

OFFICIAL MINUTES
COMMISSION MEETING OF THE CITY OF BRUNSWICK, GEORGIA
REGULAR MINUTES
7:00 P. M., April 15, 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 Rev. Patrick Fulton.

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

**ADMINISTERING THE OATH OF OFFICE TO THE MUNICIPAL JUDGE
PRO- TEM**

Judge Amanda Williams of the Brunswick Judicial Circuit administered the oath of office to Attorney Joseph Hammil Municipal Judge Pro-Tem of the Municipal Court of Brunswick.

PRESENTATION TO THELMA ROGERS

Dr. Faye Boddiford, Director of the Adult Education Center appeared before the Commission to introduce the recipient of the Eagle Award, Mrs. Thelma Rogers. Dr. Boddiford stated that the Eagle Award is the highest Academic Award presented to students at the Adult Education Center.

Mayor Brown presented Mrs. Thelma Rogers with a key to the City for her academic accomplishments.

DELEGATIONS

Fred Herzfeld resident of the City of Brunswick appeared before the Commission to speak about Health Hazards in Winn Dixie Supermarkets in the City of Brunswick. Mr. Herzfeld stated his qualifications and credentials. He graduated from the Massachusetts Institute of Technology where he studied for biology as a pre-med curriculum and Electrical Engineering. Mr. Herzfeld also did graduate work at the Moore School of Electrical Engineering. Mr. Herzfeld was invited to sail on the Calypso in 1957 because of his multidiscipline with Jacques Cousteau as a research technician. While in College at MIT he was enrolled in the ROTC program. Mr. Herzfeld is a veteran of the Korean Conflict.

Mr. Herzfeld stated that his father was a medical doctor and his father-in-law a surgeon. He became aware of the requirements for safe foods and food handling for safe food processing from scrubbing with his father and father-in-law and all the associated danger of bacterial and chemical spoilage.

Mr. Herzfeld holds several U.S. patents a color television invention U.S. patent no. 3,476,025 issued November 4th, 1969 and the aging process of red wines patent no. 3,942,423 issued March 6, 1976. These are two of his patents.

Mr. Herzfeld also discovered a new human disease. Mr. Herzfeld stated that he believed that his background qualifies him to make the presentation on the Health Hazards at Winn-Dinn Stores in the City of Brunswick.

Mr. Herzfeld recalls that he made a photo presentation at the Commission meeting on March 20th, 1996 showing the horrible conditions surrounding the Winn-Dixie dumpster at Lanier

Plaza. As a result of Mr. Herzfeld presentation, Mr. Randy Blackman the store manager told the City Commission that he would lock the dumpster with substantial locks and the area would be kept clean. The area will stay well lit and it was against Winn-Dixie Policy to use shopping carts for garbage transport. Mr. Blackman also told the Commission that vagrants cut off the small locks.

Mr. Herzfeld submitted photo two years later of the dumpsters not being in compliance with City and County and specifically with the County Health Department. Mr. Herzfeld showed several shopping carts being used to store garbage because the dumpster was full.

Mr. Herzfeld showed inspection reports where the dumpster lids were not closed and the area was in need of cleaning. It was determined that the City Inspector in the meeting of March 20th 1996 was instructed to check the dumpster area to see if Winn Dixie was in compliance with the City's garbage Code.

Mr. Herzfeld discussed rodents and fleas they carry. He next discussed the Food Service Establishment reports and claimed that Winn Dixie failed almost 50% of Category I item.

Mr. Herzfeld pointed out his concerns about the sale of dented can goods at Winn Dixie Stores. Mr. Herzfeld stated that he brought it to the attention of the managers of Winn Dixie Store that the dented cans could not be sold according to the Georgia Department of Agriculture. He stated that the sale was illegal and no other stores sold dented cans in the City of Brunswick.

Mr. Herzfeld pointed out that it was also illegal to paste one label over another and it was illegal to remove a manufactures sell by date and sell a product after the sold by date.

Mr. Herzfeld stated that all of the violations stated have occurred at both Winn Dixie Stores.

Commissioner Jennings pointed out that Mr. Herzfeld has a tremendous amount of garbage bags on the side of his house. Mr. Herzfeld stated that those are not garbage bags.

