

**OFFICIAL MINUTES  
COMMISSION OF THE CITY OF BRUNSWICK, GEORGIA  
REGULAR MEETING  
7:00 P.M., JULY 15, 1998**

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

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

**APPROVAL OF MINUTES**

Commissioner Williams moved and Commissioner Lawrence seconded the motion approving the minutes of the regular meeting of June 1, 1998. The motion carried.

**RECOGNITION OF RETIRING CITY EMPLOYEE**

Mayor Brown presented a gift to Tony Spinally, Public Works employee for 31 years of dedicated and faithful service to the City of Brunswick. Received with appreciation.

**DELEGATIONS**

Ronnie Perry, representing the American Red Cross appeared before the Commission to request that the permit fees be waived for the construction of a new building on Rose Drive. The motion carried.

Fred Duffel, resident of the City of Brunswick appeared before the Commission to discuss the Leash Law Ordinance. Mr. Duffel stated that his two-year old was approached by a stray dog and it took five calls to the Police Department to get help. Mr. Duffel pointed out that everyone in the City of Brunswick should have their dog on a leash.

Commissioner Jennings questioned whether the City prohibits dogs running loose without a leash. The City Attorney stated that the dog's owner is subject to a small criminal fee if the Leash Law is violated by the owner.

Mayor Brown directed the new City Manager to speak with the Chief of Police to enforce the Leash Law ordinance.

Sergeant Ed Johnson was present at the meeting and told the Commission that the matter has already been taken care of.

**BID RECOMMENDATION FOR AUTO FUEL AND MANAGEMENT SYSTEM:**

The City Manager stated that the City of Brunswick is mandated by State Law to dispose of underground fuel tanks by November, 1998. The City Manager submitted the following bids for Automatic Fuel and Management System:

<b>Vendor</b>	<b>Comments</b>	<b>Total</b>
OSAN Petroleum Co. 1025 Bay Street Brunswick, Georgia 31520	Gas 93-Octane Diesel Hs Diesel Ls	.76304* .58376 .5018
J. D. Moore	BID NOT FOR PER BID SPECIFICATION	

P.O. Box 1078  
Brunswick, Georgia 31521

Fleet Fuel Sales, Inc.	Gas 93-Octane	.80
211 Sand Bar Ferry Road	Diesel Hs	.No Bid
Augusta, Georgia 30901	Diesel Ls	.6672

\*Recommend-LowBid

#### **APPOINTMENT TO GLYNN COUNTY DEVELOPMENT AUTHORITY**

Commissioner Davis moved and Commissioner Jennings seconded the motion adopting the following resolution appointing James B. Jordan and Jack E. Hardman to fill the expired terms on the Board of Governors of the Brunswick and Glynn County Development Authority:

The interim City Manager/Director of Community Development submitted the Justice Assistance Local Block Grant Application for the Police Department. The Block Grant will be used to purchase equipment for the Police Department. The Grant amount is \$91,754.00 with a cash match from the City in the amount of \$91,754.00.

Commissioner Lawrence moved and Commissioner Williams seconded the motion authorizing the Director of Community Development to submit the Justice Assistance Local Block Grant application in the amount of \$91,754.00 along with the approval of a cash match from the City in the amount of \$91,754.00

#### **ADULT ENTERTAINMENT ORDINANCE AMENDMENT**

The City Attorney submitted the amendments to Ordinance No. 934 adult Entertainment. He submitted various written summaries of studies regarding the effects of sexually-oriented businesses with regard to land uses, property values and criminal activity within the vicinity of such businesses in urban areas.

Captain Chris Stewart of the City of Brunswick Police Department addressed issues of the Department respective to what enforcement tool is needed to reduce criminal activity, protect property values and the quality of life in the City as it relates to regulating of such businesses. Captain Stewart stated that the Ordinance Allows interpretation and gives clear direction on such business in the City. He further stated that the Police Department needs to know about the type of employees and knowledge of managers and owners in these businesses.

The City Attorney asked Captain Chris Stewart a series of questions concerning the purpose of the Adult Entertainment Ordinance and the purpose to prohibit nude dancing in the City of Brunswick.

