

**OFFICIAL MINUTES**  
**COMMISSION MEETING OF THE CITY OF BRUNSWICK, GEORGIA**  
**REGULAR MEETING**  
**8:30 A. M., September 3, 1997**

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

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

**PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was recited by the Mayor and Commissioners and everyone in attendance.

**APPROVAL OF MINUTES**

Commissioner Lawrence moved and Commissioner Jennings seconded the motion approving the minutes of the Regular meeting of August 20, 1997, Called meeting of August 25, 1997 and Called meeting of August 29, 1997. The motion passed unanimously.

**PUBLIC HEARING**

This being the date, time and place for Public Hearing for request to rezone Lot 6, Block M in Goodyear Park Subdivision from R-9 One Family Residential District to LM Limited Medical District.

The City Manager stated that this request is to rezone a lot fronting 90 feet on the Southside of Heron Street, with the existing structure being utilized as a residence. The owner of 2318 Heron Street is seeking to rezone the property to enable him to sell the property for use as a medical office.

Delmer Hatala, owner of 2318 Heron Street stated that he is one of three property owners whose property has not been purchased by the Hospital. Mr. Hatala submitted letters from the last two remaining residents stating that they did not object to the proposed rezoning. Mr. Hatala stated that he moved into the home at 2318 Heron Street in 1962 and has reasons for moving.

Commissioner Jennings recommended that the City update the Brunswick Hospital Area Land Use Plan. He stated that eventually the Hospital area will be zoned Limited Medical.

The City Attorney mentioned that since the last meeting he has been extremely concerned about denial of the previous rezonings. He stated that Dr. Gowen called to discuss his concerns.

The City Attorney pointed out that there are other properties adjacent to Dr. Gowen's property that are already zoned Limited Medical. The rezoning was denied in an area that is zoned Limited Medical.

The City Attorney mentioned that the Pipe Fitters Union rezoning case was extremely expensive. The City Attorney told the Commission that \$40,000.00 was paid to the Pipe Fitters Union and the cost of litigation was also paid

by the City. The City Attorney stated that none of the present Commissioners were serving when this happened.

The City Attorney stated that there is substantial continued pressure on the City of Brunswick to rezone properties to Limited Medical. If Doctors cannot locate next to the Hospital they are moving in the County on land developed near the Spur. He recommended that the City authorize the properties that were denied for another Public Hearing in order to head off any legal problems.

The City Attorney also recommended that the Zoning Staff prepare another Hospital Land Use Plan.

Commissioner MacLeod agreed with the City Attorney. He stated that the City did not have proper advise for rezoning issues. Commissioner MacLeod suggested that the City form a Planning Committee to plan for the area and allow citizens to express their views. Commissioner MacLeod pointed out that the City is not trained to handle zoning.

Commissioner Lawrence recalled in 1992 he suggested that the City and Hospital Authority meet and discuss the direction the Hospital was taking concerning rezonings. He stated that he objected to spot rezoning and the City must determine the residential areas from limited medical.

Commissioner Jennings recommended placing a freeze on rezonings in the area.

Deborah Taylor representing Glynn County Community Development Planning and Zoning Division stated that the Staff is looking at new Hospital Land Use Plans. Mrs. Taylor stated that she felt there is adequate land in the City and County that could be developed as medical use.

Mayor Wilson stated that he is not against making property available for Medical Use, however he finds it very hard to ask elderly people to move out of their homes. Mayor Wilson recommended voting on the recommendation made by the City Attorney.

Mr. Hatala stated that he finds it hard to live in his home when everyday a crane is above his house. Mr. Hatala stated that he has been approached by the Hospital to sell his property and he did not want to sell to the Hospital.

Commissioner Jennings pointed out that some people want their homes to remain residential and some people want to sell their homes. Commissioner Jennings stated that he is not concerned about being sued and understands what happened to the Pipe Fitters. The City need guidelines and very strong land use plans. He recommended looking at the Gowen property and approving the rezoning.

Commissioner Lawrence stated that he finds it hard to spot rezone and did not understand how the Zoning Board can approve the rezoning for one house and not the other.

Deborah Taylor stated that the Zoning and Planning Division uses the Land

Use Plan adopted by the City Commission. Mrs. Taylor explained that Staff actually goes out and looks at the property and make recommendations. Mrs. Taylor stated that she opposes spot rezoning in the Hospital area. Property owners meet with the Zoning Staff before they appear before the City Commission. Some property owners wish to spot rezone in the areas that are not designated to be rezoned. The Planning Staff is working on the Hospital Land Use Plan based on how much time they can spend updating the plan.

The City Manager told the Commission that the City must approve a new land use plan or create a new land use plan for the Hospital area.

Commissioner Lawrence asked why the City could not prepare their own land use plan. Commissioner Lawrence suggested meeting with the Hospital Authority to discuss the issue.

