

**OFFICIAL MINUTES
COMMISSION OF THE CITY OF BRUNSWICK, GEORGIA
REGULAR MEETING
7:00 P.M., APRIL 21, 1999**

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

INVOCATION: Commissioner Williams gave the invocation.

PLEDGE OF ALLEGIANCE: The Mayor, Commissioners and everyone recited the Pledge of Allegiance.

APPROVAL OF MINUTES: Commissioner Davis moved and Commissioner Lawrence seconded the motion approving the minutes of the meeting of April 7, 1999. The motion carried.

APPOINTMENT TO VISITOR'S BUREAU: Commissioner Lawrence moved and Commissioner Davis seconded the motion re-appointing Commissioner Harold E. Jennings to serve on the Visitor's Bureau Board for 1999-2000 fiscal year. The motion carried.

ALCOHOLIC BEVERAGE LICENSE: Petition received from Delores M. Pierce to retail distilled spirits for consumption on premises at Brendon's Sport Bar and Grill, 1001 Martin Luther King Boulevard.

Mayor Brown announced that everyone will be given an opportunity to speak in favor or in opposition of the alcoholic beverage license.

Commissioner Lawrence recalled at the last meeting that Ms. Pierce stated that she spoke with Rev. Mitchell concerning the issuance of the license to sell alcoholic beverages.

Ms. Pierce stated that she spoke with Rev. Mitchell yesterday in reference to the license and Rev. Mitchell did not say anything negative. She stated that she did ask Rev. Mitchell if he had anymore concerns in reference to the bar and grill being in operation and he told her as far as the verbal agreement that they made it is being honored and he has no concerns.

Robert Bradley stated that he was shocked to hear that the minister agreed to the issuance of a beer and whiskey license. Dixville is an area in which citizens have been fighting to make it a better community since 1994. He pointed out that the Dixville Coalition worked hard to better the community and make it a place where senior citizens can sit on their porch and walk in the streets in peace. Mr. Bradley stated that he was against a bar being in the Dixville community.

John Demery reiterated on the same things as Mr. Bradley spoke about. Mr. Demery stated that he an opportunity to speak with Delores Pierce on April 7, 1999. He stated that Ms. Pierce told him that the application for the alcoholic beverage license was actually for her brother who is the person that will be operating the business. Mr. Demery read the alcoholic beverage application law Section 7. Application for a license to manufacture or sell alcoholic beverages shall be made on a form furnished by the City Commission and shall be made under oath. The complete address of each applicant and his social security number shall be furnished together with such further information as the Commission may require. Mr. Demery questioned the untrue and misleading statements of information Ms. Pierce gave which should be cause for denial. Mr. Demery read Sections No. 8. An accurate sketch or diagram drawn to scale shall accompany an initial application, showing the location of the building, the area there of the to be used, and the property lines of the real property where the applicant proposes to carry on the business of manufacturing or selling alcoholic

beverages. The diagram shall also show the location of any church building, any school building or campus and any alcoholic treatment center in the immediate area and the distance between property lines of schools, churches and alcoholic treatment centers as measured in accordance with state law.

Mr. Demery stated that the ordinance firmly states that the distance must be measured from the establishment to the church building. He pointed out that the bar is right behind the church. Mr. Demery read Section 15. Transferability. No license for the sale of alcoholic beverages shall be transferred from one location to another. No license for the sale of alcoholic beverages shall be transferable from one party to another. Mr. Demery requested that the Commission conduct an investigation on all alcohol and beer licenses starting now, to find out what type of people are operating these types of businesses. Mr. Demery read Section 20 Denial, Suspension or revocation. The City Commission may deny, suspend, revoke, or refuse to renew any license under this chapter if: (1) the license applications is not filed in good faith or is filed by some person as a subterfuge for any other person. Mr. Demery stated that he believed that Ms. Pierce have established herself and filed that license not in good faith. Mr. Demery expressed his concerns about the issuance of an alcoholic beverage license to the bar and requested that the license be revoked because the beer and wine license was not applied for under the ordinance in good faith.

Corporal Jimmy Dickerson stated that he measured the distance as required by law, the front door of the location that the alcoholic beverage license was applied for and around the front door of the Church which measured at 390 feet. The City Attorney stated that the measurement taken by Corporal Dickerson indicates that the distance is adequate. The City Attorney stated that the application is for consumption on premises in that event state law does not even require a minimum distance. Distance is an indirect factor for the Commission to consider in terms of the effect that the license will have on schools on property around that minimum distance. The City Attorney stated that Mr. Demery is raising a significant issue about who is the applicant, either Ms. Pierce is the one who appears on the application. The ordinance requires that the person who is going to own the business and involved in the management level should be included on the application, if Ms. Pierce's brother is actually managing the business the application should reflect that.

Mayor Brown asked if there were any other names on the alcoholic beverage license application.

Corporal Dickerson stated that Ms. Pierce is the only name listed on the application.

Commissioner Williams asked the City Manager to state the facts on the application as to who is supposed to be managing the business.

The City Manager read the following information:

Business Trade Name D/B/A:	Brendon's Bar and Grill
Business Street Address:	1001 Martin Luther King BLVD and London Street
Mailing Address:	P.O. Box 1635, Brunswick, Georgia 31521
Name of License:	Delores M. K. Pierce
Home Address:	2700 4 th Street
Name of Manager:	Delores M. K. Pierce
Business Phone:	912-267-9222
Name of Owners:	Delores M. K. Pierce

The City Manager stated that Ms. Pierce Social Security Number is listed on the application.

The City Attorney stated that the new distance requirements can be applied to new businesses.

Commissioner Lawrence asked what will happen if a church purchases property within one hundred feet of an establishment.