Commissioner Jennings stated that he did not like prejudice about one store and the name Winn-Dixie should have not been used. Commissioner Jennings pointed out that the Agriculture Department investigated and not one of the stores was cited by the Department.

Mayor Brown asked Wayne Nuenke, Representative of the Health Department if the violations have been taken care of. Mr. Nuenke stated that the Health Department check stores quarterly and the Winn-Dixie store have been inspected and all Class I violations was taken care of.

Mayor Brown mentioned that the violations would be handled by the appropriate agencies.

Commissioner Jennings asked Mr. Nuenke if it is safe to shop at Supermarkets in Brunswick. Mr. Nuenke stated that Supermarkets in Brunswick are safe.

Commissioner Lawrence stated that he visited Winn-Dixie with Mr. Herzfeld and told him that Winn-Dixie could be singled out.

Mayor Brown stated that the City Inspector would check for violations.

Rev. Patrick Fulton, Assistant Pastor of Abyssinia Baptist Church appeared before the Commission to discuss the 1000

Youth March for Change on Saturday May 23rd at the Waterfront Park. Rev. Fulton stated that the march would be against school gang violence, substance abuse, dropout prevention, illiteracy, pregnancy and sexually transmitted diseases. Rev. Fulton stated that the March will begin 10:00 A. M. at Risley Middle School. Rev. Fulton requested a financial contribution, materials or services support.

Commissioner Lawrence questioned whether Rev. Fulton wanted in-kind contributions or financial contributions. Rev. Fulton stated that the request is for any contribution the City will offer.

Commissioner Jennings commended Rev. Fulton for organizing the march. Commissioner Jennings stated the he and his wife helped with tutoring at risk kids in Dixville. Commissioner Jennings stated that the City could certainly provide cold drinks.

Rev. Fulton requested that the City sponsor teams to bring the youth together in the community. Rev. Fulton next requested that the City proclaim May 23rd as 1000 Youth March Day in the City of Brunswick.

Commissioner Williams commended Rev. Fulton for coordinating the march. Commissioner Williams told Rev. Fulton that the Brunswick Recreation Department offers an excellent program for youths during the summer.

Commissioner Lawrence suggested that Rev. Fulton meet with the Recreation Director to discuss the programs that is offered for the youth in Brunswick.

The Director of Recreation told Rev. Fulton that the Commission on Children and Youth would sponsor a teen summit. He invited Rev. Fulton to join in the teen summit. The Director of Recreation mentioned that the City is trying to get activities scheduled at the H Street Community Center and he mentioned that JPTA is putting teens to work in the summer. The Director of Recreation stated that he would meet with Rev. Fulton to discuss some of the projects the City is working on involving the youth in the community.

Commissioner Jennings pointed out that the City does not ordinarily give money to groups who come before the Commission. The Commission usually has to wait to hold budget hearings each year before any funds are allocated.

Mayor Brown stated that it is a great idea to have the march to bring the youth of the City together.

Commissioner Williams mentioned that he would like to see parents involved in activities with young people.

The Director of Recreation stated that he may be able to get the drinks and other things donated if Rev. Fulton will meet with him.

Commissioner Lawrence encouraged Rev. Fulton to look forward and to keep pressing on. Commissioner Davis stated that she will help personally and told Rev. Fulton not to get discouraged.

The Commission offered the use of a podium and the Public address system for the 1000 Youth March and the Director of Recreation offered to help with supplying cold drinks.

CEMETERY ORDINANCE

Commissioner Lawrence moved and Commissioner Jennings seconded the motion adopting the following ordinance:

An Ordinance to amend the Code of the City of Brunswick, specifically Chapter 7 therefore, by striking said Chapter 7, and substituting in lieu thereof a new Chapter 7 for the regulation of cemeteries and burials at City-operated and provide for minimum permissible depths for burial of human remains; to provide for burial of strangers and of transient or resident paupers; to provide certain definitions and an effective date for this ordinance; and for other purposes.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BRUNSWICK:

Section 7-1

As used in this Chapter, the term:

(a) "Cemetery" means any land or structure in this City dedicated to and used, or intended to be used, for interment of human remains by way of earth interment, i.e., burial, or by mausoleum or crypt interment, or some combination thereof. It does not include fraternal cemeteries, church and synagogue cemeteries or private family burial plots.