Commissioner Jennings moved and Commissioner MacLeod seconded the motion authorizing the City Manager and City Attorney to meet with residents, and the Hospital Authority to update the land use plan for the next five years. The motion passed unanimously.

Mayor Wilson stated that this is something the City has to resolve. The City has a problem now and it should be dealt with.

Commissioner MacLeod moved and Commissioner Jennings seconded the motion to reconsider the rezonings for Charles and Angela Neugebauer and Dr. James Gowen and hold another Public Hearing on the first of October 1997. The motion passed unanimously.

Mayor Wilson welcomed former Commissioner Larry Credle.

#### **TAXICAB LICENSING AND REGULATIONS FOR LIMOUSINE SERVICING AMENDMENTS**

The City Attorney stated that he has not been able to work out the legal conflicts in the ordinance. He stated that a meeting will be scheduled with the Chief of Police and City Manager to update the ordinance. He pointed out that the ordinance is well outdated.

The City Attorney stated that taxicab owners should be considered when they meet. He asked the Commission to simply defer taking action until after a meeting is held.

This met the consensus of the City Commission.

Larry Credle owner of Brunswick Transportation stated that a request was made at the last meeting by the individual who owns a taxicab company to operate a Town car service. The Town cars do not have tags and they are unmarked. Mr. Credle stated that the City Manager asked the Police Department not to hassle the Town car service. Mr. Credle stated that this is a disadvantage to taxicab owners. The City must protect taxicab companies.

Commissioner Jennings instructed the City Manager to have the Limousine/Town car Service owner to attend the next meeting to discuss the type of service

offered by his company.

Commissioner Lawrence questioned why the City Manager asked the City not to hassle the Limousine/Town car company.

The City Manager stated that he did not tell anyone not to enforce the ordinance and he never wrote a letter concerning this matter.

Mayor Wilson questioned how long it will take the City to have an ordinance in place regulating this type of business.

The City Attorney questioned whether the City will allow this type of business to pick up residents in the City.

Commissioner MacLeod suggested that the Limousine/Town car company use magnet tags and it should not be a problem with that.

Larry Credle stated that an ordinance should be in place regulating cars carrying passengers.

The City Attorney stated that the Public Service Commission now regulates Limousine Drivers. There may be a policy reason why the City does not want to use unmarked cars in the City.

Commissioner Jennings stressed that any kind of crime can be carried out in an unmarked car and people can get mugged.

Larry Credle stated that the ordinance is used to protect citizens in Brunswick and this helps keep away criminals.

Mayor Wilson instructed the City Manager, the City Attorney, and taxicab drivers to work on the ordinance. Mayor Wilson stated that the town car drivers should be fined if they are operating improperly.

The City Attorney pointed out that it is a 14th Amendment problem with unmarked taxicabs.

Larry Credle stated that a year and a half has passed since the City discussed the taxicab ordinance problems. He stated that some type of direction is needed for taxicabs.

The City Attorney stated that an ordinance can be prepared at the next meeting regulating unmarked cars in the City.

Larry Credle stated that the Police Department is to enforce all City Ordinances and someone in that Department should come out and check on the ordinance violation when it is reported to that Department.

Commissioner Lawrence advised the City Manager that he expects him to take disciplinary action against the person who wrote and circulated the letter concerning the Town Car Company.

Mayor Wilson suggested assigning someone to be trained as a taxicab

inspector to handle grievances.

Commissioner MacLeod questioned the progress on the installation of the computer complaint line. The City Manager stated that the process is not yet completed.

#### **DELEGATIONS**

Elaine Knight representing Knight Seafood and Carol Spriggs representing Lewis Crab Factory appeared before the Commission to request permission to purchase the foot of London Street which connects to both businesses. The size of the property is 45 x 335. Mrs. Knight also requested to purchase the foot of Albermarle Street which connects to Knight Seafood and City Market. The size of the property is 45 x 387. The foot of both streets will be split between the said businesses.

Mrs. Knight stated that the businesses have problems with drug activity and illegal dumping and they would like to control access to their businesses. Mrs. Knight stated that the businesses have no objections to the City retaining the right of way.

Mayor Wilson stated that he is familiar with the property and has no problems if the businesses will not build on the property.

Commissioner MacLeod stated that he would like an opportunity to look at the area and investigate before he makes a decision. He asked to defer the matter.

Commissioner Lawrence questioned whether the City can place a fence around the property to stop the illegal dumping. He stated that the fence and gate could be closed after hours. The City Manager stated that placing a fence around the property may be an option the City can look at.

Commissioner Jennings stated that he had an opportunity to visit the area and public access is needed for safety reasons. The City must always have access to the property. Commissioner Jennings pointed out that Metro Drug should be alerted about the after hour activities.

Mayor Wilson stated that the request to purchase the foot of London and Albermarle Streets will be deferred until the Commission looks at the property. Mayor Wilson thanked Mrs. Knight.

#### **PUBLIC HEARING**

The City Manager announced that a Public Hearing must be held to discuss the fiscal year Budget for 1997-98 before it's adoption.

