

OFFICIAL MINUTES  
COMMISSION MEETING OF THE CITY OF BRUNSWICK, GEORGIA  
REGULAR MINUTES  
8:30 A. M., April 1, 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 Jonathan Williams.

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

**APPROVAL OF MINUTES**

Commissioner Jennings moved and Commissioner Lawrence seconded the motion to approve the minutes of the meeting of March 18, 1998 with necessary corrections. The motion carried.

**ALCOHOLIC BEVERAGE LICENSE RENEWALS**

The following 1998 alcoholic license renewals were submitted and approved by the Chief of Police and the City Manager. On motion of Commissioner Davis seconded by Commissioner Lawrence the following petitions were unanimously granted:

**To retail alcoholic beverages including beer and wine for consumption on premises:**

James Bookout, Jr. at Golden Isles Cruise Lines, 1 St. Andrews Court Riverfront Plaza;

Albert Yarbrough at Spanky's, 1200 Glynn Avenue;

**To retail beer and wine for consumption off premises:**

William D. Clark III at Happy Mart #35, Piedmont Petroleum Corp. 3319 Glynn Avenue;

**JOINT APPOINTMENT HOSPITAL AUTHORITY**

Mayor Brown read the following names of applicants to consider for the expired term of Dr. Eric Segerberg for Joint appointment to the Hospital Authority Board:

Dr. Eric Segerberg  
Dr. D. H. Manning  
Carl Kimbrel  
H. E. (Gene) Briggs  
Fred Wages

Mayor Brown told the Commission that there have been some concerns mentioned to him from the Hospital Authority about appointing a doctor to serve on the Board for the Joint position. Mayor Brown pointed out that the County submitted the following names for consideration: H. E. (Gene) Briggs, Carl Kimbrel and Fred Wages.

Commissioner Jennings mentioned that he spoke with Mr. Crosby Chairman of the Hospital Authority and also with Levern Carter and both of them asked for Levern Carter to be reappointed to the Hospital Authority Board.

Commissioner Jennings mentioned traditionally if citizens are willing to serve on a Board the City has always considered them for reappointment. Commissioner Jennings stated that he

would like to see Dr. Segerberg reappointed to the Hospital Authority Board since he did a good job.

Mayor Brown recommended that the Commission vote on each applicant and the three who receive the top votes would be sent to the Hospital Authority Board for consideration. For Joint appointment to the Hospital Authority Board:

Dr. Eric Segerberg received 4 votes  
Dr. D. H. Manning received 4 votes  
Carl Kimbrel received 2 votes  
H. E. Gene Briggs received 0 votes  
Fred Wages received 4 votes

Commissioner Lawrence moved and Commissioner Jennings seconded the motion to submit three names for consideration for the joint appointment to the Hospital Authority Board: Dr. Eric Segerberg, Dr. D. H. Manning and Fred Wages. The motion carried.

#### APPOINTMENT TO THE HOSPITAL AUTHORITY BOARD

For appointment to the Hospital Authority Board:

Levern Carter received 5 votes  
Donald Thompson received 1 vote  
Dr. N. E. Armstrong received 3 votes  
Rev. G. Bobby Hall received 5 votes  
J. Virgil Early, Jr. received 0 vote

Commissioner Lawrence moved and Commissioner Jennings seconded the motion to submit three names for consideration for appointment to the Hospital Authority Board: Levern Carter, Rev. G. Bobby Hall and Dr. N. E. Armstrong. The motion carried.

#### JOINT APPOINTMENT COASTAL GEORGIA RDC

For joint appointment to the Coastal Georgia RDC Board:

Patricia M. Cooper-Mincey received 5 votes

Commissioner Lawrence moved and Commissioner Jennings seconded the motion to submit Patricia Cooper-Mincey for consideration to serve on the Coastal Georgia Regional Development Center Board. The motion carried.

#### APPOINTMENT TO ZONING BOARD OF APPEALS

For appoint to the Zoning Board of Appeals:

Robert Herring received 5 votes  
Patricia M. Cooper-Mincey received 0 votes

Commissioner Lawrence moved and Commissioner Jennings seconded the motion to reappoint Robert Herrington to serve on the Zoning Board of Appeals. The motion carried

#### APPOINTMENT TO BRUNSWICK AND GOLDEN ISLES VISITORS BUREAU

Commissioner Lawrence stated that Commissioner Jennings is currently serving on the Visitor's Bureau and is doing an excellent job and stated that he would like to reappoint him to serve again.

Commissioner Lawrence moved and Commissioner Davis seconded the motion appointing Commissioner Jennings to serve on the Visitor's Bureau. The motion carried.

#### OTHER CITY BUSINESS

The City Manager reported that Commissioner Williams at the last meeting asked for the compost sales. The City Manager pointed out that 375 tickets were purchased in March at \$5.00 each and generated \$1,875.00. Once the tickets are purchased they are redeemed at the compost facility. The City Manager stated that charging for the compost did not have a negative impact on the compost facility.

