

OFFICIAL MINUTES
COMMISSION OF THE CITY OF BRUNSWICK, GEORGIA
REGULAR MEETING
7:00 P.M., SEPTEMBER 20, 2000

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

INVOCATION: Commissioner Harold E. Jennings gave the invocation.

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

APPROVAL OF MINUTES:

Mayor Brown called attention to the fact that the minutes of the Called Meeting of August 23, 2000 on page 6 reflect the vote taken was 4 to 0. He stated that the correct vote should be 4 to 1.

Commissioner Lawrence made the motion and Commissioner Williams seconded the motion approving the minutes of the Called meeting of August 23, 2000 with correct vote being 4 to 1 and the minutes of the Regular Meeting of September 6, 2000. The motion passed.

DELEGATIONS: **Dr. H. S. Crowe, 2321 Parkwood Drive to discuss the City's Noise Ordinance.**

Dr. H. S. Crowe resident of 2321 Parkwood Drive appeared before the Commission to discuss concerns with landscapers and noise. Dr. Crowe stated that the noise ordinance does not provide for medical zones as for hours in which doctors are attending patients. He pointed out that gasoline and small stoke motors do make a lot of noise especially when a doctor is in a room with a patient it disrupts things quite seriously sometimes. He stated that it got so bad the doctors had to talk with the landscapers and after speaking with them the police were called and what they could do was limited, because of the noise ordinance. Dr. Crowe requested that a quiet period be place in the noise ordinance for medical zones.

The City Attorney stated that the ordinance requires a quiet zone around the hospital. He mentioned that the ordinance could be changed to include medical offices. The City Attorney stated that there must be a solution. He pointed out that the decibels that are allowed in the ordinance for medical zones should be examined.

Dr. Crowe pointed out that the noises from landscapers are coming from adjacent lots. The noise comes from lawn mowers, weed eaters and small stroke gasoline equipment.

Commissioner Williams suggested that Dr. Crowe asked businesses to take care of their landscaping after medical offices close.

Dr. Crowe stated that landscapers could perform their work on the days the medical offices are closed. Dr. Crowe stated that he spoke with businesses that hire landscapers and some arrangements were made.

Commissioner Williams suggested that Dr. Crowe and other businesses in that area meet and discuss hours that landscapers may operate their equipment.

Dr. Crowe stated that it seems to be a personal problem because in the past he has been notified by previous landscapers about the hours they work.

Commissioner Jennings stated that it would be very difficult to deal with this because it is a mixed neighborhood. Commissioner Jennings recommended that the City Attorney deal with this problem.

Commissioner Lawrence pointed out that the doctors should be able to work out a solution. He recommended that the City Attorney examine the noise ordinance. Mayor Brown stated that communication with neighbors and businesses maybe the best solution. He suggested that the Doctors work with each other.

Commissioner Jennings instructed the City Attorney to look at compromising with doctors, homeowners and contractors that do the landscaping to see if they can come up with something that would make everyone happy.

Ms. Annie Swinson, Hopkins Home resident to discuss drainage problems around Hopkins Homes.

Ms. Annie Swinson appeared before the Commission to discuss drainage problems around Hopkins Homes. She stated that the City Manager was contacted several times about the drainage problems. She pointed out that when it rains the water stays in one spot and create mosquitos. Ms. Swinson stated that the mosquito control people were called, but it seems like the mosquitos are immune to the spray.

The City Manager stated that the drains in the Hopkins Homes area would be cleaned as soon as the va-con truck is available. He stated that once the drain lines are cleaned the problem would be resolved.

The City Manager pointed out that the City has only one va-con truck and another truck will be available in 30 to 45 days.

Commissioner Williams mentioned that there are no guards over the drains. He asked the City Manager to go back and revisit the drains to find a way to block trash from going down the drains. He pointed out that a small child or animal could get trapped in the drain.

Commissioner Davis mentioned that residents place yard trash on the street and the yard trash run down the drain.

The City Manager stated that the drains needs replacing and there may be serious problems with changing pipes.

Mayor Brown stated that the City would continue to work with the drainage problem.

Ernie Craft, Old City Hall Restoration Committee: to update on renovation process of Old City Hall.

Ernie Craft was present to give an update on the renovation of Old City Hall. Mr. Craft recalled that a Restoration Committee was selected in 1989 under the direction of Mayor Paul Warwick.

