plyman recalled the proposed rezoning of the Marion property which was denied because the Zoning and Planning Board recommended denial.

Mayor Wilson stated that it is unusual when people come out to concur with a rezoning. Mayor Wilson went on record to state that the Staff of the hospital are great people. Mayor Wilson pointed out that Memorial Medical Center in Savannah has people living in the hospital area with immaculate lawns, a hospital parking lot and elevators on the first floor. Mayor Wilson stated that the hospital in Brunswick does not have parking and people have to walk a long way to get into the hospital. Mayor Wilson pointed out that he will support the hospital because it is in the best interest of the City.

Mrs. Evelyn Waldron recalled how the hospital area was built and rezoned to medical in the 1950's. She stated the neighbors have no objections to the rezoning.

Commissioner Lawrence stated he did not mind supporting the rezoning because of the number of citizens living in the area who did not object to the rezoning. He stated that the Commission should listen to the citizens on all rezoning matters. Commissioner Lawrence suggested that Mr. Comer's aunt look into selling the property for commercial use.

Commissioner MacLeod moved and Commissioner Jennings seconded the motion to approve the rezoning. The motion passed by votes four to one. Commissioner Plyman voting No.

AN ORDINANCE TO AMEND THE ZONING  
ORDINANCE, ORDINANCE NO. 877, AS  
AMENDED, SO AS TO SPECIFY USES  
AND OTHER REQUIREMENTS IN AN LM  
LIMITED MEDICAL DISTRICT, DEFINE  
AND PROHIBIT SPOT ZONING, PROVIDE  
FOR A PROCEDURE TO IMPLEMENT ZONING  
DECISIONS TO REZONE SPECIFIC PRO-  
PERTY; TO PROVIDE AN EFFECTIVE  
DATE; AND FOR OTHER PURPOSES.

THE COMMISSION OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

**SECTION 1.** Ordinance No. 877 of the City of Brunswick,

the Zoning Ordinance, set forth in Appendix A of the Code of the City of Brunswick, is hereby amended by striking Section 18-2 in its entirety and by substituting in lieu thereof a new Section 18-2 which shall provide as follows:

**Sec. 18-2. Uses and Other Requirements.**

The LM District shall be governed by the same regulations set forth in Article XVII hereinabove, except that the following different provisions shall apply in the LM District.

(a) Maximum building height shall be limited to one story for all uses.

(b) A buffer strip shall be placed along all side and rear lot lines abutting property in residential zoning districts.

(c) Street access to and from properties in LM Districts shall be restricted to frontage and along collector streets, major streets, or controlled access highways as set forth on the official Zoning Maps.

(d) Off-street parking, loading, and other requirements shall conform to the standards set forth in Article III, provided that all off-street parking shall be provided on private property.

(e) The uses for allied services on lots abutting property in residential zoning districts shall be restricted to professional offices for the use of recognized medical professions - that is, for doctor's offices - and retail and other hospital-allied uses shall not be allowed.

**SECTION 2.** Said Ordinance is further amended by

striking subsection (b) of Section 25-1 and by substituting in lieu thereof a new subsection (b) which shall provide as follows:

(b) A proposed amendment to the official Zoning Map affecting specific property or properties may be initiated by the City Commission or by application filed with the Glynn County Department of Community Development on behalf of the owner or owners of the property proposed to be change, provided however; that action shall not be initiated for an amendment affecting the same parcel or parcels of property, or any part thereof, on behalf of the owner or owners more often than once every twelve months.

**SECTION 3.** Said Ordinance is further amended by

striking Section 25-6 and by substituting in lieu thereof two new sections, which shall be numbered 25-6 and 25-7 and which shall provide as follows:

**25-6. Spot Zoning Prohibited.**

(a) "Spot zoning" is defined as rezoning of a specific parcel of property which creates an isolated district unrelated to adjacent districts and which is not a logical extension of a zoning boundary which would improve the pattern of uses in the general area.

(b) Spot zoning is hereby prohibited.

**25-7. Changes in the Zoning Map.**

Following final action by the City Commission after public hearing, any necessary changes shall be made on the Zoning Map. Such final action may be taken by the adoption of a motion without the necessity of placing the change in the form of an ordinance. When a limited rezoning is granted as contemplated in Section 25-5, an appropriate reference shall be indicated on the Zoning Map. A written record of the type and date of all such changes shall be maintained by the City Clerk.

**SECTION 4.** This Ordinance shall be in full force and

effect from and after the date of its adoption, provided however, that any and all proposed rezonings heretofore granted as to specific parcels of property shall be deemed to be effective from the date of adoption by the City Commission of a motion to grant the rezoning.

**ALCOHOLIC BEVERAGE LICENSE RENEWAL**

Petition received from Helen Jinright and Janet Weston to retail beer and wine for consumption on premises at Jinrights, U.S. Highway 17. 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.