The City Attorney stated that on new businesses minimum distance can be established. He pointed out that this needs to be addressed in the ordinance.

Commissioner Williams stated that he agrees with some of the things that Rev. Bennett discussed. He pointed out that the Geographic location in Brunswick will make it impossible to locate establishments within the 100 yard range.

Rev. Bennett stated that 200 yards is not unreasonable.

Commissioner Lawrence stated that property will automatically be rezoned to commercial. He stated that more property needs to be rezoned residential because they are in a residential area.

Rev. Bennett suggested that the City consider public planning for rezoning districts in the City of Brunswick. He suggested separating the residential area from the business area.

Commissioner Jennings moved and Commissioner Lawrence seconded the motion to review Rev. Bennett's request and bring back a decision in one month. The motion carried.

Commissioner Lawrence asked Rev. Bennett to support the amendments to the Code pointing out all Pastors do not see things the same way.

Bryan Thompson, Manager of the Ritz Theater and Mary Ross Waterfront Park was present to request that the City consider placing a Musical playscape in Mary Ross Waterfront Park.

Mrs. Jean Alden representing Rich Sea Pak stated that their company will be celebrating fifty years of service in the Glynn County area with over 1,000 employees. Mrs. Alden stated that Rich Sea Pak would like to do something for the community that would reach children and stimulate creativity.

Mrs. Alden stated that Bond Anderson built the musical playscape. She requested that the City prepare the site at Mary Ross Waterfront Park and maintain the site. Rich Sea Pak will fund the building of the musical playscape.

Mrs. Alden stated the musical playscape will be complete in August and Rich Sea Pak will have a 50th anniversary community celebration with local bands.

Commissioner Jennings asked if the City does not take the musical playscape, will it be offered to the County?

Mrs. Alden stated that they will present the request to the County Commission on Thursday night. She pointed out that the associates at Rich Sea Pak will decide where the musical playscape will be placed. It would be placed at Mary Ross Waterfront park or Neptune Park on St. Simons Island.

Commissioner Jennings recommended that Commissioner Williams work with Rich Sea Pak and Jean Alden on the site preparation for the musical playscape at Mary Ross Waterfront Park.

Bryan Thompson stated that the musical playscapes will be placed at the central entrance and in the back of the gazebo on the left side of the three palm trees.

Commissioner Lawrence suggested placing the musical playscapes at Howard Coffin Park so that it may get full use. He stated that would be the best place.

Jean Alden stated that Rich Sea Pak was looking for a park that children visit on Sunday, a park where schools take children on field trips.

Commissioner Williams stated that he would like to have attractions to get people to come downtown. The City cannot compete with beaches.

Commissioner Lawrence moved and Commissioner Davis seconded the motion approving the site that the City will maintain at Mary Ross Waterfront Park for the musical playscape, and authorizing Commissioner Williams to work with Rich Sea Pak to prepare the site. The motion carried.

The City Manager submitted request from St. Mark's for additional reserved parking spaces for church members. The City Manager stated that St. Mark's Church requested an additional handicap parking space.

Mayor Brown pointed out that the City will set a bad precedent to reserve parking spaces.

Commissioner Lawrence moved and Commissioner Jennings seconded the motion approving one handicap parking space for St. Mark's Church. The motion carried.

MEDIAN CUT ON ALTAMA AVENUE

Attorney Jim Benefield representing the owners of property located at 4725 Altama Avenue submitted a request to remove existing curb and gutter to accommodate large trucks for egress and ingress in the area by cutting thirty feet out of the eight foot median on Altama Avenue.

Commissioner Jennings moved and Commissioner Davis seconded the motion approving the removal of the existing curb and gutter about thirty feet to modify the median. The motion carried.

COMMISSIONER'S ITEMS

Commissioner Jennings suggested that the City raise the requirements to tear down buildings in the City to two years. He stated that Savannah Historical Board requires one year.

Commissioner Lawrence mentioned that House Bill 489 Committee may send proposals to the State to get approval. Commissioner Lawrence asked whether the House Bill 489 Committee can release their findings to anyone.

The City Attorney stated that House Bill 489 must have the stamp of approval from the City Commission. He stated that they may have a right to communicate their findings.

Mayor Brown stated that they can address this at the next Joint City/County meeting.

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

Mayor Brown recommended that they City make a decision on TSG Holding Company and Hercules non-contract cooling water system.

Commissioner Jennings moved and Commissioner Lawrence seconded the motion rejecting the offer from TSG to sell water.

On call for the vote the motion passed by vote of 3 to 1 to 0.

Mayor Brown voting No and Commissioner Williams abstaining.

The City Attorney stated that he would like to discuss pending litigation in an Executive session.

Commissioner Lawrence moved and Commissioner Jennings seconded the motion to hold an Executive session to discuss pending litigation. The motion carried.

CEMETERY DEEDS

Petition received from Paul M. Varnedoe, Jr. to return Lot 25, Section C-11 four spaces in Palmetto Cemetery in exchange for Section Block 105, spaces 82, 83, 84 and 85. Original deed surrendered.

Petition received from Sandra Stanfield Dixon to transfer ownership of property. Lot 4, Section C-7 in Palmetto Cemetery to Richard Stanfield, original deed was lost, but City records verify ownership.

Commissioner Davis moved and Commissioner Lawrence seconded the motion to grant the cemetery petitions. The motion carried.

Matthew Permar stated that he attended the Brunswick Citizens Academy and the City has a very good Police Department that they should be proud of. The Instructors were prepared and did an excellent job. He invited the Mayor and Commissioners to attend the graduation at 7:00 p. m. at the Ritz.

MEETING ADJOURNED.

/s/ Bradford S. Brown

Mayor

Attest: /s/ Georgia E. Marion

City Clerk