Mayor Wilson welcomed all citizens to comment on the budget.

Commissioner Lawrence moved and Commissioner MacLeod seconded the motion to adopt the fiscal year Budget for 1997-98 at the next Commission Meeting September 17, 1997. The motion passed unanimously.

## **CEMETERY DEED**

Petition received to transfer Section No. 103, Spaces 48, 49, and 50 in Palmetto Cemetery from Mr. Hugh D. Leggett to Mr. Robert H. Jones. Original Deed lost but City records verify ownership. Commissioner Jennings moved and Commissioner MacLeod seconded the motion granting the petition. The motion passed unanimously.

## **OTHER CITY BUSINESS**

The City Manager reported that the work on the fence at Greenwood Cemetery by Midway Fabrication has been started and a portion of the fence was sandblasted and one portion was wire brushed.

Commissioner Jennings moved and Commissioner MacLeod seconded the motion approving light sandblasting for the Greenwood Cemetery fence. The motion passed unanimously.

Commissioner MacLeod invited everyone to view the sections of the Greenwood Cemetery fence.

Commissioner Jennings questioned the Director of Water and Wastewater concerning the grease problems that occurred Labor Day on the Southend. He stated that George Ferrier a resident of the Southend called the Water and Wastewater Department and once staff arrived they claimed there was not a problem with grease in the lines.

The Director of Water and Wastewater told the Commission that the City monitors the lines weekly and checks them monthly and there was no problem. The City could not determine what the problem was, and there was no grease found in Mr. Ferrier's line.

Commissioner Jennings advised the Director of Water and Wastewater that the City directed that Department to put in new laterals at Mr. Ferrier's house and Mr. Kennedy's house. Commissioner Jennings told the Director of Water and Wastewater that the Department did not follow through and instructed the Director of Water and Wastewater to submit a letter explaining why the work was not performed as instructed by the City Commission. Commissioner Jennings told the Director of Water and Wastewater that the City Commission is his boss or is he the City Commission boss.

The City Manager stated that plans will be submitted for the Southend area by next month. He stated that the City can start the bidding process. The City Manager felt that the laterals should be replaced permanently.

Mayor Wilson mentioned the Hurricane disturbance in the Caribbean. He stated that September is the month for hurricanes.

Commissioner Jennings recommended that the Fire Chief check all the fire hydrants and the alleys to make sure they are cooperative. Commissioner Jennings pointed out that a report was submitted to the City Manager to upgrade hydrants and cut limbs from trees. All alleys have been cleaned in the City. Some of the alleys were closed for 34 years.

Commissioner Jennings mentioned most City Managers have contracts. He stated that the City Manager has done a good job. Commissioner Jennings recommended that the Commission give the City Manager a three-year contract.

The City Attorney stated that the City Manager could be issued a contract. Commissioner Jennings recommended issuing a contract for three years and if the City Manager is doing a good job in one year it rolls over to three more years. The Attorney stated that he could draw up the contract.

Commissioner MacLeod stated that it seems to him that this is binding on the new Mayor. A new Commission will be elected and it should be taken up at that time. Commissioner Lawrence stated that he did not have a problem taking action in January.

Commissioner MacLeod expressed his concerns about employees changing orders that are issued by the City Commission. He stated that if any orders are revised or changed it should be submitted in writing the reason it was changed.

Commissioner MacLeod stated that Greenwood Cemetery fence looks real good and he is proud of the restoration. Commissioner MacLeod asked whether Community Service workers are continuing to show up to work. The City Manager stated that the attendance was down this week because court was not held. The Community Service Workers have been showing up to work and the enforcement is going much better. Commissioner MacLeod stated that he would like to see a report on the workers attendance.

Commissioner Lawrence reported that on Albany and T Streets the residents reported a big hump in the street.

Commissioner Lawrence reported that the vaults in the cemetery needs to be checked. The City Manager stated that the City have been repairing the vaults. He stated that they have all been addressed.

Mayor Wilson requested a report of the City's funds from staff members instead of an expensive audit. He stated that he did not want to hear that the Mayor left the City in a financial situation.

Mayor Wilson went on record to state that the City of Brunswick is more solvent than any other City in the State of Georgia. He stated when he leaves this government as Mayor no one can say that this City was left in financial ruins. He requested that the Council receive a complete financial breakdown before he leaves office. He pointed out that the City would not mind paying \$400.00 for a financial report.

The City Manager was instructed to have the report ready by the first meeting in December.

Mayor Wilson reported that accidents are occurring on Martin Luther King Boulevard and Gloucester Street.

Ken Tollison appeared before the Commission for a final determination on paving of the street near the mall.

Mayor Wilson stated that he will visit Atlanta next week to discuss the paving of the road with the Department of Transportation officials. He stated that he will have an answer at the next Commission meeting.

**MEETING ADJOURNED.**

\_\_\_\_\_  
Mayor

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