

**OFFICIAL MINUTES
COMMISSION OF THE CITY OF BRUNSWICK, GEORGIA
REGULAR MEETING
7:00 P.M., MARCH 17, 1999**

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 Jonathan Williams.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited by the Mayor, Commissioners and every one in attendance.

APPROVAL OF MINUTES

Commissioner Davis moved and Commissioner Lawrence seconded the motion approving the minutes of the meeting of March 3, 1999. The motion carried.

RECOGNITIONS

Mayor Brown presented a Proclamation to Debbie Graham, President of the Pilot Club, proclaiming March 15-21 as Brain Awareness Week.

APPOINTMENT TO ZONING OF APPEALS BOARD

Commissioner Davis nominated Sammy Thompson to serve on the Zoning Board of Appeals. There being no further nominations, the nominations were closed.

Commissioner Davis moved and Commissioner Lawrence seconded the motion appointing Sammy Thompson to serve on the Zoning Board of Appeals for a term of four years until March 3, 2003. The motion carried.

APPROVAL OF LOCAL ASSISTANCE RESURFACING PROGRAM 1999 LIST

The City Manager submitted LAR List LAU 28-8530-39 (127) with eight streets in Brunswick, 1.217 miles for consideration for resurfacing by the Department of Transportation.

Commissioner Lawrence questioned how many blocks of the eight streets will be paved. He pointed out that some streets have not been paved in 17 years.

The City Manager stated that he would submit a list of blocks that will be paved to the Commission.

PUBLIC HEARING

This being the date, time and place for a public hearing to rezone R-9 One Family Residential District to LM Limited Medical Zone on Lot 3, Block M in Goodyear Park Subdivision.

Chuck Taylor, Director of Glynn County Community Development Planning and Zoning stated that the property is located in the designated area for future medical use on the Brunswick Hospital Land Use Map. He recommended approval of the rezoning.

Commissioner Lawrence moved and Commissioner Davis seconded the motion approving the rezoning from R-9 One Family Residential District to LM Limited Medical. The motion carried.

BOARD OF ELECTIONS POLLING SITE AT JANE MACON MIDDLE SCHOOL

The City Manager stated that Glynn County Board of Elections requested that Jane Macon Middle School be used as a polling site for City elections.

Commissioner Jennings stated that he and Commissioner Williams are up for re-election and making a change in the polling site is premature. The change may confuse a lot of residents about their polling place. He requested that the polling site be changed after the November election.

Mayor Brown pointed out that City residents have been going to Jane Macon Middle School to vote in County elections.

Commissioner Williams stated that the Commission should make a better understanding to citizens on where the polling sites for the City will be located. Commissioner Williams stated that the Commission should approve the site if the City is going to make Jane Macon Middle School a polling site. He stated that someone from the Board of Elections should have appeared before the Commission.

Commissioner Lawrence pointed out that the polling site at Jane Macon Middle School must be approved by the Justice Department. Citizens who live in Magnolia Park and College Park will be closer to Jane Macon instead of going to the National Guard Armory. He stated that the Board of Elections should make an effort immediately to notify residents of the polling site change.

Commissioner Jennings recommended that notices be mailed to residents within 10 to 15 days concerning the polling site change and place three ads in the newspaper in November, before the election. Commissioner Lawrence moved and Commissioner Williams seconded the motion approving the polling site at Jane Macon Middle School. On call for the vote, the motion carried by 4 to 1. Commissioner Jennings voted no because it is an election year.

DELEGATIONS

David Newton, representing All-Phase Construction Company appeared before the Commission to request a seven-inch variance. Mr. Newton stated that a wall will be built near the air conditioning unit and the fence will be re-installed, and concrete will be poured so that water will not settle. Mr. Newton read a letter from First Baptist Church approving the construction of Shiloh Baptist Church with two conditions.

Commissioner Lawrence stated that a copy of the letter should have been given to all the Commissioners on such an important issue.

The City Attorney stated that repercussions would be for the City if there are any problems. Problems will have to be discussed with Shiloh Baptist Church.

Commissioner Lawrence moved and Commissioner Williams seconded the motion approving the variance based on the letter that both ministers agreed upon. The motion carried.

Mr. Nyers, resident of the City of Brunswick, appeared before the Commission to discuss the zoning and racial balance of Goodyear and Burroughs-Mollette Schools. He submitted 1997-98 Georgia Public Education report cards on both schools, which showed the schools have by far the lowest scores on the Iowa Test of Basic Skills of all County schools. He stated that the impact of the school test scores would be viewed by potential residents of Brunswick when choosing between living in the City or County.

Mr. Nyers stated that the schools are 40% out of racial balance. The schools are segregated by income and race. Burroughs-Mollette and Goodyear Elementary

Schools have very poor grade scores. He stated that he was concerned with the inequalities. He pointed out that children who live in the City of Brunswick are not getting a good education. He requested that the Commission attend the School Board Meeting to voice their opinion and views on the low-test scores.

Commissioner Jennings asked about the schools being out of racial balance.

Mr. Nyers stated that Goodyear School zoning is 79% black and 29% white. The ratio is out of balance and parents want their children to attend non-segregated schools.

