

OFFICIAL MINUTES
COMMISSION MEETING OF THE CITY OF BRUNSWICK, GEORGIA
CALLED MEETING
7:00 P. M., January 21, 1998

PRESENT: His Honor Mayor Bradford S. Brown, Commissioners Roosevelt Lawrence, Harold E. Jennings and Jonathan Williams and Doris Davis.

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

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 Williams seconded the motion to approve the minutes of the meeting of January 7, 1998. The motion carried.

APPOINTMENT TO PILOT COMMISSION

Commissioner Jennings nominated William Prendergast for reappointment to the Pilot Commission. Commissioner Davis seconded the nomination. There being no further nominations, the nomination for the Pilot Commission was closed. On call for the vote William Prendergast was reappointed to serve on the Pilot Commission for seven years.

APPOINTMENTS TO LIBRARY BOARD

Commissioner Jennings nominated Lynn Krauss, Carol Gaither, Maureen Arnold and Doris A. Davis to be reappointed to serve on the Library Board. Commissioner Williams seconded the nominations. On call for the vote Lynn Krauss, Carol Gaither and Maureen Arnold was reappointed to the Library Board for two years. Doris A. Davis will continue to serve the unexpired term.

Commissioner Lawrence nominated Hattie Coleman to serve on the Library Board. Commissioner Lawrence stated that Mrs. Coleman was not present to accept. Mayor Brown nominated Guy Payne to serve on the Library Board. Commissioner Jennings moved to table the two nominations. Commissioner Lawrence seconded the motion. The motion carried.

APPOINTMENTS TO STRUCTURAL FITNESS ADVISORY BOARD

Commissioner Lawrence nominated Sammie Thompson for reappointment to the Structural Fitness Advisory Board. Commissioner Jennings seconded the nomination. There being no further nominations, the nomination for the Structural Fitness Advisory Board was closed. On call for the vote the motion carried. Sammie Thompson was reappointed to serve on the Structural Fitness Advisory Board.

Mayor Brown nominated Dr. Morgan Lee Stapleton to serve on the Structural Fitness Advisory Board. Commissioner Jennings seconded the nomination. There being no further nomination, the nomination was closed. On call for the vote the motion carried. Dr. Morgan Stapleton was appointed to serve on the Structural Fitness Advisory Board for four years.

Commissioner Davis nominated William A. Slaughter for reappointment to the Structural Fitness Advisory Board. Commissioner Jennings seconded the nomination. There being no further nomination, the nomination was closed. On call

for the vote the motion carried. William A. Slaughter was reappointed to served on the Structural Fitness Advisory Board for four years.

PARK AND TREE BOARD

Commissioner Jennings moved and Commissioner Lawrence seconded the motion to readvertise the vacancy on the Park and Tree Board. The motion carried.

Mayor Brown invited citizens who were not appointed to serve on the Boards to submit their names for the Park and Tree Board. He stated that it was a hard choice to make the appointments.

ALCOHOLIC BEVERAGE LICENSE RENEWALS

The following 1998 alcoholic beverage license renewals were submitted and approved by the Chief of Police and City Manager. On motion of Commissioner Williams seconded by Commissioner Lawrence the license renewal were unanimously: To retail alcoholic beverages including beer and wine for consumption on premises:

Richard E. Godley at BPOE Elks Lodge #691, 1509 Union Street;

Lawrence Walker at Harbor Lights Cafe, 1404 Newcastle Street;

Lennis Miller at The Green Tavern, 1102 L Street;

Donna Vara at O'Henry's Saloon, 211 Monck Street;

To retail beer only for consumption on premises:

Albert White, at A & W Fast Food, 1110 G Street.

