

OFFICIAL MINUTES  
COMMISSION MEETING OF THE CITY OF BRUNSWICK, GEORGIA  
REGULAR MINUTES  
7:00 P. M., March 18, 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 Davis moved and Commissioner Jennings seconded the motion to approve the minutes of the Called meeting of February 20, 1998 and Regular Meeting of March 4, 1998. The motion carried.

**APPOINTMENT OF JUDGE PRO-TEM**

Mayor Brown stated that the salary of the Judge Pro-Tem was discussed and set at \$200.00 per session. Mayor Brown pointed out that the Judge Pro-Tem would serve once a month or once every two quarters.

Mayor Brown asked if there were any comments or recommendations.

Commissioner Lawrence moved and Commissioner Williams seconded the motion appointing Joe Hammill to serve as Judge Pro-Tem.

Commissioner Jennings stated that he reviewed the resume's of applicants and only one applicant had experience as a Judge.

Commissioner Jennings offered the motion to appoint Andrew Lakin as Judge Pro-Tem. There was no second to the motion. The motion died for lack of a second.

On call for the vote to appoint Joe Hammill as Judge Pro-Tem the motion carried.

**PUBLIC HEARING**

This being the date, time and place for the second Public Hearing to consider rezoning New Town Lots 1094, 1095, 1096 and 1097. The request is to rezone an existing house, located on the corner of I and Union Streets from GR, General Residential District to OC, Office Commercial.

Mayor Brown asked if anyone would like to make a comment on the proposed rezoning.

George Skarpalezos the owner of the property, stated that he would like to have the property rezoned.

Commissioner Lawrence asked the size of the lot. Mr. Skarpalezos stated that the property is just under a third of an acre. The City Manager stated that the plat shows the lot as being 90' x 120'.

Mayor Brown stated that the Glynn County Planning and Zoning Board recommended approval of the rezoning.

Commissioner Jennings stated that he went by and looked at the property and did not see a problem with the rezoning. He

pointed out that all the property around it is commercial. On one side is a law office and down the street behind the three lots there is an office and commercial buildings.

Commissioner Jennings moved and Commissioner Lawrence seconded the motion granting the rezoning. The motion carried.

#### MANAGEMENT OF MARY ROSS PARK

Mayor Brown stated that the City received two proposals for the Management of Mary Ross Waterfront park.

The City Attorney stated that he prepared a generic contract for the management of the park.

Commissioner Jennings stated that all revenues collected for Mary Ross Park comes back to the City.

Commissioner Jennings moved and Commissioner Lawrence seconded the motion of Golden Isles Arts and Humanities Association for the management of Mary Ross Park with the provision that all revenues collected will come back to the City.

Mayor Brown asked for any comments from the Commission.

Commissioner Williams stated that Golden Isles Arts and Humanities Association agreed to turn all money collected for the Mary Ross Waterfront Park back to the City. Commissioner Williams pointed out that both proposals have the same plan to return all money back to the City.

Commissioner Lawrence stated that both groups submitted proposals and need to be voted on. He stated that both are fine groups. Commissioner Lawrence stated that the point is he can second a motion and vote the way he wants to.

Mayor Brown called for the vote on Golden Isles Arts and Humanities Association the motion failed by vote of 2 to 3. Commissioner Jennings and Mayor Brown voting yes and Commissioners Davis, Lawrence and Williams voting No.

Commissioner Lawrence moved and Commissioner Davis seconded the motion to accept the proposal of Downtown Development Authority for the Management of Mary Ross Waterfront Park. On call for the vote the motion carried by vote of 3 to 2. Commissioners Davis, Lawrence and Williams voting yes and Mayor Brown and Jennings voting No.

#### DELEGATIONS

Virginia Ramsey appeared before the Commission to thank them for the support given through the years. Mrs. Ramsey stated that she appreciated the appointments that the Commission made on the Library Board. Mrs. Ramsey introduced the members of the Library Board who were present at the meeting. Mrs. Ramsey mentioned that more people are using the Library about 3,000 people per week. The Library is well used and serves the Community and Region very well. Mrs. Ramsey stated that more people stop by the Library to pick up IRS forms since the IRS office is closed.

