

**OFFICIAL MINUTES**  
**COMMISSION MEETING OF THE CITY OF BRUNSWICK, GEORGIA**  
**REGULAR MEETING**  
**7:00 P. M., May 15, 1996**

**PRESENT:** His Honor Mayor Pro-Tem Dr. James MacLeod, Commissioners  
Roosevelt Lawrence, Ken Plyman, and  
Harold E. Jennings.

**ABSENT:** Mayor Homer L. Wilson

**INVOCATION:** The invocation was given by Commissioner Harold E. Jennings.

**RESOLUTION PRESENTED TO CURLY KEMP**

Mayor Pro-Tem Dr. James MacLeod presented a Resolution to Curly Kemp for his act of bravery in helping to save the lives of the Cuyler family during a fire at their residence on April 8, 1996. Albert Williams was also mentioned for actions taken in saving the Cuyler family.

**PUBLIC HEARING REZONING**

This being the date, time and place for public hearing on proposal to rezone New Town Lot 25 and a portion of Lot 24 in Windsor Park located on the Southeast corner of Gloucester Street and Magnolia Avenue from R-9 One Family Residential District to Local Commercial District.

Donald Gamblin owner of the property stated that he leased his home in 1985 and last November advertised the property for sale. Mr. Gamblin told the Commission he was not successful in selling his residence because people noticed it was on a busy street. Mr. Gamblin pointed out that he would like to sell his residence without taking a loss. Susan Brown mortgage holder of the property stated that she presently holds a mortgage on the house and desires to sell the property. Mrs. Brown stated that Gloucester Street was a noisy commercial street which families did not care to live on.

Commissioner MacLeod questioned whether the zoning could be changed if the property was sold to a non-profit organization.

The City Attorney stated that a non-profit organization purchasing the property would not have anything to do with changing the rezoning.

Commissioner Jennings recalled visiting the area and speaking with residents concerning the rezoning. Commissioner Jennings mentioned he lived with relatives in Windsor Park.

Commissioner Lawrence questioned whether the property could be rezoned with stipulations.

The City Attorney stated that the property could be rezoned with stipulations.

The City Manager stated that other zonings have been granted to non-profit organizations.

Commissioner Plyman stated that a rezoning request was approved for Hospice and the organization sold the property to the hospital four months after it was rezoned.

The City Manager pointed out that any organization can sell property or lease property to anyone including medical businesses. Commissioner Jennings stated that strict provisions can be set on rezonings and new city

Commissioners can change the rezonings.

Commissioner MacLeod pointed out that the owner may request a change from the zonings of Local Commercial to Office Commercial to limit Commercial business use of the property.

The City Attorney stated that the owner may change the rezoning and request another public hearing.

Morgan Stapleton stated that he read an article in The Brunswick News stating that residents were getting ready for a fight. Mr. Stapleton stated that he was not present to fight pointing out that is the responsibility of the City Commission to oversee the common interest of the community. Mr. Stapleton stated that common good will be best served by not rezoning the property because Windsor Park has been a stable neighborhood for over fifty years.

Mr. Stapleton mentioned Windsor Park is a completely stable neighborhood because of the residents and that's why he chose to live in Windsor Park. Mr. Stapleton pointed out if Windsor Park is infringed upon by strip zoning the neighborhood will lose its stability. Mr. Stapleton asked the Commission to consider voting against the proposed rezoning.

Bill Goodyear resident of Windsor Park stated that he grew up on Magnolia Ave. and inherited the property and plans to live there for the rest of his life. Mr. Goodyear stated that he would like the Commission to keep the neighborhood residential.

Mr. Goodyear recalled that Ken Tollison and Donald Gamblin requested a zoning change to construct a gas station on the property. The owners never applied or requested a rezoning for office commercial. There are 190 homes in the oldest subdivision in town, Windsor Park. The character of the neighborhood have not changed and the neighborhood is integrated. Mr. Goodyear stressed that 1804 Gloucester Street is a lovely resident and the owner is trying to sell the property for commercial use because it would be more valuable. Mr. Goodyear reminded the Commission that approving the Local Commercial rezoning would lead to strip rezoning all the way to Lanier Boulevard. Mr. Goodyear stated that if Gloucester Street becomes commercial the area should be rezoned together.