Police Captain Chris Stewart stated that there are certain types of crimes associated with adult entertainment establishments and it is found that these businesses have more calls and problems.

Commissioner Lawrence asked what effects would the Ordinance have on businesses that are grandfathered in and if the City could enforce the law on these businesses.

Police Captain Stewart stated that the ordinance must be enforced and background checks must be conducted and licensing regulations must be followed.

Commissioner Jennings asked the City Attorney whether an addendum would be added to grandfather in the Adult Bookstore and the Red Carpet Lounge.

The City Attorney stated that the City should do it in the best intrusive way to grandfather in existing businesses and set aside personal feelings and look at the secondary effects.

Commissioner Lawrence asked if it would pose a problem to grandfather in these businesses. The City Attorney stated that it will not be a problem and these businesses will not be exempted from the ordinance. The enforcement tool will be used considerably.

Commissioner Jennings moved and Commissioner Lawrence seconded the motion to adopt the following ordinance. The motion carried:

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF BRUNSWICK, SPECIFICALLY CHAPTER 13. ARTICLE XVI THEREOF, BY STRIKING SAID ARTICLE XVI AND SUBSTITUTING IN LIEU THEREOF A NEW ARTICLE XVI, FOR THE LICENSING AND REGULATION OF ADULT ENTERTAINMENT ESTABLISHMENTS OF ALL KINDS, INCLUDING, BUT NOT LIMITED TO NIGHTCLUBS, CABARETS, AND BOOKSTORES; TO PROVIDE QUALIFICATIONS FOR OPERATORS AND EMPLOYEES OF SUCH BUSINESSES; TO REQUIRE AN INDIVIDUAL PERMIT FOR EMPLOYMENT IN AN ADULT ENTERTAINMENT ESTABLISHMENT; TO PROHIBIT THE PARTICIPATION, EMPLOYMENT OR ADMISSION OF MINORS; TO REGULATE THE LOCATIONS WHERE ADULT ENTERTAINMENT ESTABLISHMENTS MAY BE OPERATED; TO REGULATE THE KINDS OF ADULT ENTERTAINMENT BUSINESSES THAT MAY BE OPERATED AT A SINGLE LOCATION; TO REGULATE THE SALE OR CONSUMPTION OF ALCOHOLIC BEVERAGES IN ANY ADULT ENTERTAINMENT ENTERTAINMENT ESTABLISHMENT; TO REGULATE CERTAIN OTHER ACTIVITIES AND CONDUCT AT SUCH ESTABLISHMENTS; TO PROVIDE FOR THE ADMINISTRATION AND ENFORCEMENT OF SAID ARTICLE XVI; TO PROVIDE FOR PENALTIES FOR VIOLATION OF OF THE ARTICLE AND FOR REVOCATION OF LICENSES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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

SECTION 1. The Commission of the City of Brunswick, having considered evidence of the effects of sexually oriented businesses with regard to land uses, property values and criminal activity within the vicinity of such businesses in urban areas, including various written studies and summaries of studies of such effects, hereby finds that it is in the best interest of the health, safety and general welfare of this City to enact regulations to reduce pernicious secondary effects of such businesses. The purpose of this Ordinance is to establish a balance between the protections afforded by the First Amendment and the health, safety and general Welfare of the City of Brunswick and to provide for reasonable regulation of such businesses in a manner that serves the legitimate governmental interest of reducing criminal activity and protecting property values

and the quality of life within the City. It is not the intent of this Commission to suppress freedom of expression protected by the First Amendment, but to address the secondary effects of such businesses.

SECTION 2. The Code of the City of Brunswick, specifically Chapter 13, Article XVI and substituting in lieu thereof a new Article XVI and substituting in lieu thereof a new Article XVI which shall provide as set forth in the text which is designated Article XVI, attached herewith and incorporated herein by reference.

SECTION 3. This Ordinance shall be in full force and effect as of 16<sup>TH</sup> of July, 1998

SECTION 4. All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION 5. In the event that any section, paragraph, sentence or part of this Ordinance is held to be invalid for any reason by any court of competent jurisdiction, the remainder of the Ordinance shall survive and continue in full force and effect.

