

**OFFICIAL MINUTES
COMMISSION OF THE CITY OF BRUNSWICK, GEORGIA
REGULAR MEETING
7:00 P. M., NOVEMBER 15, 2000**

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

ABSENT: Commissioner Roosevelt Lawrence.

INVOCATION: Commissioner Jonathan Williams gave the invocation.

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

APPROVAL OF MINUTES: Commissioner Williams made the motion and Commissioner Davis seconded the motion approving the minutes of the Regular meeting of November 1, 2000. The motion passed.

RECOGNITIONS:

Proclamation recognizing November 15, 2000 as Alzheimer's Awareness Day.

Mayor Brown read a proclamation proclaiming November 15, 2000 as Alzheimer's Awareness Day in the City of Brunswick.

Recognizing November 16th as American Cancer Society's Great American Smoke out Day.

Mayor Brown encouraged everyone in the City of Brunswick to refrain from smoking on November 16th the Great American Smoke out Day.

APPROVALS:

Educational Incentives for the City of Brunswick employees.

The Human Resources Director submitted the Educational Incentive changes requested by the Commission. She pointed out that changes were made for reimbursement of college grades received by employees:

Grade A	100%
Grade B	85%
Grade C	70%
Grade D	0%

The Director of Human Resources submitted Pay Back changes for employees that attend college. She pointed out that employees must remain with the City for 24 months instead of the previous requirement of 12 months.

Commissioner Davis made the motion and Commission Williams seconded the motion approving the Education Assistance and Incentives Standards of Practice.

Resolution Supporting the Joint City/County Greenspace Trust Fund Program.

The Director of Community Development submitted a resolution authorizing the establishment of a community Greenspace Trust Fund for the City of Brunswick.

The Director of Community Development explained the purpose of the Community Greenspace Program.

Mayor Brown pointed out that the City could use grant funds to reclaim City Parks and use the funds for other projects.

Commissioner Jennings made the motion and Commissioner Williams seconded the motion adopting the following resolution:

A RESOLUTION OF THE CITY OF BRUNSWICK COMMISSIONERS

A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A COMMUNITY GREENSPACE TRUST FUND AND ADOPTION OF THE GLYNN COUNTY COMMUNITY GREENSPACE PROGRAM

WHEREAS, the Georgia General Assembly enacted legislation creating a Georgia Greenspace Program to promote the permanent protection as greenspace of at least 20 percent of each eligible county's geographic area; and

WHEREAS, the Georgia General Assembly enacted legislation creating the Georgia Greenspace Trust Fund and provided appropriations to that fund for the purpose of awarding grants to eligible counties as provided for in the Georgia Greenspace Program; and

WHEREAS, the Georgia Greenspace Program statute requires that each count and each municipality electing to participate in the Georgia Greenspace Program establish a Community Greenspace Trust Fund; and

WHEREAS, the Georgia Greenspace Program requires that each county and each municipality that has received approval of its Community Greenspace Program by the Georgia Greenspace Commission shall sign a grant award agreement executed by the Georgia department of Natural Resources; and

WHEREAS, the City of Brunswick Commissioners recognizes that the preservation of community greenspace is in the best interest of the citizens of our county; and

WHEREAS, the City of Brunswick Commissioners desires to participate in the Georgia Greenspace Program; and

WHEREAS, the City of Brunswick Commissioners desires to receive grants from the Georgia Greenspace Trust Fund to assist the county in achieving the goal of permanently protecting greenspace; and

WHEREAS, the City of Brunswick Commissioners recognizes that the establishment of a Community Greenspace Trust Fund is in the best interest of the citizens of Glynn County.