(b) "Grave" means a space in the ground in a cemetery designated for use as a place used or to be used for burial of human remains in the earth.

(c) "Mausoleum" means a structure or building located within a cemetery and which is substantially exposed above the ground and which is used or intended to be used for interment of human remains in crypts or niches located above ground.

(d) "Pauper" means a person, identified or unknown, as to whom the City Manager or City Manager's designee has been furnished evidence that such person died in a state of indigence leaving no estate to pay for funerary services and burial, and for whom there does not appear any charitable or other available source of financial or other assistance for meeting the cost of funerary and burial costs.

Section 7-2

There shall be set apart in every cemetery, under the direction of the City Commission, a portion of such cemetery for the burial of strangers and of transient or resident paupers.

Section 7-3

All burials in any cemetery grave within the corporate limits of the City of Brunswick shall be carried out by way of an excavation of sufficient depth that the uppermost portion of the casket, or in the event a vault is used, the uppermost portion of the vault, is buried and covered by earth to a level at least twelve (12) inches below the finish grade of the burial plot. This is not preclude the owner of a cemetery from establishing a different rule as to minimum depth for burials by way of rules or regulations adopted, maintained and posted in accordance with O.C.G.A. 44-3-141.

Section 7-4

The provisions of Section 7-3 shall take effect, and apply to all burials occurring on or after June 1, 1998.

Notice of intent published Friday, April 10, 1998.

Read and adopted: April 15, 1998.

ALCOHOLIC BEVERAGE LICENSE

Petition received from Vinnia Copeland to retail beer and wine for consumption on premises at Viv's Place at 1408 Monk Street. Commissioner Lawrence moved and Commissioner Davis seconded the motion granting the petition. The motion carried.

TRANSPORTATION BID

The Director of Community submitted the following bids for Transportation. Coastal Georgia \$101.00 for routes A-E
People Movers \$48.00 for routes A-E.

Following a discussion Commissioner Lawrence moved and Commissioner Davis seconded the motion accepting the low bid of People Movers. The motion carried.

GEMA MITIGATION GRANT

The Director of Community Development submitted plans for the Georgia Emergency Management Mitigation Grant for improvements in College Park.

Commissioner Williams moved and Commissioner Lawrence seconded the motion approving the plans for the GEMA Mitigation grant. The motion carried.

WATERFRONT PARK MANAGER

Mayor Brown reported that the Downtown Development Authority submitted a letter requesting to give up the management of the Waterfront Park.

Commissioner Davis recommended that the Management of the Waterfront Park be put back out for bids. Commissioner Davis stated that the Commission would like to know why DDA backed out of the contract to manage the Waterfront Park.

Mayor Brown pointed out that the bids to manage the Waterfront Park was opened and if the management is rebid then everyone would know the bid amount.

The City Attorney stated that the City have a legal right to put out for bids the management of the Waterfront Park. This is a disadvantage to let everyone know what the other company bid and other companies would bid lower.

Commissioner Williams questioned whether the City has to accept the lowest bid. The City Attorney stated that the City must accept the best bid.

Commissioner Jennings recommended that the bids be brought back at the next meeting.

Commissioner Davis moved and Commissioner Jennings seconded the motion to rebid the management of the Waterfront Park. The motion carried.

Commissioner Davis and Commissioner Lawrence stated that they would like to have the Chairman of the Downtown Development Authority appear before the Commission to discuss why the DDA was not interested in the Management of the Waterfront Park.

The City Attorney suggested that the City close the bids the Wednesday before the next Commission Meeting.

CEMETERY DEED

Petition received to transfer Section No. 10, Lot No. 3, in Palmetto Cemetery from C.C. Goodbread to Mrs. Shelton (Doris)

Cooke. Original deed lost, but City records verify ownership. Commissioner Davis moved and Commissioner Lawrence seconded the motion granting the petition. The motion carried.

ESTABLISHING DOCKING FEES FOR THE CITY DOCK

Mayor Brown stated that the City charge boats \$1.00 per foot and \$2.00 for the use of water at the city Dock. He pointed out that the City discussed the issue of changing the docking fees.