Mrs. Ramsey stated that the Library building is 21 years old and in need of remodeling. She stated that 1.1 million dollars in SPLOST funds have been provided for the 3 million-dollar renovation project. Mrs. Ramsey thanked the Commission for all the work the City has done. Mrs. Ramsey mentioned that all Library Board appointee's do attend the Board meetings.

Attorney Joe Hammill representing Star Brite Laundry and Roger Sapp appeared before the Commission to request that a zoning variance be granted to Roger Sapp to allow Star Brite Laundry to stay in business. Attorney Hammill thanked the Commission for their vote of confidence in appointing him as Judge Pro-Tem. Attorney Hammill pointed out that Mr. Sapp has been in business for quite a few years and have been licensed to operate his linen service, which includes laundering linen and drying it. At the end of the year, he was told that he would not be given a renewal because even though Laundry fit in that particular zoning they can only do drop off and pick up. Attorney Hammill stated that Mr. Sapp employs about eleven people and most of those people will not have jobs if it was not for the fact that he is located there. These people walk back and forth to work; they are not able to afford cars. Attorney Hammill pointed out it is commercial property and brings in taxes. He visited the business and the machines do not vibrate.

Mayor Brown stated that the Zoning Board of Appeals would have to grant the variance. The City Manager agreed that the Zoning Board of Appeals must hear the request of Mr. Sapp.

Commissioner Jennings stated that residents complained about the vibration from the machines tore up their houses.

Commissioner Jennings stated that the City granted a license renewal for five years to operate the business and two building permits without going through the Board of Appeals. The City Manager stated that the Commission approves zoning requests and the Zoning Board of Appeals grants variances. The City Manager stated that the City Commission appointed members to serve on the Zoning Board of Appeals and the Board handles variance decisions.

Commissioner Williams stated that he visited Star Brite Laundry unannounced and heard no noise and felt no vibrations. Commissioner Williams stated that he also went into the business to see whether the machines were on and they were. Commissioner Williams mentioned that no one lives next door to the business and the City should try to keep the business in the City.

Commissioner Lawrence pointed out that the Building Inspector issued permits to the owner to add on then all of a sudden they were not allowed to operate the business.

Commissioner Lawrence moved and Commissioner Jennings seconded the motion to grant time to Mr. Sapp to operate his business until such time as a decision is made. The motion carried.

Commissioner Jennings stated that he had a problem with Bill Dismer speaking to the Commission because he is an announced candidate for County Commissioner. He stated that Mr. Dismer would like to speak about eliminating causeway decals. Commissioner Jennings stated that Mr. Dismer should not be allowed to speak because other candidates were not invited to speak and they are not present.

Commissioner Lawrence asked whether Mr. Dismer was speaking as a County Commission candidate.

Bill Dismer stated that he was present to speak on the issue as a citizen. Mr. Dismer stated that he did announce about 3 weeks ago that he is a candidate for County Commissioner.

Commissioner Lawrence stated that Mr. Dismer should be given the opportunity to speak as a citizen.

Mayor Brown stated that the City Commission does not have the

authority to change anything the State Toll Way Authority makes that decision.

Mayor Brown pointed out that other people would have an opportunity to speak on the issue.

Bill Dismer appeared before the Commission to discuss eliminating tolls on the Torras Causeway for the citizens of Glynn County. Mr. Dismer stated citizens should be the primary concern because they put the Commission into office. He stated that the Causeway is owned jointly by the City and County and the decision to eliminate the toll will be made by the Governor's State Toll Way Authority. State Legislatures will have to get the vote from the City first and the Governor will hear from grass root citizens. Mr. Dismer stated in 1977 serious consideration was given to update the causeway. It was decided that the City and County could not agree on a major renovation and turned the contract over to the State to renovate the causeway. Mr. Dismer pointed out that imposing a toll is an injustice to citizens. Brunswick is the only location in the State of Georgia where citizens cannot drive to their local courthouse without paying a fee for toll.

Commissioner Jennings asked Mr. Dismer where he got this information. Mr. Dismer stated that he got the information from a weekly publication called The weekender the publication ran for several weeks.