Mr. Craft updated the Commission on all phases of the renovation of Old City Hall.

Mr. Craft stated that Queens Square and sidewalks around Old City Hall should be repaired. Mr. Craft told the Commission that the Director of Community Development was a very nice young man. The Director of Community Development submitted a grant application for handicap accessibility for Old City Hall. Mr. Craft stated that Jerry Spencer was present to answer any questions.

Commissioner Lawrence asked Mr. Craft the condition of Old City Hall, which was given an eight on a scale from one to ten.

Mr. Craft stated that the building was in good shape the courtrooms are fabulous.

Jerry Spencer stated that a cost estimate to extend the streetscape improvements on Newcastle Street and Queens Square would cost approximately \$240,000.00.

Commissioner Jennings asked if Queens Square was included in the original streetscape plan.

Mayor Brown mentioned that the streetscape around Queens Square is a possible future SPLOST project and the City may have some funds for the project.

The City Manager stated that the area around Old City Hall could be considered right now. He felt that the portion around Old City Hall should be included in the renovation process.

Commissioner Jennings stated that he would like to make sure that the City Council keeps their creditability with the public. He mentioned that Queens Square was not included in the original SPLOST project.

The City Manger stated that the City has done a better job in planning for the present SPLOST projects. Projects that could not be completed will be in the next SPLOST project. The City Manager pointed out that the City will only streetscape the sidewalks around Old City Hall.

Mr. Craft told the Commission that a member of Old City Hall Restoration Committee the Late Selma Bunkley was replaced by Lana Williams and all the information was given to the former City Manger Mark Mitchell and Mr. Craft was instructed to fill the vacancy with Lana Williams.

Commissioner Davis made the motion and Commissioner Jennings seconded the motion appointing Lana Williams to fill the vacancy of the late Selma Bunkley on the old City Hall Restoration Committee. The motion passed.

Mr. Craft reported that Ed Stelle was moving and recommended the vacancy be advertised for an appointment to the Old City Hall Restoration Committee.

Commissioner Williams told Mr. Craft that he appreciated the work he was doing. He stated that it takes good citizens like Mr. Craft to serve on the Committee. Commissioner Williams suggested that Mr. Craft take photographs and place them with original restoration records of Old City Hall.

Mayor Brown commended Mr. Craft for eleven years of dedication to the Restoration of Old City Hall.

APPROVALS: To purchase equipment for the College Park Playground area for total of \$28,527.00:

Toddler Area	\$ 9,547.00
School Age	\$ 13,596.00
Big K	\$ 1,239.00
Installation	\$ 5,400.00
Freight	\$ 1,159.00
Less Discount	\$ 2,400.00
TOTAL	\$ 28,527.00

The City Manager reported that the playground equipment was selected from companies that made the playground equipment by the citizens of College Park.

Commissioner Williams stated that this is a citizen's project. The plans for the playground were drawn up by the citizens of College Park. He mentioned that there are citizens who are interested in their community.

Mayor Brown stated that it is good to see citizens involved in their community.

Commissioner Lawrence made the motion and Commissioner Davis seconded the motion approving the purchase of playground equipment for College Park in the amount of \$28,527.00. The motion passed.

MONTHLY REPORTS: The following reports were received for the month of August.

- a) General Fund
- b) Water and Wastewater
- c) Community Development
- d) Municipal Court

Commissioner Davis made the motion and Commissioner Lawrence seconded the motion accepting the monthly reports. The motion passed.

ALCOHOLIC BEVERAGE LICENSE: A new alcoholic beverage License for Adam's Market, Inc., located at 1700 Norwich Street. To retail beer only. Owner and Manager is Suleiman Solomon.

Commissioner Lawrence expressed his concerns about consumers purchasing beer and carrying the beer down the street on the premises of Club Cache and dropping beer bottles or cans.

The City Attorney mentioned that it is a law against open containers and walking down the street drinking.

Commissioner Lawrence stated that Police Officers need to accept the statement from the owners of Club Cache that beer cans was thrown in front of their business by someone else.

Mayor Brown stated that there are other businesses in that area such as the Grogge Shop and the fact is that this item does not have anything to do with Club Cache. Club Cache is not on the agenda for discussion.

Commissioner Davis made the motion and Commissioner Jennings seconded the motion granting a petition for an alcoholic beverage license to Suleiman Solomon for Adams Market, Inc. located at 1700 Norwich Street to retail beer. The motion passed.

