

**OFFICIAL MINUTES  
COMMISSION OF THE CITY OF BRUNSWICK, GEORGIA  
CALLED MEETING  
3:30 A.M., AUGUST 23, 2000**

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

**INVOCATION:** Commissioner Williams gave the invocation.

**PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was recited by everyone in attendance.

**REQUEST PERMISSION TO HOLD A PUBLIC HEARING FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT.**

The Director of Community Development requested that the Department of Community Development hold a public hearing on Tuesday August 29<sup>th</sup> at 7:00 p.m. to receive input from citizens on applying for a Community Development Block Grant.

Commissioner Lawrence made the motion and Commissioner Williams seconded the motion authorizing the Director of Community Development to hold a Public Hearing on August 29<sup>th</sup> at 7:00 p.m. to allow citizens to give input on applying for a Community Development Block Grant. The motion passed.

**DISCUSS STATUS OF ALCOHOLIC BEVERAGE LICENSE FOR "I" STREET DISTRICT.**

The City Attorney reported that the Chief of Police would make a report to the Commission and at some point the Commission would need to hold an Executive Session to discuss litigation aspects of that report.

The Police Chief pointed out that there were two businesses that the City conducted an investigation on in the "I" Street area. One of the businesses was the Boilermaker Club and the other was Club Cache. The Police Chief stated that he was not prepared to make any type of recommendation in regards to the Boilermaker Club. He felt that the Boilermaker Club would have to be put on notice if the City anticipated taking any type of action in the future on their alcoholic beverage license for any activity that took place around that particular business. He stated that he was not prepared at this point to make any type of recommendation.

The Police Chief stated that he wanted to point out that his presentation is not trying to indicate that management of Club Cache consists of any bad person so to speak, but he did indicate that there was bad management. He stated that he has known the McCoy family for quite sometime and they are respectable people, however he did not know Mr. McCoy. He pointed out that he does have concerns about the management of that particular business. He stated that not all of the blame goes to Club Cache with regards to the riots that took place on July 5<sup>th</sup>. He mentioned that there were some contributing factors that can be related to Club

Cache with activity in and around Club Cache. The activities in and around Club Cache have gotten out of hand, but it did not start on July 5<sup>th</sup>, it started earlier in the year. He stated that there are questions and concerns on whether Club Cache is a teen club or a lounge. He stated that in his opinion the management applied for a license to operate a lounge and that is exactly what it should be a lounge. However in the process the club have attracted younger people younger than the drinking age to visit the club. Flyers have been circulated for instance to encourage high school age young people to come into the area and on that same flyer indicated that daiquiri's would be served. He stated that there is no proof indicating that Club Cache's personnel served any high school people alcoholic beverages. It was an advertisement trying to encourage the adult crowd as well as the younger crowd to attend the same club at the same time.

He pointed out in some cases some people were not allowed to come in whether it was because they had already reached their capacity limit or whether it was because there were some they just didn't want inside the club, so they hung outside the club. He mentioned that there were also public safety problems that developed because of its attraction to so many consumers. So many consumers were coming around the club that created a source of danger not just for the people there at the club, but for those citizens that live in close proximity to this area. On many occasions the Club posed a danger to police officers who have had to respond to the area to help clear out the crowd as they left this particular club. And on some occasions the fire department has been called to respond, but was not able to fully service the area because of the large crowd that was there and the activity of throwing bottles and so forth. On another occasion a call for a person who had been injured at the club, the EMT's could not safely get to the injured person. There are public safety issues and a concern for the safety of employees that needs to be addressed.

The Police Chief reported that the first indication of problems started in January actually, it started as far back as December 6<sup>th</sup>, Police Officers were at Club Cache to disperse crowds. Most of the calls the Police Officers responded to were from the Club's management they wanted the City Police to come by and help them disperse crowds. On January 1<sup>st</sup> Police Officers were met with bottle and rock throwing coming from inside the club's patio area, as well as the outside area and fireworks were thrown at officers. One of the Police officers was hurt and within five days after the incident a meeting was called with Mr. McCoy and the Attorney who represented Club Cache at that time Attorney Hammil. Attorney Hammil met with the Chief of Police some of his staff and the City Attorney to discuss the problems that the Police Department experienced and some things that needed to be done to change what was going on at Club Cache.

The Police Department discussed taking steps to run off underage people who tried to gain access to the club. They also discussed that there should not be any drinking in the patio area and the outside area, which was being utilized at the club. Getting rid of bottle drinks which could be used as weapons against not only employees inside the club, but against Police Officers when they try to respond to help or disburse the crowds. Some of the things discussed at the meeting were changed. There were people who showed up around the club that management could not control and the Police Department did not need a group of people getting out of hand at this one location.