Commissioner Jennings stated that one county north of Atlanta still has a toll. Commissioner Jennings asked if it was legal for the Commission to think about the issue.

The City Attorney stated that Commission could think about it and pass a resolution.

Commissioner Lawrence pointed out that research was done in 1975 concerning the toll. He recalled that there has been a toll since he has lived in Brunswick. He asked whether the City and County were receiving the toll.

Mr. Dismer stated the City and County are receiving the toll the County 60% and City 40%.

Commissioner Lawrence suggested that the Commission receives this as information and takes it under advisement.

Commissioner Williams mentioned that he grew up on St. Simons and recalled when the toll was .10 cent. Citizens had to pay .10 cent whether they walked or drove across the bridge. If citizens did not pay the toll, they would be arrested. He stated that Brunswick is the only place in Georgia where citizens have to pay a toll to get home.

Mayor Brown thanked Mr. Dismer for bringing the issue to the attention of the Commission.

Greg Tate representing The Savannah Group appeared before the Commission to discuss supplying water to the City of Brunswick through Hercules. Mr. Tate along with Mr. David Smith presented a slide presentation. Mr. Tate stated that Hercules will provide the WTP site and water will be pumped to TSG for treatment to provide water to the City at a cost. Mr. Tate stated that Hercules paid TSG \$20,000.00 to do an indebt study. TSG water quality will exceed EPA standards. The water is safe and reliable.

Commissioner Jennings asked the quality of the City's water supply. The Director of Water and Wastewater gave statistical information on the City's water supply.

Commissioner Jennings stated that the City would have to consider the proposal in the future.

Commissioner Lawrence voiced concerns about placing the water tank in his neighborhood. Commissioner Lawrence stated that citizens in the area should be protected. Commissioner Lawrence asked what will happen when the water tank breaks a loose.

David Smith stated that the water tanks would not break loose there will be no additional tanks. The water tanks will be no bigger than a house.

David Smith asked to come back to the next work session to discuss supplying water to the City.

Commissioner Lawrence pointed out that citizens need to know what goes on in the area and the Commission owes it to citizens' keep them informed.

Joe Anderson appeared before the Commission to discuss removal of a leaning pine tree in his yard. Mr. Anderson stated that he is concerned about the tree falling on his house and injuring family members. Mr. Anderson mentioned that he spoke with Commissioners Jennings, Lawrence and former Commissioner Plyman concerning the leaning pine tree. Mr. Anderson stated that he could not get anyone to remove the tree. Mr. Anderson pointed out that the Park and Tree Board members do not live in his home and cannot see how dangerous the leaning pine tree is to family members.

Mayor Brown told Mr. Anderson that the Park and Tree Board did determine that the tree should not come down.

The City Manager stated that the Park and Tree Board recommended that the tree remain.

Commissioner Jennings stated that the Commission could override the Park and Tree Board's decision and take the tree down. He pointed out that the tree is leaning and the wind can blow the tree down.

Commissioner Davis reported that she did stop by Mr. Anderson's house and was concerned about the other tree in the yard. She pointed out that the other tree would fall in his yard.

Mr. Anderson stated that he was not concerned with that tree.

Commissioner Williams stated that the pine tree is not dangerous. Commissioner Williams stated at this time he did not see the tree as a danger. He stated that he understood Mr. Anderson's concern.

Mr. Anderson stated that he is not worried about the tree, but worried about the safety of his family.

Mayor Brown pointed out that the Park and Tree Board have made a decision and he believed that they have expertise.

Commissioner Jennings stated that the tree verses human life. He pointed out that the tree is leaning horribly and the City should be concerned about life.

Commissioner Jennings moved and Commissioner Lawrence seconded the motion to cut down the leaning Pine tree in Mr. Anderson's yard. On call for the vote the motion failed by vote of 2 to 3. Commissioner Lawrence and Jennings voting yes and Mayor Brown, Commissioners Davis and Williams voting No.

Attorney Tom Whelchel representing Cumberland Gas and Ice Company requested that the City abandon a 30 feet easement. Attorney Whelchel pointed out that a portion of Cumberland Gas and Ice Company was built on eight feet of the City's easement. An agreement was made not to demolish that portion of the building built on the City's easement.