Commissioner Jennings mentioned back in 1990 the City Commission directed all employees to received a two and one half percent pay raise and Georgia Marion was excluded and this was one person out of 320 employees which he felt was raw prejudice and did not like it. Commissioner Jennings recommended that the City go back retroactively and give Ms. Marion her two and one half percent cost of living pay raise that she should have received back in 1990 even though it was a long time ago. Commissioner Jennings offered the motion to grant Ms. Marion a two and one half percent raise retroactive to 1990. Commissioner Lawrence seconded the motion.

Mayor Brown asked if there was any discussion on the motion to give Ms. Marion a two and one half percent cost of living raise offered by Commissioner Jennings.

Commissioner Williams stated that he wanted to know if there was any reason why Ms. Marion's raise was eliminated in 1990.

Georgia Marion stated that she did not know why this happened and no explanation was given to her when she asked about it in the form of a memo. She never received an answer.

The City Manager stated that there is nothing in the file that indicates any particular reason why it was done at that time.

Commissioner Lawrence stated that the Commission knows in all fairness that this actually took place in 1990 before any of the Commission was here.

Mayor Brown questioned the memo's that were written about the pay raise and whether the Commission knew about this.

Commissioner Lawrence recalled when Ms. Marion brought it to the Commission's attention he believed back in 1991 and he was under the impression that this was taken care of because of the fact that the Commission did see it the same as Commissioner Jennings and apparently the situation was not taken care of because it came up again in 1997. Commissioner Lawrence stated that he thought the matter was taken care of.

Commissioner Davis stated that it also came up in 1992, 1993 and 1994.

Commissioner Lawrence stated that whatever the oversight was he did not know, however Commissioner Jennings offered a motion to go back and give her the cost of living raise and that is exactly what it was and every employee was entitled to. It had nothing to do with merit or work performance or anything it was a cost of living raise and she was entitled to it. Commissioner Lawrence stated that he support giving her the two and one half percent cost of living raise retroactively.

Mayor Brown stated that there have been several attempts by the Commission to rectify this.

Commissioner Lawrence agreed. He asked the City Manager if he wanted to address the issue. The City Manager stated that he thought this was the first time a motion was made. The City Manager stated that he did not think that the minutes would reflect this type of action has ever been taken. He stated that it is certainly not a problem to calculate the

amount due and get this squared away.  
On call for the vote the motion carried.

Commissioner Jennings reported that he asked the City Manager to submit a list of all the Real Estate Taxes that have not been paid since 1990 and he finally got the list with the total amount of \$95,986 which is due.

Commissioner Jennings recommended that the City hold a Sheriff's sale to give people a chance to buy houses. Commissioner Jennings directed the City Attorney and City Manager to write and notify these people and give them ninety days amnesty to come forth and pay these taxes otherwise a sheriff sale would be held to collect taxes. Commissioner Jennings moved to give the taxpayers ninety days to pay taxes and hold a Sheriff Sales to collect unpaid taxes. There was no second to the motion.

Commissioner Lawrence expressed his personal opinion. He stated that every Commissioner should have the list of taxpayers that have not paid their taxes. He pointed out that the Commission did not receive the list and there was no discussion about what should be done. Commissioner Lawrence stated that the City should do something similar to what the County is doing to help senior citizens with their real estate taxes.

Commissioner Jennings agreed to go along with the recommendation of Commissioner Lawrence. The City Manager mentioned that he did have a copy of the list for each Commissioner and it would be available before they leave. The City Manager stated that Commissioner Lawrence is referring to some type of homestead exemption for senior citizens. The County currently has a homestead exemption for persons over 65 years old. The City Manager stated that he believed that in the past the City never granted that exemption. He stated that it might be something the City certainly may want to consider.

Commissioner Lawrence pointed out that the Commission should discuss the issue before any action is taken. He stated that he did not object, but felt a discussion should take place. Commissioner Jennings agreed with Commissioner Lawrence.

Commissioner Williams stated that he hoped that the listing is accurate because he would hate to see the City advertising a property owner's home in the paper and find that the taxes have already been paid. It would be embarrassing if there is poor record keeping. He advised the City to have correct information before property is advertised as being unpaid. Mayor Brown asked the City Attorney to give the Commission an update on the delinquent taxes.