DISCUSSION: Acquisition of Property

The City Attorney reported that the City Council talked a number of times about the Starbrite Linen Property on First Avenue. He stated there has been a substantial amount of discussion about acquiring that property. He stated that the City Manager used the services of a Real Estate Appraiser in order to get an appraisal of the value of that property. He stated that the appraised value of \$85,000.00 has been discussed and recommended that the City Council formerly make a motion to acquire the property at the appraised price so that the transaction can be completed.

Commissioner Williams made the motion and Commissioner Davis seconded the motion approving the acquisition of Starbrite Linen and Laundry Service located at 1108 First Avenue. The motion passed.

CITY BUSINESS LICENSE:

The Director of Finance submitted a financial analysis of the City's Business licenses. The Director of Finance explained that the City of Brunswick uses the gross receipts method and Glynn County uses number of employees to calculate business license fees.

Following a lengthy discussion the Director of Finance was instructed to bring back information concerning business licenses within 30 days to the City Council.

CITY CLERK'S ITEMS:

Petition received to transfer Section B-9, South one-half of Lot 1 in Palmetto Cemetery from Mrs. W. B. Lane, Willodean Lane LaTurno. Original deed lost or misplaced, but City records verify ownership.

Petition received to return for resale Section 3, Lot 15, Spaces B & C in East Palmetto Cemetery from Lizzie Pike. Original deed lost or misplaced, but City records verify ownership.

Commissioner Davis made the motion and Commissioner Jennings seconded the motion granting the Cemetery petitions. The motion passed.

CITY MANAGER'S ITEMS:

Updates:

US highway 17 Project

The City Manager reported that the bids for the US Highway 17 project will be opened Friday of this week.

Williams and Stephens Annex

The City Manager reported that the Williams and Stephens project has been closed out. He pointed out that the City could not get another grant until it was officially closed.

The City Manager mentioned that signage and pictures have been put in place and invited the City Council to visit the Williams and Stephens Annex.

CITY ATTORNEY'S ITEM: Amendment to the City's Procurement Ordinance.

The City Attorney reported that the ordinance has been advertised for adoption and it deals with the contracting supplies, equipment services, Public Works construction and a number of different items.

Commissioner Lawrence asked the City Attorney if the ordinance could be amended if needed. The City Attorney replied that the ordinance could be amended.

The City Attorney pointed out that the ordinance allows the City Manager to spend \$25,000.00 and the State allows \$100,000.00.

Commissioner Jennings made the motion and Commissioner Lawrence seconded the motion adopting the amendments to the Procurement Ordinance, which allows the City Manager to spend up to \$25,000.00. The motion passed.

SECTION 1.

Article VI. Of Chapter Two of the City Code of Brunswick is hereby amended as follows:

SECTION 2.

Sec. 2-351 through 2-359 are hereby repealed and the following new Sec. 2-351 through 2-361 are substituted therefore:

“Sec. 2-351. Definitions

- (a) The following terms shall have the meaning provided for by OCGA Sec. 36-91-1: Change Order, Competitive Sealed Bidding, Competitive Sealed Proposals, Emergency, Public Works Construction. Responsible Bidder or Responsible Offeror, Responsive Bidder or Offeror, Scope of Project, Scope of Work, and Sole Source.
- (b) “Other Covered Contracts” shall mean all contracts other than public works construction, emergency, employment, professional/consulting, intergovernmental, month-to-month, real property acquisition, or surplus/abandoned/forfeited property sales.

“Sec. 2-352 Competitive Solicitation of Public Works construction Contracts

Public works construction contracts shall be solicited and executed as provided for by OCGA Sections 36-91-20,36-91-21, and 36-91-22 as said provisions might apply at the time of contracting.

“Sec. 2-353 Federal and State Contracting Requirements

The City shall follow the requirements of any mandatory State or mandatory Federal statutes, rules, or regulations as may be applicable to solicitation and execution of its contracts.

“Sec. 2-354 Other Covered Contracts

Other covered contracts shall be solicited and executed in accordance with the provisions of Sections 2-355 through 2-361 below.

“Sec. 2-355 Contracts Involving Expenditures Below \$25,000.00

Contracts involving expenditures of less than \$25,000.00 of City funds may be negotiated and executed by the City Manager under such terms as the City Manager may determine to be in the best interest of the City, subject to the City Manager’s obligation to inform the City Commission of such contractual arrangements.