Commissioner Jennings recommended that the 30 feet easement revert back to the City once the building is not in use for any reason including bankruptcy or closing of the business.

The City Attorney stated that the easement will not be abandoned and the easement will stay in tack and still remain there.

The City Manager reported that there are no utilities on the easement and there is 22 feet that is unencroached.

Commissioner Lawrence stated that there is no reason why the City would request removal of the building off of the City's easement.

Commissioner Williams moved and Commissioner Lawrence seconded the motion to grant the use of the City's 30 feet easement to Cumberland Gas and Ice Company. The motion carried.

Harry Lyde, a resident of the City asked if he would still be able to have access to the fishing pier. Commissioner Davis pointed out that the area would not be closed off.

#### REDEMPTION DEED

Redemption requested in the name of the present owner Annett W. Amerson on Goodyear Park Q-C acquired by the City at a tax sale. All taxes, interest, and cost in the amount of \$381.79 have been paid for the year 1993. Commissioner Davis moved and Commissioner Lawrence seconded the motion authorizing the Mayor to execute the Redemption deed. The motion carried.

#### CEMETERY DEEDS

Petition of Ms. Sandra B. Ward for deed to Lot 4, Section No. 222, Spaces 3, 4, 5 and 6 in Palmetto Cemetery in lieu of original deed which has been lost, misplaced or destroyed, but City records verify ownership. Commissioner Davis moved and Commissioner Lawrence seconded the motion granting the petition. The motion carried.

Petition of Mr. D. W. Byers for deed to Lot 5, Section 222, Spaces 1, 2, 3 and 4 in Palmetto Cemetery in lieu of original deed which has been lost, misplaced or destroyed but City records verify ownership. Commissioner Davis moved and Commissioner Lawrence seconded the motion Commissioner Lawrence seconded the motion granting the petition. The motion carried.

#### STREET SWEEPER PURCHASE FOR PUBLIC WORKS

The City Manager submitted quotes to purchase a Street Sweeper for the Public Works Department. The City Manager stated that it has been determined that the Street Sweeper will not be delivered in the current fiscal year if it has to be ordered from the Factory. The City Manager quoted the price to purchase the Street Sweeper for \$99,945.00.

Commissioner Jennings stated that he was concerned about capital spending.

Mayor Brown pointed out that the Street Sweeper is a budgeted item that was approved in last year's Public Works budget.

Commissioner Jennings stated that the price might get cheaper if the City receives more bids. He stated that the Commission would consider the expenditures in this budget and this is what he understood. He questioned whether Public Works needed a sweeper.

The Director of Public works stated that the new sweeper would replace a sweeper purchased in 1990. The Director of Public Works told the Commission that the City needs an additional sweeper. Commissioner Jennings questioned the maintenance of the Street Sweeper. The Director of Public Works stated that maintenance is done on a monthly basis.

Commissioner Lawrence reported that the North End of Martin Luther King Blvd. has not been swept in five months.

Commissioner Lawrence moved and Commissioner Williams seconded the motion accepting the bid of consolidated Disposal Systems in the amount of \$99,945.00 to purchase a Street Sweeper. The motion carried.

#### **OTHER CITY BUSINESS**

The City Manager reported that he has been looking at the Water and Wastewater Budget and refinancing the bonds. The interest rates will make financing the bonds more feasible. He stated that he would like to proceed forward in working with the bond underwriter to do the bond refinancing. He requested that the City considers the process of receiving proposals and if interest rates go up then the City will not proceed with refinancing.

Commissioner Lawrence moved and Commissioner Jennings seconded the motion to receive proposals for the refinancing of the City's Water and Wastewater bonds and make selections once the proposals are received. The motion carried.

Commissioner Jennings stated that we have asked the City Manager for all the pay raises from July 1 of 1997 to the present. He stated that he asked for the amount, percentage and the names of the person who received a raise. He stated that the Commission has not received the information yet.

The City Manager told Commissioner Jennings that he was having that prepared and as the Commission knows Mr. Drummond had been out and he rely on him for a lot of this information. The City Manager stated that he was having that prepared and will submit it before the end of this week.