NOW THEREFORE, IT IS HEREBY RESOLVED, that the City of Brunswick has adopted the Community Greenspace Program described in the report attached to this resolution and by reference incorporated herein, and that said report sets forth Glynn County's and the City of Brunswick's greenspace protection goal and the methods and schedule this body intends to use to achieve that stated goal;

IT IS HEREBY FURTHER RESOLVED, that the City of Brunswick Commissioners directs staff to provide additional information as may be needed by the Georgia Greenspace Commission for their review and approval of the Glynn County Community Greenspace Program;

IT IS HEREBY FURTHER RESOLVED, that the City of Brunswick Commissioners will diligently pursue the implementation of the Community Greenspace Program as described in the attached report;

IT IS HEREBY FURTHER RESOLVED, that the City of Brunswick has authorized and shall establish a Community Greenspace trust Fund to accept grants from the Georgia Greenspace Trust Fund and to accept funds from any other sources consistent with the Georgia Greenspace Program; that such Community Fund shall be a special revenue fund as defined in O.C.G.A. Section 36-81-2; and that such Community Fund shall be consistent with the provisions of O.C.G.A. Section 36-22-4, 36-22-12 and with the Rules of the Georgia Department of Natural Resources Chapter 391-1-4 for administering the Georgia Greenspace Program.

IT IS HEREBY FURTHER RESOLVED, that Glynn County has described the sources of funding for greenspace that are available to the county other than the funds it will receive from the Georgia Greenspace trust Fund; and

IT IS HEREBY FURTHER RESOLVED, that the City of Brunswick will enter into a contractual agreement with the Georgia Department of Natural Resources to receive grant funds from the Georgia Greenspace Trust Fund, by authorizing Mr. Brad Brown, Mayor to sign the grant award agreement for the city.

This Resolution is adopted this 15th day of November 2000.

Alcoholic Beverage License Renewals for Year 2001.

The following year 2001 alcoholic beverage license renewals were submitted and approved by the Chief of Police and City Manager. On motion of Commissioner Davis seconded by Commissioner Jennings the license renewals was unanimously granted.

TO RETAIL ALCOHOLIC BEVERAGES INCLUDING DISTILLED SPIRITS FOR CONSUMPTION ON PREMISES:

Sandra L. Webb at Bamboo Lounge II, Inc., 2717 "R" Glynn Avenue

TO RETAIL ALCOHOLIC BEVERAGES INCLUDING DISTILLED SPIRITS FOR CONSUMPTION OFF PREMISES:

Peter J. Nermoe at Bottle time Liquors, Inc., d/b/a The Depot, 1900 First Street

Bobbie E. Lee at Dixville Package Store, 1509 ½ London Street

TO RETAIL BEER AND WINE FOR CONSUMPTION OFF PREMISES:

Dale Cardwell/Eckerd Corporation at Eckerd Drugs # 2341, 1945 Glynn Avenue

Dale Cardwell/Eckerd Corporation at Eckerd Drugs # 439, 3487 Cypress Mill Road

TO RETAIL BEER ONLY FOR CONSUMPTION ON PREMISES:

Dennis J. Sullivan at King and Prince Seafood Corporation, 1 King & Prince Blvd.

TO RETAIL BEER ONLY FOR CONSUMPTION OFF PREMISES:

Revco discount Drug Centers, Inc., at CVS/Pharmacy # 4246, 1709 Gloucester Street

TO WHOLESALE BEER AND WINE FOR CONSUMPTION OFF PREMISES:

Gary Sheffield at Sheffield Distributing Co., Inc., 2129 Line Street

DELEGATIONS:

William S. Smith, Sr. regarding a street in Palmetto Cemetery be named after grandfather, Steve Kinnard Ferrell, Sr.

William S. Smith, Sr. was present to request that the City name a street in Palmetto Cemetery after his late grandfather Steve Kinnard Ferrell, Sr., who worked as a sexton of Palmetto Cemetery for many years. Mr. Smith stated that he would like to honor his grandfather's memory and surprise his mother.

The City Attorney explained that the City could not place a name on a numbered Street in Palmetto Cemetery. He recommended renaming a street that is east or west in Palmetto Cemetery.

Commissioner Jennings recommended honoring Mr. Ferrell with a plaque.