Mrs. Brown stated that she built the residence on Gloucester Street to live in and after she moved the bank insisted on purchasing her residence. Mrs. Brown stated that someone broke into her home, and she experienced the doorbell ringing continuously until 3:00 A.M. Mrs. Brown stated that she had to move because of that and did not want anyone to go through the same identical things she experienced. Mrs. Brown stated that the property should be rezoned to allow Mr. Gamblin to sell the property because she felt that no other family would be comfortable living in the home.

Kathleen Haller representing Lindsey Properties stated that she received a positive inquiry from a non-profit organization similar to Habitat for Humanity concerning purchasing the property. Ms. Haller pointed out that the property was zoned commercial from 1956 to 1965 and apparently reverted back to residential zoning.

Mayor Pro-Tem MacLeod stated that it may have been proved that the property should have been rezoned to Office Commercial. The Commission has been considering the request for rezoning the property to Local Commercial. Mayor Pro-Tem MacLeod stated that the rezoning could be changed and the Commission would have time to review the request, because Office Commercial seems to be a pleasant alternative to the Local Commercial Zoning.

Mr. Gamblin asked the Commission if he would be in proper order to withdraw his request. The City Attorney stated that if the Commission made a decision on the rezoning request, Mr. Gamblin would not be allowed to bring the same request back.

Mr. Gamblin requested to withdraw his application for rezoning.

Commissioner Lawrence stated that the residents should be included in the discussion concerning withdrawal of the application for rezoning.

Mr. Gamblin stated that according to Robert Rules of order whenever something is taken from the floor it cannot be discussed again.

Commissioner Jennings reiterated his concerns about the rezoning and cautioned changing a rezoning classification will not change the Commission decision on a rezoning matter.

Judge Adams stated that the person or organization purchasing the property should appear before the Commission with the request for rezoning.

## **DELEGATION**

Joseph Frances appeared before the Commission to discuss the trash collection problem in Dixville. Mr. Frances stated that trash have not been picked up in Dixville and stressed the fact that Dixville was not getting the proper trash pick up in the area. Mr. Frances stated he would submit a video of different subdivisions in the City to show the difference in how trash is collected in the City. Mayor Pro-Tem MacLeod instructed the City Manager to investigate the trash pick up problem and find out why it is continuing to happen in Dixville.

Mr. Frances next reported stray dogs, speeding, harassing of senior citizens and loud music. Mr. Frances stated that senior citizens are afraid to call the police in fear of getting harassed.

Commissioner Plyman stated that Police Officers should make cases against people for playing loud music.

Commissioner Lawrence explained that Police Officers would never be able to make a case against playing loud music because by the time officers arrive the music is already turned down.

The City Manager stated that when Police Officers arrive the person is long gone and when responding to a call it is a losing situation. The City Manager stated that there is a state law and noise meters are not used to measure the decibels anymore.

Mr. Ernie Craft questioned whether citizens could call in to report the loud noise like they do when reporting people who litter.

Police Officer Evelyn Wood stated that people play loud music and police do make arrests. Officer Wood stated that senior citizens should take down tag numbers when they are being harassed.

Commissioner Jennings questioned whether speed bumps would help in Dixville.

The City Manager stated that speed bumps are a liability because cars are damaged.

Mayor Pro-Tem MacLeod suggested using a confidential complaint hotline to report harassment. Commissioner Jennings recommended contacting the Public Works Department and hold them accountable for picking up trash in the City. Commissioner Jennings pointed out that the City should solve the problems of the residents in Dixville first.

Commissioner Plyman stated that the Police Department is doing a good job. He stated that beer bottles are thrown all over London Street and the ordinance should be enforced on open containers.

Robert Bradley stated that Dixville was a part of the City that has been neglected since the 1800's. He stated that his concern was with the Dixville area.

Commissioner Lawrence stated that there is no excuse why the Dixville area should not be clean because the City Manager divided the City into five groups who are responsible for trash pickup in areas of the City. Commissioner Lawrence stated that the City Manager should speak with the Public Works Director about picking up the trash in all areas of the City including Dixville.

Mayor Pro-Tem MacLeod stated that this would be good reason for privatization.

Mr. Frances mentioned pot holes should be repaired in the Dixville area.

Mr. Frances next discussed having a bus stop in Dixville to pick up persons who need transportation. Mr. Frances stated that the area was completely overlooked.

Commissioner Jennings stated that he had an opportunity to speak with a bus driver and it was mentioned that the stripes on poles in the City identifies bus stops.