Commissioner Jennings asked Mrs. Knight of Knights Seafood to speak on the fees charged at the City dock.

Mrs. Knight stated that an average boat size is 55 foot to 72 foot. She stated that a letter was given to the City Manager's Administrative Assistant concerning the cost the City charges for using the dock.

Commissioner Jennings asked Mrs. Knight what was the average docking fee used on the Southeast Coast. Mrs. Knight stated that the only knowledge she has is the fee charged for some docks in the Port Canaveral area, which is \$400.00 per month per boat.

Commissioner Jennings stated that the City have two choices to charge the docking fee per boat or per foot.

Commissioner Williams asked how many months boats are making profits. Mrs. Knight told Commissioner Williams about nine months. The fishing season begins in May.

Mayor Brown pointed out that the dock is in need of repair and people are dumping garbage on the dock.

Mrs. Knight stated that the City dock certainly provide a service and is needed in this community. Mrs. Knight stated that the City have to charge enough for boats to dock. Mrs. Knight expressed her concerns about the current docking fees.

Corporal Dickerson stated that the City have not had a rate increase at the City dock in eight or nine years. He stated that the dock was in need of repairs.

The Commission instructed the City Manager to find out what other cities charge for public docking fees before the City raises the rate at the City dock.

OTHER CITY BUSINESS

Commissioner Jennings asked the City Manager for the information he requested concerning the City's three Credit Cards. Commissioner Jennings stated that he spoke with a gentleman from First American Home Health now IHS and found that this company does not use any type of credit card. Commissioner Jennings suggested that the City consider discontinuing the use of any type of credit card if other companies such as IHS can get by without credit cards. Commissioner Jennings stated that he has been with the City for two and a half years and never used a credit card. Commissioner Jennings stated he would like to implement a policy for credit card use in the City.

Commissioner Jennings stated that the Director of Finance was asked to submit credit cards records for five year and was told the City could only furnish one year worth of records.

Commissioner Williams stated that credit cards could be good or bad when you do not supervise them. Commissioner Williams stated that the City should have some means to get City

Officials and staff where they need to go for training.

Mayor Brown stated that a policy is in place for check and balances and a policy should be in place for credit cards.

Commissioner Lawrence stated that the City Manager reviewed the credit card bills and he never reported any abuse of the credit cards. The City Manager stated that the Director of Finance receives a copy of all itemized credit card bills and he also review the bills when they come in.

Commissioner Jennings congratulated Davis Commissioner for being elected as the District Vice President of Georgia Municipal Association. He stated that Commissioner Davis would serve as the District President of GMA in the year 2000.

Commissioner Davis reported that Hopkins Avenue at the intersection of Glynn Avenue need repairs.

Commissioner Williams suggested that information concerning street repairs should be placed in the Brunswick News. Commissioner Williams recommended that the City have some type of bulletin listing of what is being done in the City. All citizens should have an open line to the Commission.

Commissioner Williams suggested holding a town meeting for the month of May.

Commissioner Lawrence mentioned that the City Clerk received a 2-1/2 percent cost of living pay increase for 1990. Other City employees received merit increases. He stated that he would like the facts to be known. Commissioner Jennings stated that this employee have not received a pay increase only a cost of living raise for 1990.

Commissioner Williams stated that the Commission should include all employees when giving raises, the City Manager and the City Clerk.

The City Attorney stated that the Commission can use a general policy statement and it would include the City Clerk or City Manager with employees.

Commissioner Davis stated that the Brunswick News listed applicants from New Mexico who applied for the position of City Manager, and Commissioners have not had an opportunity to review the application.

Commissioner Lawrence stated that in the past the City Clerk would receive the applications and distribute a copy to the Mayor and Commissioners. Commissioner Lawrence stated that the Commission should know about every application that the City receive for the City Manager's position.

Mayor Brown reported that Jazz up would be held in Brunswick. Food and refreshments will be served at the Waterfront Park.

Commissioner Williams 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 stated that the Commission discussed Personnel Matters and Pending Litigation.

Commissioner Lawrence moved and Commissioner Jennings seconded the motion to adjourn. The motion carried.

MEETING ADJOURNED.

/s/Bradford S. Brown

Mayor

Attest: /s/Georgia E. Marion

City Clerk