DELEGATIONS

The City Attorney stated that Attorney Jim Bishop is representing the buyers in this case. He stated that the City was given a copy of the plat showing the proposed subdivision of the Ramada Inn property on U.S. 17. The plat identifies the portion to be sold and the portion to be retained by the current owners. The City was also given a plat identifying the proposed easements to be granted to the City in connection with this sale. The City was also furnished the cross easements with the buyers and sellers. He recommended that the proposed subdivision be approved by the City Commission subject to the recording of the cross easements and granting of the proposed easements to the City. He stated that when the property was originally developed for Ramada Inn the plat does not show Myrtle Street as a dedicated City Street. The dedication of this street was never done. The City constructed sewer lines along the proposed street right of way and in addition there was a drainage ditch along one side of the property from another location in East view subdivision. At that time the City covered the drainage ditch and piped part of the drainage ditch and the owners of this property wish to grant an easement to the City for drainage purposes. The easement apparently was never granted and recorded in connection with the drainage ditch and because of those reasons it was recommended that the City go ahead and accept the easements and approve the dividing of the subdivision. It would be a benefit for the City to have the easement recorded.

Attorney Bishop thanked the Commission for considering the request. He stated that his clients are buying a portion of the property. It was determined upon examination of the

tract at the Brunswick Mall and a portion of the property was sold.

Commissioner Jennings pointed out that the issue may be a little confusing because many people may think we are speaking about a neighborhood when we are actually speaking about commercial property. He mentioned that Attorney Bishop was kind enough to come to the Commission as a courtesy.

Bobby Shupe, surveyor stated that he agreed with the City Attorney concerning the subdivision regulations not being very clear. There is not a clearly defined procedure to follow. A clause in the subdivision regulation states that a surveyor must comply with the City's subdivision regulations. If the surveyor does not comply he would be committing a misdemeanor. He stated that the City Attorney brought the issue up appropriately for the Commission's blessing.

Mr. Shupe stated that he is trying to get a real legal easement put on record. The City's staff has reviewed the technical aspect of the subdivision and feels that it complies with the current zoning regulation. He stated that the City should consider approving it. Commissioner Jennings moved and Mayor Brown relinquished his chair and seconded the motion accepting the recommendation of the City Attorney to approve the easements and subdividing the property.

Commissioner Williams asked that his statement be retracted concerning holding an Executive session.

Commissioner Lawrence expressed his concerns about making a decision tonight.

Commissioner Davis questioned if the Commission had to make a decision tonight. The City Attorney stated that there is no law mandating that a decision be made. Commissioner Davis suggested giving the Attorney an okay tonight and make a final decision by Friday or give a general consensus.

Mayor Brown stated that it would require that the Commission call a meeting to give a decision.

A show of hands was taken resulting in 2 ayes and 3 noes. The motion failed. Mayor Brown and Commissioner Jennings voted in favor and Commissioners Lawrence, Williams and Davis voting against.

Commissioner Williams asked the City Attorney whether approval was needed from the Commission. He asked if Attorney Bishop appeared before the Commission as a courtesy. Attorney Bishop stated that he thought the surveyor could straighten it out. He stated that there is an uncertainty that exist as to whether the redivision of the subdivision requires the formal approval of the Commission. He felt that the dedication of the easements benefitted the City more than the property owners. It was a lot of expense to have a surveyor draw up the easements. The other issue is questionable concerning the redividing of the subdivision. If Commissioner Lawrence would like to understand more about the issues the Commission could pass a motion to approve it subject to review of the issue by all the Commissioners. Commissioner Lawrence pointed out that Commissioner Davis asked if this could be considered by Friday. Attorney Bishop told Commissioner Lawrence that his clients would like to close the transaction by Friday.

Commissioner Jennings stated that in the past the Mayor has

called as many as three Commissioners to reach a consensus. He recommended that the Mayor call every Commissioner who objected and see if they would consent by Friday morning.

Commissioner Williams offered the motion to approve the easements and subdividing of the Ramada Inn property. Commissioner Jennings seconded the motion.

Commissioner Williams stated that the Commission was trying to do everything to protect the interest of the City.

The City Attorney proceeded to give the Commission the history as it applies to the Subdivision regulations.

Commissioner Lawrence stated that he want it to be crystal clear that anything will not be approved by him. He further stated that he have no intentions to change his procedure. He pointed out that the City Manager and City Attorney should have known this.

A show of hands was taken resulting in 4 ayes and 1 no. The motion carried. Commissioner Lawrence voted against the motion.

Pat Welch, former resident of the City appeared before the Commission to discuss the problems that forced her to move away from the City of Brunswick. Ms. Welch stated that lack of Law enforcement was one of the reasons. Ms. Welch stated that loitering was a problem in the area where she resided. Ms. Welch stated an article about crime was brought to the attention of the Police Chief. Citizens in Brunswick who violate the noise ordinance only get a citation and statistics from New York City show that they have a no tolerance law when it comes to boom boxes.