Mayor Pro-Tem MacLeod instructed the City Manager to call the Bus Company Executives to discuss the bus schedules and the bus stops.

Commissioner Jennings stated that Mr. Frances should come back in one month to speak about the trash.

Mr. Frances stated that the trash will be picked up now since he complained. Mr. Frances reported that vacant lots in Dixville should be cleaned.

Mayor Pro-Tem MacLeod recessed the meeting for five minutes.

The meeting was reconvened.

#### **WATERFRONT IMPROVEMENT BIDS**

The City Manager submitted the following bids for the Waterfront Enhancement Project:

Poppell-Eller	\$474,590.97	Package One Alternate 1 & 2
Owens & Pridgen	\$102,985.00	Package Two
Owens & Pridgen	\$247,998.00	Package Three

Commissioner Plyman moved and Commissioner Lawrence seconded the motion accepting the bids recommended by the City Manager. The motion passed unanimously.

Commissioner Plyman recommended having the City Marshall appear before the Commission to discuss clean up of the City Dock.

The City Manager stated that the City should demand more from persons that use the docks. The City does not have an ordinance in place.

#### **AUDIT BIDS**

The Director of Finance submitted the following bids for the City's Annual Audit based on 3 years:

Schell and Hogan, CPA Brunswick, GA	\$138,144
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Tiller, Stewart and Company  
Brunswick, GA \$119,883

The Director of Finance recommended accepting the low bid of Tiller, Stewart and Company in the amount of \$119,883.

Commissioner Plyman moved and Commissioner Jennings seconded motion accepting the recommendation of staff in the amount of \$119,883.00 from Tiller, Stewart and Company. The motion passed unanimously.

#### **DOWNTOWN DEVELOPMENT AUTHORITY APPOINTMENTS**

Commissioner Plyman moved and Commissioner Jennings seconded the motion appointing Bob Chaney to three years and Robert Henderson to five years on the Downtown Development Authority.

The City Manager stated that the Downtown Development Authority terms were out of order for the fact that appointees was serving unexpired terms.

#### **PROBATION SERVICE CONTRACT**

The City Manager submitted the contract for probation services from Detention Management Services for one year. The City Manager recommended renewing the contract for one year.

Shay Brown representing Detention Management Services stated that the City pays nothing for the services, probationers pay a \$30.00 a month fee to Detention Management Services.

The Director of Finance stated Detention Management services collected \$80,000.00 in fines in 10 months.

Commissioner Plyman moved and Commissioner Lawrence seconded motion. The motion passed by vote of 3 to 1. Commissioner Lawrence voting no.

Keith Collier, local resident stated that Detention Management Company should collect \$10.00 a month instead of \$30.00 a month for the probation fee. He stated that \$10.00 a month is sufficient and objected to company collecting the \$30.00 fee.

Commissioner Lawrence stated that he was opposed to the company charging twenty percent for collecting the funds for the City of Brunswick.

It was explained that Detention Management Company monitors all community service employees, DUI School and other violations. There are a number of people on probation that have problems and Detention Management Company works with them.

#### **MONTHLY REPORTS**

The following reports for the month of April, 1996 were received and filed as information: (1) General Fund (2) Water and Wastewater Fund (3) Community Development Fund (4) Metro Squad (5) Municipal Court and (6) Uncollectible Water Accounts. Commissioner Plyman moved and Commissioner Jennings seconded the motion approving the monthly reports. The motion passed unanimously.

Commissioner Jennings recommended that the City abide by the Ethics Policy to sell SPLOST in a legal manner.

Commissioner Plyman stated that he brought up for discussion 8 months ago creating a

Perpetual Care Fund for the cemeteries. Commissioner Plyman stated that the County should be asked to participate, pointing out that a perpetual fund should have been established fifty years ago.

The City Attorney stated that there are provisions in the law to reclaim all of the cemetery lots of families who no longer have any interest in them. The proceeds from the sale of the cemetery lots could be used for the up keep of the cemeteries. The City Attorney stated that the City is within the rights to establish a cemetery fund.

Commissioner Plyman offered his services as a contractor to replace the roof on the Police Department for the price of \$1.00. Commissioner Plyman stated that he has replaced several roofs.

The City Manager stated that the City must rebid replacing the roof on the Police Department as soon as the City receive the specifications.

Mayor Pro-Tem MacLeod stated that the matter should be investigated and discussed when the Mayor is present.

**MEETING ADJOURNED.**

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Mayor

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