The Police Chief stated that they discussed another important issue of Club Cache, increasing the security staff in proportion to the large crowds of people that they were trying to keep under control. He pointed out that management could not control the crowd with just one or two security people and some other folks who are not only trying to manage the club, but help serve drinks and so forth inside the club as well. An additional warning was given at that time which was very important to this whole issue today. The warning was followed up with a letter to club management stating that if any more Police Officers got injured going into that club trying to help; the Police Department would not hesitate to take further action against the license. The result of the suggestions that were given everyone was more or less in agreement. Some of the suggestions were followed particularly and some not followed at all. The bottle products were cutback, but not entirely, some bottle products and beer products were not available in cans therefore they could not switch over. He stated that Mr. McCoy told him that the club tried to cut back on some bottle products for a while, but when things seemed to be going well he decided to go back to the bottles they had previously cut out. Drinking outside on the patio area has not stopped even on the morning of July 5th there were indications that drinking was still going on in the patio area. There is another safety issue that the department have concerns about with the patio area, this concern comes from the Fire Marshall's office they indicated that the area is not to be locked up so that it can allow another means or getting out of the building should some emergency arise inside such as a fire. The gates around the patio area have remained locked in order for the management of Club Cache to control who was coming into the club so that patrons would not be allowed to slip in the back doors. Some of the people would even try to climb the fence in the back and try to slip in the back doors. The owners should have allowed more than one exit door and more than one means of getting to the outside.

The Police Chief pointed out that the use of Police manpower at Club Cache is three times more than any other club in the City of Brunswick. The numbers of man-hours that the Police Department put in have been measured starting in October when Club Cache began operation. According to the Departments' records Club Cache requires three times more use of the City's Police manpower than any other club to help disperse crowds.

The Police Chief expressed his concerns about the safety of the public, the safety of the community, the safety of the employees and the customers inside Club Cache. He pointed out that he was concerned about his officers who are there to protect the public, these officers have to be protected also and not be continually be subjected to acts of violence when they try to manage a club which is not their job. When it gets to a point where the Police Department has to manage a club then everyone should ask themselves the question is this something that the City want to set a precedent on.

The Police Chief discussed some more calls received over the past months from Club Cache. On December 6th there were three calls to disperse crowds. In January one call to disperse a large crowd that was throwing bottles. He reiterated that the bottle-throwing incident resulted in a meeting with the management of Club Cache. In February, March and April there was not very many calls to the Club. February there was one call, March four calls and April two calls. However in May the Police Department received seventeen calls to Club Cache. On May

13th there were calls of fights. On May 14th a call for large unruly crowds throwing bottles and rocks, it took thirty minutes to clear the crowd. On the 21st of May fights outside of Club Cache it took sixteen officers to disperse the crowd. On the 27th of May large crowds refusing to leave the club, it took twenty-five minutes to disperse the crowd. On May 30th a fight outside the club with a gun and knife. Many of the City's available Police Officers had to go to the Club to help disperse a crowd. On June 3rd and 4th a call to disperse a crowd. On July 4th one hundred and fifty people loitering outside, objects thrown took twenty-five minutes to clear the crowd. On the morning of July 5th fire crackers thrown outside and everyone is familiar with the rest of the story and how it took all of the City's Police Officers on that shift to come out and try to control the crowd.

The Police Chief stated that he was stopping his report to the Commission only with regards to what has taken place around Club Cache. He pointed out that what took place later on down the street from the club as far as the burning of Police cars there may have been some people that were in Club Cache that was responsible. The Police Department does not know the answers. As a matter of fact the Police Department have been providing a very very large number of man-hours to help run Club Cache. It is a club that appears to have gotten to the point where prior to July 5th it was getting out of hand too much, not only for the safety of the public and Police Officers, but also the safety of those employees working inside Club Cache'. Fireworks on this morning exploded inside Club Cache, there were some that have been exploded in the grassy area. The Fire Department was called to respond to the fire.

The Police Chief asked that the City Commission to give consideration to the revocation of the alcoholic beverage license of Club Cache. He expressed his concerns about the safety of the public. The Police Department can not offer to all or the other clubs in town all of the man hours that have been given to Club Cache and therefore he felt it was proper for the City to give further consideration to revocation of that license.

The City Attorney requested an Executive Session to discuss potential litigation options, litigation by the City or potentially against the City. He stated that the Commission needs to go into an Executive Session before proceeding any further.

Commissioner Lawrence asked the City Attorney whether the Commission could hear from someone else representing Club Cache before going into an Executive Session to make a decision without giving that person an opportunity to express their concerns.

The City Attorney explained that the Commission does not make decisions in an Executive Session. He stated that the Commission needs to know what kind of options is available.

Commissioner Williams asked whether it was proper or improper to hear something from the management or attorney for Club Cache.