Ms. Welch stated that she has been blessed to relocate on some lovely acres in Pierce County. She mentioned that she no longer suffers from sleep deprivation. While living on Egmont Street she could not sleep. Chief Cowan was called to investigate gun fights, brawls and shootings within sixty feet of her residence.

Ms. Welch stated that her life was threatened and she was afraid that she would be a victim of crime. She mentioned that her previous neighbors had up to 80 vehicles a day visit their residence. She stated this was pointed out to the Police Chief. She was told that these residents have a right to have as many visitors as they wished. She mentioned a neighbor also threatened her and told her he would hit her car with his truck, however this person was sentenced for a few weeks for criminal trespass. She stated that a truck damaged her car and the incident was called an accident.

Mayor Brown stated that he understood Ms. Welch's problems in that area. He stated that the City will be doing everything possible to make the City safer to live in. The Chief of Police is working on combating crime in the City.

Ms. Welch mentioned that the District Attorney quoted that 3,300 citizens left Brunswick and she was quite sure these were law abiding citizens.

The Police Chief was asked by Commissioner Jennings how many times he responded to Ms. Welch calls for help. The Police Chief stated that he responded to 29 calls for noise violations.

The Chief of Police addressed the issue. He pointed out that Police officers walked in that particular neighborhood to find violators. Most of the noise came from the Lil' Champ

title it appears that the City probably did not have the required easement for drainage and wastewater lines. After the property was surveyed we decided to sit down with the City Attorney, the City Manager and City Engineer and we did this in order to straighten out the easement records. Attorney Bishop asked the City to accept the easements and approve the redivision of the property. He stated that it was not clear whether the City need to approve the redivision of the lots. He pointed out that the City Manager, the City Attorney, the City Engineer and Surveyor were in agreement because it was pretty much a technical matter.

Commissioner Lawrence suggested that the subdividing of the property be handled the same way any other property is handled in the City of Brunswick. Commissioner Lawrence told the Commission that two Public Hearings should follow the same guideline in the Zoning Ordinance.

Mayor Brown asked the City Attorney whether it was appropriate to have a Public Hearing.

The City Attorney stated that it was not a Zoning matter. Public Hearings are held on zoning matters and advertised. In most cases the property is required to be posted. This is not one of those situations where the property is used for commercial purposes in accordance with the existing Zoning of the property. The only issue is whether the City is going to allow different parcels of the tract to be subdivided and sold separately. That is the issue. He stated that Attorney Bishop has indicated that he is not one hundred percent sure from the subdivision regulations that action is required by City Commission. He felt that in covering all the bases it would be appropriate for the Commission to approve the Subdivision and accept the easements which are needed by the City.

Commissioner Lawrence expressed his concerns about the City not following procedure and guidelines. Commissioner Lawrence asked the City Attorney whether he mentioned that Attorney Bishop could actually subdivide the property without the approval of the Commission.

The City Attorney stated that approval of subdividing the property is probably consistent with the subdivision regulations and requirements of those regulations. Since there is an access problem to one of the parcels requiring a cross easement. This will not change the use of the property.

Commissioner Lawrence questioned why the City can not hold two public hearings. He pointed out that the City has been holding public hearings and questioned why this subdivision is exempt from following the guidelines that all other subdivisions in the City are required to follow.

The City Attorney stated that public hearings are held for zoning matters. As a matter of fact this is merely the approval of a subdivision with an existing tract of land continuing under the existing zoning classification that is already in effect. He pointed out that the issue has been discussed with Attorney Bishop for several weeks. And this was mentioned at a previous meeting.

The City Attorney stated that the owner anticipated closing this transaction on Friday. He mentioned the law does not require a public hearing and a hearing would only delay the closing significantly.

Attorney Bishop stated that they did not realize any public

hearing was required. He mentioned that he met with everybody in the City many, many times. He stated that the surveyor was willing to do whatever the City wanted to do.

Commissioner Lawrence told Attorneys Highsmith and Bishop that he want to be crystal clear about the number of weeks it was discussed before presenting it for approval by the Commission.