Mayor Brown recommended planting an oak tree in honor of Mr. Ferrell. Mayor Brown pointed out that the City has oak trees available.

Commissioner Jennings made the motion and Commissioner Davis seconded the motion authorizing the City to plant a tree in honor of Steve Kinnard Ferrell, Sr., along with an engraved plaque of Mr. Kinnard's history. The motion passed.

Commissioner Jennings asked Mr. Smith to meet with the City Manager to give the information about Mr. Ferrell.

Commissioner Williams suggested that the Commission do this for anyone that submits a similar request.

Hubert W. Lang, Lang Building Supply, requesting the City to close 200 feet of a 500 feet alley, which is 10 feet wide that divides property owned by Lang Building Supply.

Mr. Lang stated that he spoke with the City Engineer, William Piper and was told that the alley does not have underground utilities.

Commissioner Williams stated that he was in favor of helping businesses within the City.

Commissioner Williams made the motion and Commissioner Davis seconded the motion closing approximately 200 feet of a 500 feet alley in Dixville and deeding it to Lang Building Supply.

Commissioner Williams amended the motion to include allowing the City Attorney to give a clear description of the alley to be closed. Commissioner Davis seconded the amended motion.

Following a discussion the motion passed unanimously.

Burnett Fulton, Fast Track Company, to discuss City Cab Company.

Burnett Fulton owner of Fast Track taxicab Company appeared before the Commission to discuss existing problems as it relates to Taxicabs in the City.

Mr. Fulton reported that taxicab owners met with the City staff 2:00 p.m. to discuss taxicab problems as it relates to the Taxicab ordinance.

Mr. Fulton stated that he owns Fast Track Transportation and Yellow Cab Transportation and these companies' moves approximately 121 people to and from work on a daily basis.

Mr. Fulton pointed out that one of the problems he noticed in the Taxicab Ordinance that was adopted by the City Commission some time ago lies in Section 21-3 Requirements to vehicles. He mentioned that section 21-3 requires every taxicab to be painted in one uniform color or combination of colors adopted by the owner and reported to the Marshall. He recalled that the last couple of weeks this was brought to the attention of the Mayor and Captain Stewart since the Marshall was on vacation leave.

Mr. Fulton stated that he was informed that the requirements in Section 21-3 was suspended or put on hold until a meeting was held to discuss the problems. He pointed out that it would be another two weeks before the amended Taxicab Ordinance will take effect.

He stated that the City should not have deviated from the Ordinance unless the present Commission approved it.

He mentioned that taxicab companies in the City are at war fighting with each other.

He asked the Commission to uphold the present taxicab ordinance. He requested that the Commission continue to enforce the taxicab requirements as stated in Section 21-3 as it relates to taxicab vehicles.

Mr. Fulton requested that Section 21-9 Parking be removed or deleted from the taxicab ordinance for the reason that it requires that no taxicab shall be parked upon any street of the City other than at a taxicab stand. He pointed out that the City does not have taxicab stands.

Mr. Fulton discussed Section 21-52 Qualifications of applicants which stated that applicants for taxicab drivers permits shall not be less than twenty-one years of age, must have been a resident of the City for six months and shall be a sober and an able-bodied person of good character with no physical infirmities of any kind. He requested that the Commission remove the words City and put County. He asked before the Marshall issues a taxicab permit the applicants must meet requirements and submit to a physical drug and alcohol screening and present it to the Marshall.

Mr. Fulton stated that there are no ordinances that regulate transportation companies. He requested that the Commission give him some type of guideline that Fast Track Transportation Company could operate without being in default of any City ordinance. He pointed out that Fast Tract Transportation Company provides transportation for a number of agencies in this City. He reported that some agencies pay transportation cost for their clients and there are family members that must accompany clients to and from their appointments or designations. The family members are not authorized to charge to the agency's account and Fast Track must charge a fare to pick up in the City. He pointed out that Fast Track Transportation is in jeopardy of the law by picking up these clients because it puts Fast Track in the same category as a Taxicab company. He stated that there are no rules that regulates Fast Track Transportation and requested that the Commission give a clear understanding of what services Fast Track Transportation can give in the City. He mentioned that Fast Track Transportation is allowed to pick up fares in the County and drop them in the City, but they are not allowed to pick up fares in the City. He requested that the Commission stand by the Taxicab ordinance and halt any company that is operating any taxicabs using multicolor and not uniform colors according to the Taxicab Ordinance.