Commissioner Jennings told Mr. Nyers that the City Commission is not in charge of City Schools but the Commission does share his concerns.

Commissioner Williams pointed out that the school system is out of proportion according to the Justice Department.

Commissioner Williams stated that he is concerned about test scores and all schools are out of compliance. Failure of schools go deeper than zoning. He further stated that many people are saying that there is a lot of black children at both schools and that's why children cannot learn, but they need to find out why the kids are not achieving at these schools.

Commissioner Lawrence pointed out that schools could be equally balanced.

Mr. Nyers stated that he is concerned with his daughter's education and the school where she attends has an insufficient ratio where there is a vast majority. He stated that his daughter should get a good education.

Commissioner Lawrence asked Mr. Nyers what he was asking for. He questioned whether Mr. Nyers was saying that the school his daughter attends is inadequate to get a good education.

Mr. Nyers stated that he is concerned about the test scores his daughter received at Goodyear School. He stated that he is trying to appeal for support to change the schools to do better.

Commissioner Lawrence stated if the materials are inadequate then what exactly are students being taught. He asked if Mr. Nyers was concerned about the racial balance. He stated that if students are not being taught then the Commission needs to know why.

Mr. Nyers told Commissioner Lawrence that he appeared before the Commission to submit information about problems and ask for support. He stated that he did not know about segregation laws.

Commissioner Williams expressed his concerns about Mr. Nyers' problems with a school being 70% black. He stated that he failed to believe that students are not learning because of the percentage of blacks at that school. Commissioner Williams pointed out that citizens should look at the curriculum. He stated that something must be done about children not learning. Commissioner Williams told Mr. Nyers that he was not condemning him. Mr. Nyers stated that he did not mean to come across in a negative way.

Commissioner Lawrence thanked Mr. Nyers for bringing the information to the Commission's attention.

Commissioner Williams stated that citizens need to get with the school board about their problems.

Commissioner Jennings stated that the teacher pupil ratio might be the problem. Commissioner Jennings thanked Mr. Nyers for coming to the meeting.

DISCUSSION CONCERNING CITIZEN'S SERVICE ON BOARDS COMMITTEES

Mayor Brown led the discussion on adopting policies regarding citizen's service on City appointed Boards and Committees. He submitted the following policies, in which the Commission voted on each policy:

POLICY 1 current

Appointments should be made based on applications and letters received from citizen's responding to advertised requests for service. In the event that the City does not receive any response to an advertised position, then the City should re-advertise the position for one more week before being presented to the Commission

POLICY 1 amended

The City Clerk shall advertise all expiring appointments to City Boards and Committees one month prior to the expiration of each of them. Appointments should be made based on applications/letters received from citizens responding to advertised request for service. Current appointees who wish to re-apply may verbally notify the City Clerk if they desire to serve again.

Commissioner Lawrence moved and Commissioner Jennings seconded the motion approving the amended Policy No. 1. The motion carried.

POLICY NO. 2 current

The Mayor and Commissioners can nominate citizens from the floor if that citizen appears before the Commission and would like to serve. Policy 2 was not amended. Commissioner Jennings moved and Commissioner Lawrence seconded the motion approving Policy No. 2. The motion carried.

POLICY NO. 3 current

On all appointments the Commission should appoint qualified citizens who live within the City limits before appointing someone from outside the city limits.

POLICY NO. 3 amended

On all appointments the commission should appoint qualified citizens who live within the city limits before appointing someone from outside the city limits, unless State law dictates otherwise.

Commissioner Lawrence moved and Commissioner Jennings seconded the motion approving the amended Policy No. 3.

It met with the consensus of the Commission to remove Policy 4 as follows:

Citizens who are appointed to serve on boards or committees should not serve on more than one board or committee at a time. This should be done in order to encourage more citizen involvement in city government.

POLICY NO. 5 current

Attendance should be based on the following: Appointees should be at all meetings of their respective board/committees unless they give the chairman or secretary notices that they cannot attend. If an appointee has more than three (3) unexcused absences within a 12-month period or three (3) consecutive absences (excused or unexcused) then that person should be replaced.

POLICY NO. 5 amended

Attendance should be based on the following: Appointees should be at all meetings of their respective board/committee unless they give the chairman or secretary notice that they cannot attend. If an appointee has more than three (3)

unexcused absences within a 12-month period or three (3) consecutive absences (excused or unexcused) then that person should be replaced. The chairman or secretary of each board/committee should make notification to the City Clerk of any violation of this attendance policy. The City Clerk shall be provided with the minutes of each board/committee on a regular basis for public record.

Commissioner Jennings moved and Commissioner Williams seconded the motion approving amended Policy No. 5. The motion carried.

POLICY NO. 6 current

A two-term limit should be imposed on all appointees unless State law dictates otherwise.

POLICY NO. 6 amended

A three-term limit should be imposed on all appointees unless State law dictates otherwise. The City Commission should encourage broad citizen involvement on all boards and committees. Every attempt should be made to appoint one person to serve on more than one board or committee at a time, unless there are no qualified or interested citizens to serve at the time of appointment.