**DELEGATIONS**

Dr. Brooks Taylor, representing the Glynn County Health Department appeared before the Commission to discuss the cancer rate in the City of Brunswick. Dr. Taylor stated that he received a report from the local hospital which outlined the cancer program and the treatment of cancer in the community. He pointed out that there is no data that shows increased cancer in this community, and there is no reason to think that persons in this community are at any greater risk than in any other community. Dr. Taylor gave statistical information regarding the death rate from cancer in Glynn County. The excessive cancer deaths are older persons in the community and these deaths are close to the national average. Dr. Taylor pointed out that there is no solid data to confirm an excess cancer rate in Brunswick.

Dr. Taylor informed the Commission that prevention of cancer should be a concern in the community.

Mayor Wilson told Dr. Taylor that he was concerned about the cancer rate in the City and asked Dr. Taylor whether other counties were compared with Brunswick's population to

determine the cancer rate in the community.

Dr. Taylor stated that information would have to be gathered before he could give any consideration to determining a higher or lower rate of increased cancer in the community.

Many questions were raised regarding cancer by the Commission and citizens in attendance. Dr. Taylor stated that studies on cancer are very expensive and he would like to have funding to complete the study.

Mayor Wilson thanked Dr. Taylor for his presentation.

Larry Credle representing Brunswick Transportation Group appeared before the Commission to discuss updating the City's taxi cab ordinance. Mr. Credle stated that the City's ordinance was out dated and requested an opportunity to meet with the staff to discuss the changes. Mr. Credle mentioned the areas in Section 21.5 that should be changed to bring the ordinance up to 1996 standards. Mr. Credle pointed out that Brunswick, Georgia is the only city where cabs are not regulated by meters.

Commissioner MacLeod asked Mr. Credle if he had a chance to speak with the City Manager regarding the taxi cab ordinance. Mr. Credle stated he did speak with the City Manager and Corporal Dickerson.

Mayor Wilson instructed the City Manager, the City Attorney and the Director of Finance to meet with Mr. Credle to discuss the ordinance changes.

Mr. Credle submitted a copy of a meter ticket used in cabs on St. Simons Island. Mr. Credle stated that a log is kept for 1 year by cab companies. He pointed out that Murphy Cab Company and Brunswick Transportation Group, Inc. are the oldest cab companies in the city. Mr. Credle submitted a contract to the City Attorney.

Patricia Stephens representing People Movers, Inc. stated that she operates a van in the City to transport patients to doctor appointments. Mrs. Stephens stated that the Taxi Cab ordinance reads "taxi cab" shall be taken to mean any automobile used in the city for the purpose of carrying passengers for hire. Mrs. Stephens pointed out that an automobile is a four wheeled vehicle for passenger transportation.

Mrs. Stephens stated that she was concerned about transportation for handicap persons. She stated that companies must be licensed for hire to accept funding to transport handicap persons. All cab companies must have proof of a business license to operate in any county and other licensed cab companies are allowed to operate in any city.

Mrs. Stephens stated that she would love to render service to the Commission to give input on amending the taxi cab ordinance.

Essie Crosby, owner of Murphy Taxicab Company stated that the City changed the dates of cab inspections and expressed concerns about the Commission dictating the livelihood of people in the city. Mrs. Crosby questioned whether cab companies could use vans for transportation.

Mayor Wilson stated that each operator should have input and recommended that the matter be resolved immediately and not in six months.

## **HOSPITAL APPOINTMENTS**

The City Manager reported the ad in the newspaper for the upcoming appointments to the Hospital Board and the Zoning Board of Appeals deadline was set for February 29th. Commissioner Lawrence moved and Commissioner MacLeod seconded the motion deferring the appointments until the next meeting. The motion passed unanimously.

## **HOMEBUYERS ASSISTANCE PROGRAM**

The Director of Community Development discussed the Home Buyer's Assistance Program. The Director of Community Development stated that a rate structure for down payments of homes was created to make home buying more affordable in the City of Brunswick. Single Family/Owner Occupied homes may be purchased by persons with incomes not to exceed Glynn County's median income limit of \$37,400. The City, working in partnership with local banks, will make loans of \$3000 at zero interest. Not to exceed the first mortgage loan period. The maximum loan amount is \$3000 and can be used to assist with closing costs, down payment or narrowing the debt to income ratio limit.

The Director of Community Development stated that the funds would come from an Urban Development Action Grant recaptured fund program.

Commissioner Lawrence moved and Commissioner Plyman seconded the motion approving the Home Buyers Assistance Program. The motion passed unanimously.

## **CEMETERY DEEDS**

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

- (1) Returning for resale Lot No. 11, Section No. 8 in East Palmetto Cemetery from Billy Joe Wells. Original deed surrendered.
- (2) Returning for resale Lot No. 13, Section No. 5 in East Palmetto Cemetery from Triffle Credle. Original deed surrendered.
- (3) Transferring Lot No. 24, Section No. C-10 in Palmetto Cemetery from Elizabeth Harper to Julie Barrs. Original deed surrendered.