“Sec. 2-356 Negotiation and Competitive Solicitation Procedures For other Cover Contracts

The City Commission may solicit and enter other covered contracts by such means and by such procedures as it may determine reasonable and appropriate under the circumstances and in the best interest of the City, utilizing some form of competitive solicitation (i.e., some means similar to the competitive sealed bid or proposal processes described in regard to the competitive sealed bid or proposal processes described in regard to public works construction contracting, above), or by direct negotiation. All contracts involving expenditure of City funds in excess of \$25,000.00 shall require approval or ratification by vote of the City Commission in a regular or called meeting of the Commission.

“Sec. 2-357 Intergovernmental Contracts

Contracts with other governmental entities, including but not limited to the State of Georgia, and its political subdivisions, agencies, departments, authorities, and boards, the County of Glynn, the United States or any of its agencies, departments, authorities, and boards, the County of Glynn, the United States or any of its agencies or departments, or any municipal corporation, may be approved by vote of the City Commission at any regular or called meeting of the Commission or any joint meeting of the Commission and the governing body of such other contracting entity.

“Sec. 2-358 Ongoing/Continuing Contracts

Open-ended contracts for as-needed construction, demolition, repairs, maintenance, or provision of services, material, equipment, or supplies may be entered into by the City Commission or City Manager in accordance with the terms of this Article.

“Sec. 2-359 Advertisements

Advertisements, where mandated by State or Federal law or rule, shall be done in accordance with the requirements of the applicable law or rule; in contract solicitation not involving mandatory advertisement, any advertisement shall be made in such general circulation newspaper as the City uses for its general legal advertisements, in such manner and at such times as the City Commission may determine to be in the best interest of the City.

“Sec. 2-360 Negotiation of Competitively Solicited Bids or Proposals

The City may engage in direct negotiation of any contract for which bids or proposals have been competitively solicited if the City Commission determines that its chosen method of competitive solicitation has not provided a contract bid or proposal with a price or other contract term in the best interest of the City. The Commission may seek clarification of bid or proposal terms, may correct or clarify mistakes or ambiguities in bid or proposal specifications, or amend the scope of project or scope of work in its discretion, before or after opening bids or proposals and all without the necessity of rejecting bids or proposals or re-bidding the project. The City reserves the right to waive any technicalities or informalities in the

contracting process, and shall have the authority to reject any or all bids or proposals when deemed to be in the best interest of the City.

“Sec. 2-361 Substantial Compliance

Any contract entered on behalf of the City without substantial compliance with this Article VI. Of Chapter 2 of the City Code shall be voidable by the City Commission, which may declare void or ratify the contract.

SECTION 3.

In the event any section, sub-section, sentence, clause, or phrase of this Ordinance shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the other sections, sentences, clauses or phrases of this Ordinance, which shall remain in full force and effect, as if the part declared invalid or unconstitutional were not originally a part thereof.

SECTION 4.

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5.

This Ordinance shall take effect upon its adoption by vote of the City Commission and signature by the Mayor.

NOW THEREFORE BE IT RESOLVED, that the City of Brunswick does hereby ordain, established and enacts the foregoing Contract Procurement Ordinance for the City of Brunswick, Georgia.

Notice of Intent published the 19th day of September 2000.
Adopted the 20th day of September 2000.
This 20th day of September 2000.

/s/Bradford S. Brown
Bradford S. Brown, Mayor

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

The City Attorney requested an Executive Session.

COMMISSIONER LAWRENCE ITEM: Discuss activity at Howard Coffin Park.

Commissioner Lawrence reported that three weeks ago it was brought to his attention that the City was charging to look at softball games at Howard Coffin Park. He stated that soft drink machines were brought to the Park to sell drinks. Commissioner Lawrence stated that something is wrong with that.

The City Manager stated that he had no knowledge that was taking place at the park. He stated that he understood that softball games were played. He stated that he hoped to get a better handle on the Howard Coffin Park.

The City Manager announced that Reggie Jackson was hired as the new Recreation Director.

EXECUTIVE SESSION

Commissioner Lawrence made the motion and Commissioner Williams seconded the motion to hold an Executive Session to discuss pending Litigation. The motion passed.

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

MEETING ADJOURNED.

/s/Bradford S. Brown

Mayor

Attest: /s/Georgia E. Marion

City Clerk