Attorney Bishop told Commissioner Lawrence that he met with the representatives of the City Administration several times.

Commissioner Lawrence stated that the Attorneys submitted it for approval tonight and they had all the time in the world to discuss the issue.

Attorney Bishop told Commissioner Lawrence that he was willing to follow all the requirements. Commissioner Lawrence stated that he wanted Attorney Bishop to follow the same guidelines.

Mayor Brown mentioned that the City Attorney explained that subdividing that particular property does not require a public hearing.

Commissioner Lawrence stated that the City Attorney made a statement concerning he was not quite sure how the City should settle the issue.

Mayor Brown stated that the exceptions the City Attorney was speaking of was not clear whether or not these easements were originally granted.

The City Attorney stated that the subdivision regulations are very vague. The only thing he is trying to do is accommodate a change of ownership of one portion of the property and to get in place the easements that the City needs with respect to the drainage and sewer lines.

Commissioner Williams expressed his concerns about changing the rezoning. He stated if it was a rezoning he agreed with Commissioner Lawrence one hundred percent that procedures should be followed. He questioned whether there was a cost involved to develop the water and sewer lines.

Attorney Bishop stated that the water and wastewater lines have been there. There is no cost.

Commissioner Williams asked if the citizens who lived in the area objected. Attorney Bishop stated that there are no homes in the area. It is a piece of commercial property. Commissioner Williams stated that the Commission would like to be fair to everybody and not pass anything that would alter procedures. He pointed out that the City will not be partial to any project.

Mayor Brown asked the City Attorney if the City was doing anything that normally will not be done in this process. The City Attorney told Mayor Brown no.

Commissioner Jennings asked the City Manager if the City has done this before. The City Manager told Commissioner Jennings that the Commission has approved subdividing of property.

Commissioner Lawrence asked if the property was approved the very first time it was presented.

The City Manager stated he could not recall. The last instance that he remembered was approval of subdividing a

Store across the street from Ms. Welch's resident. He stated that he could not ask residents to move because he had no control over that.

Ms. Welch stated that she has not overcome the anger and bitterness about having to move. She stated that it should not have happened.

Mayor Brown assured residents that this will not happen in the future.

Harry Tzucanow expressed his concerns about crime in that area. Mr. Tzucanow operates a business about one half block from where Ms. Welch resided. Mr. Tzucanow asked the City Commission and Mayor to look into making property owners more responsible for the actions of tenants.

Rev. Zack Lyde appeared before the Commission to report that residents are living in unsafe sanitary conditions. He pointed out that the Building Inspector and the Health Inspector wears the same hat in the City. Rev. Lyde asked the Commission to do everything to bring democracy and make sure people in the City are treated fairly.

Mayor Brown asked for a five minute recess at 8:15 p.m.

The meeting was reconvened at 8:25 p.m.

SELECTION OF ARCHITECT FOR RESTORATION OF OLD CITY HALL

The City Manager reported that John Tuten received the highest scores at the interview from the Commission.

Commissioner Jennings moved and Commissioner Williams seconded the motion approving the selection of Tuten and Associates for the Architect for Renovation of Old City Hall. The motion carried.

Commissioner Jennings stated that he believe in restoration of Historic buildings. Commissioner Jennings stated that SPLOST funds will be spent on first priority projects. Mayor Brown pointed out that drainage problems will be first priority projects.

MANAGEMENT OF MARY ROSS WATERFRONT PARK

Commissioner Lawrence moved and Commissioner Jennings seconded the motion authorizing the City Manager to advertise the management of Mary Ross Waterfront Park and to start the bidding process. The motion carried.

LIBERTY SHIP

The City Manager reported that the Commission received correspondence concerning placing the model of the Liberty Ship at Overlook Park along with plaques. The City Manager pointed out that the Chamber of Commerce has to approve the removal of the Liberty Ship.

Commissioner Jennings, a member of the Visitors Bureau, stated that the Visitor's Bureau paid \$10,000.00 to place a roof over the Liberty Ship. He stated that vandalism may occur if the ship is placed in Overlook Park. He stated that he objected to placing the Liberty Ship in Overlook Park.

Commissioner Williams recommended placing the Liberty Ship model in the downtown area.