## **MONTHLY REPORTS**

The following reports for the month of January 1996 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 Plyman moved and Commissioner Lawrence seconded the motion approving the monthly reports. The motion passed unanimously.

## **OTHER CITY BUSINESS**

The City Manager reported that Coastal Corrections Service was bought out by Detention Management services and a request was made to modify the 20% fee charged to the City for collection. Detention Management Services will collect only \$30.00 from the probationers. The City Manager recommended to extend the contract of Detention Management Services for ninety days.

Commissioner Plyman asked for the collection percentage rate of Detention Management Services.

Shay Brown representing Detention Management Services stated that the County was not charged a 20% collection fee and according to state law, collection companies could not collect both. Mrs. Brown stated that eighty seven percent of fines are collected and she anticipated bringing the percentage up to ninety three.

Commissioner Lawrence moved and Commissioner Plyman seconded the motion granting a ninety day extension to Detention Management Services. The motion passed unanimously.

FIRST AMENDMENT TO  
AGREEMENT FOR PROBATION SERVICES

WHEREAS, the undersigned parties, THE CITY OF BRUNSWICK, and COASTAL CORRECTIONS SERVICES, INC., entered into an Agreement dated March 1, 1994, for the provisions of probation services; and

WHEREAS, by virtue of renewal, said agreement is scheduled to terminate on March 1, 1996; and

WHEREAS, the parties desire to extend the termination date of such agreement, but are not currently disposed to renew the agreement for an additional one (1) year period; and

WHEREAS, COASTAL CORRECTIONS SERVICES, INC., now deems it inappropriate to collect, as fee compensation to itself for provision of services, a sum equal to twenty percent (20%) of fines collected pursuant to the agreement;

NOW, THEREFORE, for and in consideration of the premises, and the mutual benefits accruing to each party, the receipt and sufficiency of which are hereby mutually acknowledged, that AGREEMENT FOR PROBATION SERVICES, dated March 1, 1994, is amended in the following particulars only:

1.

Paragraph III., TERM OF PERFORMANCE/PENALTY is deleted in its entirety and the following is substituted therefor:

"TERM OF PERFORMANCE" This agreement shall terminate 11:59 P.M. on May 31, 1996.

2.

ATTACHMENT B: METHOD OF PAYMENT is amended by deleting, in their entirety, the last two (2) unnumbered paragraphs thereof.

3.

Except as specifically modified and amended herein, all other provisions of that AGREEMENT FOR PROBATION SERVICES, dated March 1, 1994, shall remain the same and unchanged.

The City Manager reported that Workman's Compensation claims have dropped and the City is reaping the benefits. The program has been successful.

The City Manager reported that the Red Cross building needs roof work and an air conditioning unit. The City Manager recommended preparing a cost estimate and possibilities of budgeting the project.

Mayor Wilson stated he was in favor of making the building functional and suggested purchasing used furniture.

Commissioner Jennings recommended replacing all of the defective street signs in the City of Brunswick.

Commissioner Plyman suggested looking at contracting with Camden County for housing prisoners. He stated that the \$40.00 fee for housing prisoners is still pending with the County. Commissioner MacLeod stated that the Sheriff had a good point regarding charging prisoners under a state ordinance instead of the City ordinance.

Mayor Wilson recommended declaring a moratorium on adding new water systems in Glynn County.

Commissioner Plyman suggested auctioning the old fencing around Palmetto Cemetery and use the funds to purchase new fencing. Commissioner MacLeod suggested using the old fencing to beautify parks and fountains in the City.

Commissioner Plyman recommended using City employees to scrape and paint windows in City Hall. The City Manager was instructed to look into having the work done.

Commissioner Lawrence recommended installing a turn signal on Martin Luther King Blvd. for East and West traffic.

Commissioner Lawrence mentioned using Five Points of Altama Avenue to collect water bills. The City Manager stated that he spoke with the owner and felt that the City could work out a collection program with Five Points.

Commissioner Lawrence reported that the Structural Fitness Board sent out notices to people to tear down houses and now the people are asked to move the debris from the area. Commissioner Lawrence recommended that the City move debris at no charge.

Sammie Thompson stated that he serves on the Structural Fitness Board and home owners were not asked by the Structural Fitness Board to tear down houses. The Building Official issues a citation to people in violation of the Unfit Building Ordinance.

Commissioner MacLeod recommended creating a Hardship Board to take care of problems with property owners who cannot afford to pay to have debris removed from their property.

Mr. Thompson recommended having property owners with hardships call City Hall before tearing down houses.

Commissioner MacLeod recommended issuing color coded citations to determine what department issued the citation.

Mayor Wilson reported that a sign in front of James Vivenzio's residence in Windsor Park should be removed because the sign is extremely displeasing.

The meeting was adjourned at 9:54 p.m.

**MEETING ADJOURNED.**

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Mayor

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City Clerk