The City Attorney stated that he has started looking at the taxes based on the discussion at the last meeting and one of the things the Commission may want to consider is working in some manner jointly with the County Commission in their efforts to collect back taxes. The Commission may find that it will save a lot of cost to do it that way and felt that it would fit into what Commissioner Lawrence recommended here in the way of discussion. There are a lot of things that the City may need to consider on the cost of collection, certainly the City does not want to spend \$200,000.00 to collect \$95,000.00 worth of taxes it may be that the Commission can collect the taxes in a very efficient way. Commissioner Williams stated that the County sends the tax digest to the City with all the information for City taxes. He asked the City Clerk was that correct. The City Clerk agreed. Commissioner Williams stated that the County for

some reason decided to give him a new mailing address and he did not receive his tax bill. He pointed out that he had to find out why he did not receive a tax bill and found that the County made an error. He stated that if the City has to go back to the County to make sure that the City receives the right information because the City does not want to be embarrassed.

Commissioner Jennings withdrew his motion.

Commissioner Jennings asked the City Manager the amount of credit cards the City currently has.

The City Manager stated that he believed the City has three credit cards.

Commissioner Jennings asked who has the credit cards. The City Manager stated that he has one card and the other two cards are kept by Ms. Mobley and checked out to City employees who are scheduled to go out of town and things like that.

Commissioner Jennings requested a copy of the bills for the past five years on how the credit cards have been used and for what purposes.

Commissioner Jennings stated that he has requested a list of past due water bills and has not received the list yet.

The City Manager reported that he is getting the list finalized and will have the list to the Commission by Friday of this week. He stated that staff has been putting that list together and it is a lengthy document. The City Manager stated that all the outstanding water bills would be listed.

Commissioner Lawrence recommended that the list be based on the people who received pink notices. Commissioner Lawrence pointed out that people could not pay their water bill with a pink notice at Five Points. They will have to come to City Hall to pay a past due bill. Commissioner Lawrence suggested using the delinquent water bill list, which consists of people who received a pink cut off notice.

Commissioner Jennings stated that he wanted this information available to the Commission and the news media by Friday. Commissioner Jennings asked the City Manager if he had an opportunity to read the editorial in the Brunswick News. Commissioner Jennings asked the City Manager who runs the City. The City Manager told Commissioner Jennings that the City Commission runs the City. He stated that if the Commission wants the news media to receive a copy of the delinquent water list it would be provided to them.

Commissioner Jennings stated that the news media is a resident and taxpayer too, and they should receive a copy of the list.

Commissioner Jennings stated that he spoke with the Mayor concerning auditing the City. He pointed out that the City Attorney left and the City Manager is scheduled to leave in July and he felt that the City needs either a CPA or Audit firm to come in and Audit the City. Commissioner Jennings stated that he prefers a firm that is not located in the City to conduct an audit rather than wait for the fiscal year audit for the State. Commissioner Jennings suggested that the City conduct an audit as quickly as possible to see where the City stands financially. Commissioner Jennings stated that he would like to get the input from the Commission to see how they feel about the audit.

Mayor Brown asked Commissioner Jennings if he suggested bringing an audit firm from outside the Community.

Commissioner Jennings stated that his recommendation was for just this one time. He pointed out that CPA's are professional people and they have done a great job, however he would like to see a firm that does not know the City to come in and conduct an audit.

Mayor Brown asked the City Manager the cost of an audit. The city Manager stated he did not know, but could get the information for him.

Commissioner Lawrence asked the City Manager what steps were taken to conduct an audit. The City Manager stated that the City was conducting a regular audit and some of the information was provided by the auditors from the audit that was taking place.

Commissioner Lawrence pointed out that the audit firm that the City used was a private enterprise. The City Manager explained that the City actually bid the auditing service out on a three-year basis and the City is using the audit firm that was selected through the bidding procedure.

Commissioner Lawrence asked Commissioner Jennings when he mentioned a private firm did he refer to a company who may not have a conflict of interest with the City. He asked Commissioner Jennings if he felt that the audit firm could not do an audit for the City.

Commissioner Jennings mentioned that he did not have a problem with the audit firm auditing the City. Any good CPA has to take a complicated test to become a CPA. Commissioner Jennings suggested that the City use another audit firm this one time since the City has many people leaving. Commissioner Jennings stated he would like to know and of course the City Manager would like to feel more comfortable and the former City Attorney would like to feel more comfortable in having a firm that has not conducted an audit for the City and does not know the City Commission, the City Manager, the former City Attorney or the past administration. Just this one time Commissioner Jennings asked to have another audit firm come in and audit the City. He stated that there is no reflection on the professionalism of the firm that already conducted the audit they did a beautiful job and he applauds them for it. He recommended that the City bring in an audit firm from Savannah or Atlanta.

Commissioner Lawrence suggested that the City set a price on how much it would cost for an auditor to come in and audit the City. Commissioner Jennings recommended that the City put out bids and selects the top bidder.

Mayor Brown advised the Commission that they should keep in mind that the City is required to conduct a State Mandated Audit every year and the audit is coming up at the end of June. It is basically three months away and the City has to pay for this audit. He stated that the Commission needs to look at whether they want to pay for an additional audit when an audit will be conducted in three months.