Notice of intent published: 13<sup>th</sup> of July, 1998.

Read and adopted: 15<sup>th</sup> of July, 1998.

/s/ BRADFORD S. BROWN  
Mayor, City of Brunswick, GA

Attest: /s/ GEORGIA E. MARION  
City Clerk

**MONTHLY REPORTS:**

The following reports for the month of June, 1998 were submitted and were filed as information: (1) Water and Wastewater (2) General Fund (3) Community Development (4) Municipal Court (5) Metro Squad and (6) Uncollected Water Accounts. Commissioner Davis moved and Commissioner Lawrence seconded the motion approving the monthly reports.

**OTHER CITY BUSINESS:**

The interim City Manager Roosevelt Harris, Jr. requested that the City of Brunswick participate in the Disaster Resistance Communities Program to reduce personal aspects against the ravishes of nature.

Commissioner Lawrence moved and Commissioner Williams seconded the motion adopting a resolution to participate in the Disaster Resistance Communities Programs. The motion carried.

The interim City Manager recommended that the City hold a public hearing to discuss House Bill 489 with citizens in the community. He stated that people in the community do not understand House Bill 489.

The City Manager mentioned that the current one-year contract with Probation Services will expire in August for probation services provided to the City of Brunswick.

Mr. Rick's was present and requested that the contract be renewed for three years.

The City Clerk mentioned that the minutes of the Called Meeting of June 19, 1998 was inadvertently left off the Agenda for approval.

Commissioner Davis moved and Commissioner Jennings seconded the motion approving the minutes of the Called Meeting of June 19, 1998. The motion carried.

Commissioner Jennings requested the fee structure for the water rate study.

The interim City Manager stated that the City is waiting on information concerning the rate study. He pointed out that Department Heads are in the process of gathering information to bring down the cost of capital expenditures.

The City Manager stated that he will try and have the rate structure information by the next meeting.

Commissioner Davis stated that she had an opportunity to ride with the Police Department 3 to 11 shift on last Tuesday night. She pointed out that the officer had to wait at least an hour to get a dogcatcher.

Commissioner Davis thanked the City Clerk for a beautiful proclamation that was presented to the Women's Day Speaker Mary Patterson at Friendship Baptist Church on Sunday.

Commissioner Williams reported that a meeting was held on Friday July 10<sup>th</sup> to discuss a location for the model Liberty Ship. He stated that it was agreed to move the ship from the present location to Mary Ross Waterfront Park. Engineers are working on removing the ship and setting it up in Mary Ross Waterfront Park.

Commissioner Williams thanked the City Clerk for the Risley Alumni Association proclamation presented at their All Class Reunion which was held in July. He stated that Risley Alumni Association held a beautiful All Class Reunion. He pointed out that many people are moving back to the City of Brunswick.

Commissioner Williams reported that there is no marker identifying Magnolia Park Subdivision. He pointed out that subdivisions in other areas have markers.

Commissioner Williams reported that the vacant area between the Labor Department is used for illegal dumping. He commended the Public Works Department for the work they are doing with drainage in the City. He pointed out that citizens are very happy and satisfied.

Commissioner Lawrence reported that the signs prohibiting Skate Boarding, Loitering and dumping should be legible at Mary Ross Waterfront Park.

Mayor Brown presented a plaque with a key to the City and gift to the outgoing City Manager Mark Mitchell for loyal and dedicated service to the City for eight years.

Mark Mitchell outgoing City Manager thanked the Commission. He stated that it has been a great honor and pleasure to work with the Commission and the staff. He stated that he will miss working with the public. He told the Commission that they appointed a good person Mr. Harris to serve as City Manager.

Commissioner Lawrence moved and Commissioner Jennings seconded the motion to adjourn the meeting.

**MEETING ADJOURNED.**

/s/ BRADFORD S. BROWN  
Mayor

Attest: /s/ GEORGIA E. MARION  
City Clerk