Commissioner Jennings moved and Commissioner Williams

seconded the motion to move the Liberty Ship model to Mary Ross Waterfront Park. The motion carried.

DISCUSSION OF THE PEOPLE'S BUDGET

Commissioner Jennings submitted the People's Budget for discussion:

The People's Budget is the pursuit of excellence and accountability.

The People's Budget is an effort to "firm up" and increase the structure and accountability of all employees of the City of Brunswick.

This would help the City to be "run" more like a business than a typical, governmental agency.

Indeed, the City is a big business with a total budget of twenty (20) million dollars.

The Department Heads would formally evaluate all employees who work for them on a yearly basis.

The Department Heads, would be evaluated by the City Manager.

All appointees of the City Commission, the City Manager, the City Attorney, and the Commission Secretary would be evaluated by the Commission. City Commissioners are already evaluated by the voters.

In addition, The Department Heads, the appointees of the City Commission, and the City Commission, would all list five (5) goals they wish to accomplish for each year.

The public would be notified by the media at the end of each year what goals were accomplished.

Thus the People's Budget would enlighten the taxpayers on what services and improvements the 320 City employees had worked on for that particular year, and how taxpayers monies are being spent.

It would pinpoint those employees who are doing a fine job, and also those who have weaknesses.

The taxpayers are demanding and expecting more from the City employees and better and more efficient services; it is believed that the implementation of the People's Budget will accomplish this.

Commissioner Jennings recommended that the City Government be operated like a business instead of a throw away government.

Commissioner Jennings stated that taxpayers should be notified about the goals set by the Commission and every employee should be evaluated.

Commissioner Lawrence questioned whether the People's Budget was on the Agenda for discussion. Commissioner Jennings stated that the People's Budget will be brought back for adoption.

Rev. Lyde asked if citizens can help set the goals. Mayor Brown pointed out that citizens will participate in setting goals for the People's Budget.

CEMETERY DEED

Petition received from Annett Lovett to return for resale Block 102, Space 30 & 31 in Palmetto Cemetery. Original deed

lost, but City records verify ownership. Commissioner Davis moved and Commissioner Lawrence seconded the motion to grant the petition. The motion carried.

OTHER CITY BUSINESS

The City Manager stated that the Commission received a copy of the Budget calendar. He recommended adoption of the Budget Calendar.

Commissioner Davis moved and Commissioner Jennings seconded the motion approving the Budget Calendar. The motion carried.

The City Manager submitted additions to the protocol for meetings. Mayor Brown submitted a list to each Commissioner at the last meeting.

Commissioner Lawrence expressed his concerns about receiving the Agenda and Commission Minute Meetings on the day before the scheduled Commission Meeting. Commissioner Lawrence recommended that the Commission Minutes and Agenda be prepared and issued on Friday before the Wednesday Meeting.

The City Clerk addressed Commissioner Lawrence concerns about having the minutes on Friday. She stated that it is tax season and it is difficult to sit and write minutes, wait on customers and answer the phone and handle other operations in the Clerk's office. Commissioner Lawrence asked the City Clerk whether she needed help in the office. The City Clerk told Commissioner Lawrence that tax season is ending and she will see how things work out.

Commissioner Jennings reported that computers may lock up in the year 2000. He stated that the Director of Data Processing is working on a software program to avoid the problem.

Commissioner Davis asked the Commission how many months the City will have work sessions at 6:00 pm before each night meeting.

Commissioner Jennings recommended that the Commission hold work sessions for six months.

Commissioner Williams suggested that partitions be placed in the Water Department so that customers may have more privacy. He also suggested that something be done to hide the wires in the water department.

Commissioner Lawrence mentioned that lights should be placed on Cleburne Street and warnings be posted about the curb on R and on Cleburne Street.

Commissioner Lawrence asked that sewer lines be installed on Martin Luther King Blvd. The City Manager stated that he would be happy to look at the sewer situation on Martin Luther King Blvd. Commissioner Lawrence moved and Commissioner Jennings seconded the motion to hold an Executive Sessions to discuss a legal matter. The motion carried.

MEETING ADJOURNED.

/s/Bradford S. Brown-----

Mayor

Attest: /s/Georgia E. Marion-----
City Clerk