Commissioner Lawrence asked if the auditors could begin the audit a little earlier. The City Manager stated that the audit will have to be provided to the State and it will be effective June 30th because that is the end of the City's fiscal year and the information that the City is required by the State has to be an audit July 1-June 30th covering the City's fiscal year.

Mayor Brown stated that he agreed with Commissioner Jennings that an audit needs to be conducted, but the other side of it is the effectiveness of an audit when the City is so close to having a regular audit done. He stated that he was not sure that the cost expenditure would be appropriate at this point

and time.

Commissioner Williams suggested that the City does not go to an extra expense to hire an auditor if the present audit firm feels confident with conducting an audit. He stated that he did not think the City should spend extra money at this time.

The City manager stated that he could get the information for the cost of an audit. No action was taken at this time.

Commissioner Davis stated that she has reservations about appointing the Downtown Development Authority to manage the Waterfront Park. Commissioner Davis stated that she received many telephone calls from members stating that they do not want to manage the Waterfront Park.

Commissioner Lawrence stated that the chairman of the Downtown Development Authority should appear before the Commission and make it known that the DDA does not want to manage the Waterfront Park.

Commissioner Davis asked if the contract to manage the Waterfront Park had been signed.

The City Manager stated that the contract was not signed and he spoke with Kay Shiver on Monday to see if the contract was signed. Ms. Shiver indicated that she would speak with Mr. Scott the chairman of DDA to find out the status.

The City Manager stated that Ms. Shiver indicated that there were a couple of Board members that had reservations about the management of the Waterfront Park and as a result Mr. Scott did not sign the contract. Mr. Scott felt that he did have a consensus of the Board members. The City Manager stated that he has not heard from anyone since then.

Commissioner Lawrence questioned whether some members on the Board felt that they do not want to manage the Waterfront Park. Commissioner Lawrence asked if the members of the DDA met to discuss managing the park.

The City Manager stated that Mr. Scott was contacting all Board members before the contract is signed.

Mayor Brown stated that the City should support whatever the group decides and they should be allowed to work out their problems.

Commissioner Williams suggested that the City wait until after the DDA holds a meeting and get something in writing concerning the management of the Waterfront Park.

Commissioner Williams reminded the City Manager that leaves are falling and they should be cleaned up. The City Manager stated that he would speak with the Director of Public Works to make sure they stay on top of the clean up in the City.

Commissioner Williams reported that there are still some culverts in the City that need to be worked on because they are dangerous. The City Manager stated that he will get with Commissioner Williams and visit the ones he is familiar with and go from there.

Commissioner Lawrence stated that he would like to discuss a personnel matter in an Executive Session.

Commissioner Lawrence moved and Commissioner Davis seconded the motion to hold an Executive Session to discuss a Personnel matter. The motion carried.

Following the Executive Session Mayor Brown announced that the Commission would go over a few items before the meeting

is adjourned. Mayor Brown asked the City Manager to clarify some things concerning pay raises.

The City Manager reported that for those persons who received pay raises in December additional information will be provided to the Commission and some of the back up paper work as far as justification for those raises and additional information relating to the reason for the raises will be submitted to the Commission.

Mayor Brown pointed out that last week the radio media discussed delinquent water bills pertaining to Mr. Mitchell and this matter has been cleared up, rectified, and paid. He stated that there were some problems and some leaks and the Commission discussed it with Mr. Mitchell and he will have that cleared up.

Mayor Brown asked for a motion to get approval from the Commission for any expenditures of \$1,000.00 or more.

Commissioner Lawrence moved and Commissioner Jennings seconded the motion to get approval for any expenditure over \$1,000.00 from the Commission. The motion carried.

Commissioner Lawrence moved and Commissioner Jennings seconded the motion granting every employee the right to hold a grievance hearing before the Commission after following the proper procedures.

Commissioner Lawrence explained that any employee of the City of Brunswick has a right to bring their complaint all the way to the Commission. Commissioner Lawrence stated that complaints are currently handled by the City Manager and he is the only person who can render a decision on the employee.

Commissioner Lawrence recalled when he was elected to serve on the Commission Board any employee who had a grievance had an opportunity to bring their grievance before the Commission if he or she was not satisfied with the City Manager's decision. He stated that the Commission would start hearing grievances from City employees.

Mayor Brown stated that he would like for it to be understood that employees must appear before the Commission in an open meeting after following procedures.

Commissioner Jennings explained that employees must go through the proper procedures when filing a grievance. After this is done, the employee may appear before the Commissioner to discuss their grievance.

On call for the vote the motion carried.

Commissioner Lawrence moved and Commissioner Jennings seconded the motion adjourning the meeting.

**MEETING ADJOURNED.**

/s/Bradford S. Brown  
Mayor

Attest /s/Georgia E. Marion  
City Clerk