The City Attorney stated before the Commission makes a decision they should hear the context of the litigation options and certainly in the event that the Commission were to decide to take adverse action against that license be it a

suspension, or be it a revocation whatever it is, the Club representative would be entitled to be heard before a decision is final. He felt at this point the Commission should discuss it in an Executive Session and put whatever they have to say in the right context and hear again from the Police Chief.

Commissioner Lawrence made the motion to enter into an Executive Session and following that Executive Session the Commission will hear from the representative of Club Cache so that they could have an opportunity to discuss their concerns. Commissioner Williams seconded the motion. The motion passed.

After the Executive Session Mayor Brown announced that the Commission has been completely informed of the legal standings on what can or can not be done and the process that need to be followed on any action that the Commission may take in regards to Club Cache. Mayor Brown stated that Mr. McCoy would be given an opportunity to make some statements. Mayor Brown told Mr. McCoy he had five minutes to address his concerns to the Commission.

Mr. McCoy stated that first of all he would like to discuss the fourth of July. He pointed out that Club Cache did call the Police on that night because the management was concerned about people going inside Club Cache. Mr. McCoy mentioned that the management never called the Police Department for anything inside of Club Cache or on the property of Club Cache. The calls that were made to the Police Department have always been for property belonging to someone else across the street from Club Cache and that is the reason the Police was called on that night fire crackers were being shot from across the street from someone's else's property at patrons going into Club Cache. Mr. McCoy mentioned that Club Cache is the largest and nicest Club in Brunswick and a lot of people come to the Club for that reason.

He stated that Club Cache was pulling the younger crowd with the older crowd. People from the Federal Law Enforcement Center and Latino's frequent Club Cache. Mr. McCoy explained that teenage night was held for teens and not older adults. He stated that communication was made with the City about hosting teen night and they did not tell him it was a law against having teens in a lounge, but did mention that it would not be wise to have teen night because of underage drinking. Club Cache has not had a teen night since.

Mr. McCoy explained the reason why he went to speak to Police Chief Cowan about switching back to bottles was because older people who come to the Club made it clear that they preferred bottles instead of cans and the company that they buy their products from do not make all brands of drinks in cans.

He mentioned that there are three exits inside Club Cache not just one. He felt that the City's Police Department was not running Club Cache. He also mentioned that changes have been made since their re-opening three weeks ago and the Club experienced no problems. The age limit has been increased to twenty-one years old and a dress code is required by everyone.

Mr. McCoy Explained that on the evening of the fourth of July Club Cache closed at 1:15 a.m. and patrons were out of the Club by 1:30 a.m. He felt because of the riot all of this came up about Club Cache. He mentioned that today was the first

time he heard a lot of things about Club Cache' and felt as if Club Cache was getting blamed for the riot.

Mayor Brown explained to Mr. McCoy that the City Council can do a couple of things today, one is to revoke the license and the other is to suspend the license. He asked Mr. McCoy if he was willing to work with the City Council and comply with whatever regulation is set by the board.

Mr. McCoy stated that he was willing to work with the City Council.

Commissioner Jennings asked Mr. McCoy how many security people were on staff at Club Cache. Mr. McCoy stated that seven security persons are presently working.

Commissioner Davis asked how many security persons did the club have before the incident. Mr. McCoy stated that five security persons were working at Club Cache.

Commissioner Lawrence stated that Mr. McCoy mentioned that he was willing to work with the City Council if an opportunity was granted.

Commissioner Lawrence made the motion to suspend Club Cache's alcoholic beverage license until September 5, 2000 and place the business on probation until the end of this year. Commissioner Williams seconded the motion.

Commissioner Lawrence asked the City Attorney if Club Cache can still operate providing that no alcoholic beverages could be sold.

The City Attorney stated that the business could still operate until the end of the suspension without the sale of alcoholic beverages. He pointed out that the City should give Club Cache something in writing concerning the specific terms and conditions they need to abide by during the probationary period.

The City Attorney suggested that he and the Police Chief work out the specific terms and present them to the City Council to make sure they approve of them.

Mayor Brown mentioned that some of the things be limited to what the Police Chief recommended earlier such as no bottles, age requirements, fire safety issues and security.

Commissioner Williams explained to Mr. McCoy that the business could still operate without selling alcoholic beverages until September 5th then after that date the business will be permitted to sell alcoholic beverages. He mentioned that the business will be monitored and if the City Council feel that the problems still exist there is a possibility of revocation.

Mayor Brown stated that this was a light sentence and felt that revocation in his opinion would have been a better route to go in because it seems to be a problem area since the club opened. He mentioned that a third chance have been given to the owners in order to get things corrected.

On call for the vote the motion passed by vote of 4 to 1. Mayor Brown voting No.

Mayor Brown stated that the owner of Club Cache would receive a letter from the City Attorney and Chief of Police.

**MEETING ADJOURNED.**

/s/ Bradford S. Brown  
Mayor

Attest: Georgia E. Marion  
City Clerk