Commissioner Jennings moved and Commissioner Lawrence seconded the motion approving amended Policy No. 6. The motion carried.

DELEGATION

Daniel Johnson representing FMC's Rubber Reclamation Center, Inc to discuss the Rubber Tire Abatement Program. Mr. Johnson stated that passenger tires without rims are \$980.00 per ton. The tires are transported to the facility in Darien for recycling.

Following a discussion Commissioner Lawrence instructed the City Manager to meet with Mr. Johnson and bring back a recommendation to the Commission.

CITY MANAGER ITEMS

The City Manager reported that a garbage truck was purchased in Tampa, FL and needs approval for \$7,500.00 from the Commission for the purchase the truck. He stated that the Commission approved the purchase of two garbage trucks. One was purchased from North Carolina and the other from Tampa, Florida.

Commissioner Jennings moved and Commissioner Lawrence seconded the motion approving the purchase of the garbage truck for an additional \$7,500.00. The motion carried.

The City Manager reported that he received the street extension bids for Carrie, Norman and Ward Street for a surveying project.

Mayor Brown also attended the meeting for the Highway widening project on Highway 17 to improve the traffic flow through the City.

Commissioner Jennings questioned the progress the City Manager and City Attorney made for the Y2K computer problems.

The City Manager stated that everyone in the City's Data Processing Department would be in place by June 30 of this year. The City Manger stated that he would submit an updated report at the next meeting

Commissioner Davis questioned what was going on in Overlook Park.

The City Manager stated that he spoke with the Public Works Director and was told that the previous City Manger had the dock repaired.

Commissioner Davis told the City Manager that the doors and windows look good at the Waterfront Park.

Commissioner Williams reported a dangerous intersection on Glynn Avenue and Fourth Street. He suggested placing a traffic light at the intersection.

Commissioner Jennings reported that the intersection on Fourth Street and Newcastle Street across from Selden Park is very dangerous. He stated that the Department of Transportation would not install a traffic light because there is not enough traffic to justify a traffic light.

Commissioner Williams reported that he received calls form a concerned citizen bout trash being thrown on Hercules Fence. He suggested placing trash cans in the area near Hercules fence and place a "NO LITTERING" sign in the area.

Commissioner Lawrence reported that a traffic light is needed at the intersection of R Street and Altama Avenue. The City has been asking for a light there. He asked the City Manager to look into getting a traffic light at the intersection of R Street and Altama Avenue. The school traffic guard's life is at risk in trying to get the school children across that intersection.

Commissioner Lawrence questioned how the City was doing with establishing a gas utility service for the City of Brunswick. The City Attorney stated that the Georgia Municipal Association recommended that Cities who do not operate electrical utility companies should not go into the gas utility business.

Commissioner Lawrence recommended that residential areas not be rezoned to commercial zoning. Residential areas should remain residential.

The City Attorney stated that he needs a list of areas and the citizens must be given an opportunity to give public input.

Commissioner Lawrence stated that residential areas should be protected by not allowing stores or commercial property in residential areas where citizens build new homes.

The City Attorney recommended that the cable TV franchise Agreement be extended for 90 days.

Commissioner Jennings moved and Commissioner Lawrence seconded the motion approving the following resolution:

WHEREAS, on November 2, 1984, the City of Brunswick, Georgia, (hereafter "City") granted a cable television franchise agreement (hereafter "Agreement") pursuant to the City of Brunswick Code of Ordinances to Rentavision of Brunswick, Inc., now doing business as Century Cable, hereafter "Company"); and

WHEREAS, prior to the expiration of the term and continuing to date, the Company and the City have proceeded with the franchise renewal process and negotiations; and,

WHEREAS, since expiration of the Agreement, as renewal negotiations have continued, the Company and the City have understood that the Company would continue to provide service, and among other things, pay franchise fees pursuant to the Agreement as if the Agreement had not expired, and the City has from time to time adopted resolutions evidencing such understanding; and

WHEREAS, the City desires to adopt a resolution memorializing the understanding between the City and the Company and to extend the Agreement until a date certain;

NOW THEREFORE, BE IT RESOLVED, in accordance with the above, that:

1. The Mayor and the City Commission hereby extend the Agreement until the earlier of (a) the date the City and the Company execute a renewal agreement or (b) the date ninety days from the date of this Resolution.
2. As a result of the adoption of this Resolution, neither the City nor the Company shall be deemed to have waived any rights or obligations under Section 626 of the Federal Cable Act, nor any existing rights or obligations, and such adoption shall not be deemed to constitute the renewal of the Agreement or approval of any renewal proposal which may have been previously submitted by the Company.
3. The City hereby authorizes the City Manager, if he deems it necessary to enter into an agreement with the Company evidencing its agreement to the terms of this Resolution

SO RESOLVED, by the Mayor and City Commission, this 17th day of March, 1999.

Mayor Brown stated that the Downtown Development Authority will meet 4:00 P. M. at City Hall to finalize the long-range plan, including the comprehensive plan.

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

MEETING ADJOURNED.

/s/ Bradford S. Brown
The Honorable Bradford S. Brown

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