Commissioner Jennings asked why couldn't the payroll person get this information.

The City Manager stated that he wanted to make sure that he got the information from Mr. Drummond so that everything would be correct and that he was providing the Commission with the most accurate information possible. The City Manager told Commissioner Jennings again that Mr. Drummond came back today and they will be preparing the information and will have it by Friday.

Commissioner Jennings recommended that the payroll clerk and Mr. Drummond prepare two different sets of pay raises so that the Commission will know that the truth is being told.

Commissioner Jennings reported that the City has not had a Sheriff's Sale since 1989. He pointed out that the City has not conducted a sale in 9 years. Commissioner Jennings stated that he would like to see a list of all delinquent taxes for the last 7 years so that the City can have a Sheriff's Sale.

Mayor Brown stated that he spoke with the City Attorney and he will look into having a Sheriff's Sale. Mayor Brown recommended that the City have an amnesty period for sixty days in order for citizens to pay their taxes.

Commissioner Jennings stated that the auditors did a fine job and many things have happened recently and recommended hiring another auditor to audit every single fund in the City and every department.

Mayor Brown questioned whether the City would have to complete another audit for the bond refinancing. The City Manager stated that the audit will encompass only the Water and Wastewater Department.

Commissioner Williams stated that he would like a report on the sale of compost at the next meeting. Commissioner Williams recommended that the City publish a list of streets that will be swept so that citizens will not park in the area so that the streets can be thoroughly swept.

Commissioner Lawrence stated that the City has many utilities blocking roads in the City. Commissioner Lawrence asked the City Manager to look at the issue.

Commissioner Lawrence asked where the City stands with the cemetery vaults. The City Manager stated that he is monitoring the situation placing the vaults down lower in the ground.

Commissioner Lawrence reported that the 2300 Block of Davis Street has a big hole in the road. He questioned when would the resurfacing of the 2100-2700 Block of Cleburne Street begin.

The City Manager stated that Cleburne Street would be included on the next street resurfacing list.

The City Attorney stated that he gave a memo to the Commission about the Cemetery Ordinance. He asked if there were any changes. The City Manager stated that he would like to advertise the Cemetery Ordinance.

The City Attorney stated that he submitted a memo to the Commission concerning parking of trucks on City streets. He stated that there is not an existing ordinance to deal with the parking. He stated that the site was visited and he noticed a tractor parked on Darmouth Street and it did not cause obstruction of the view. He pointed out if parked within thirty feet it would be an obstruction and matter of State Law. The City Attorney stated that he also included a draft of Parking large vehicles on City Streets. The City Attorney stated that the ordinance would have to be specific about what the trucks are blocking. Commissioner Jennings stated that he is concerned if a truck is parked more than 72 hours on a City Street.

Mayor Brown stated that the Commission would like to hold an Executive Session. Commissioner Lawrence moved and Commissioner Jennings seconded the motion to hold an Executive Session to discuss a Personnel Matter. The motion carried.

Everett Clark resident of 1201 First Avenue spoke in reference to Star Brite Laundry and the concerns he has about the vibration problems. He stated that it is definitely a problem with vibrations in his home from the machines at Star Brite Laundry. He stated that the business has grown and the machine vibration is shaking his house apart. When the machines are in operation his China cabinet is moving. He invited the Commission to come a look at his property and

tell him if he is wrong. He stated that his house and his slab vibrate loosening joints in his house.

Rev. Zack Lyde stated that he visited the area and Star Brite Laundry employe people that have not had work in many years. People have been taken off welfare. Rev. Lyde stated that the slab at the business is 4 1/2 to 5 feet thick made of concrete. He stated that if the City was going to shut down a business they should have a place in the City for the business to relocate. He asked the City to look at the UDAG funds to help keep the Star Brite Laundry in business. He stated that he did not believe that Star Brite Laundry should be put out of business.

Following the Executive Session the meeting was adjourned.

MEETING ADJOURNED.

/s/Bradford S. Brown

Mayor

Attest: /s/Georgia E. Marion  
City Clerk