Mayor Brown asked the City Attorney to give the Commission some guidance on the requests that Mr. Fulton made concerning the taxicab ordinance.

The City Attorney reported the Commission had a good meeting today and all taxicab companies was invited to attend and a lot of the companies had a representative at the meeting. All the taxicab companies that did not attend would receive a memorandum informing them of what was discussed at this meeting.

The City Attorney stated that Mr. Fulton brought up the issue of the uniform color requirements for taxicabs owned and operated by one company. He mentioned that all the taxicab companies present at the meeting were told that the City would enforce the uniform color requirements unless and until the Commission changes it that was the rule. He pointed out that there has been some confusion about this rule. Some companies have been told that they have two weeks to come in compliance with that rule if they had any cabs that were not uniform color. With the Thanksgiving Holiday coming up it would be a little bit difficult to have several cabs repainted quickly to come into compliance. The City Attorney stated that the uniform color requirement is the rule.

Commissioner Williams asked if it was a specific color that taxicabs must have on cabs. The City Attorney explained that the companies chose the color and let the City Marshall know what their choice of color was and stick with that color within the fleet. It must be the same color combinations of colors. It does not mean that all taxicabs in the City must be the same color. The City Attorney stated that this ordinance was adopted in 1953 and it is archaic and has a lot of problem areas. He stated that the physicals and drug screenings for applicants coinciding with the renewal sounds like a good idea. The taxicab companies brought this up.

He stated that the current taxicab ordinance deals with vehicles for hire in the sense of picking up someone for a fare. It has not been enforced against transit companies that do contract program carries for a government agency as long as they do that alone. There is no problem with the taxicab ordinance as it is written now. He explained when the same vehicle is used to pickup a fare for hire outside of the program they are in effect acting as a taxicab and they are treated as a taxicab.

The City Attorney stated that the Commission can deal with that in several ways to make clear the rules, that transit companies are not covered at all even when they pick up a fare for hire or make a rule that transit companies will have to come strictly under the taxicab ordinance. He mentioned that the City could still have a separate ordinance for transit companies.

The City Attorney stated that Mr. Fulton mentioned that he have the problem of picking up a handicap person or older person who needs someone with them. Mr. Fulton carries that person who is primary recipient of the benefit under the program and also needs to carry the other person and charges a fee for that which is a separate charge and is not covered by the program. Mr. Fulton asked that for those charges not be treated as taxicabs pickups. He felt that if they are going to pick up non-related to the program fares he was really acting like a taxicab.

Commissioner Williams asked if Medicaid took care of the payment for the extra person. Mr. Fulton explained that it depends on the program that the client is under. The patient or client may have eligibility, but a designated family may not be eligible.

Mr. Fulton stated from his experience with Medicaid if a patient is picked up under the program Medicaid pays for the patient that is being transported it does not take care of the caregiver who is accompanying the patient to an appointment in town or out of town.

Commissioner Williams stated that it maybe a difference if the company only transports the handicap. He mentioned that he is aware that there are stipulations when the person needs an attendant and that attendant fee is taken care of by Medicaid.

Commissioner Williams questioned the qualifications of the taxicab drivers. He mentioned that the ordinance was adopted in 1953 before the American Disabilities Act. He pointed out that some disabilities would allow a person to drive for hire.

The City Attorney stated that the requirement would not prevent someone who is able to drive to get involved as a driver for Fast Track or anyone else under the American Disabilities Act as long as the proposed driver could do the work and perform the central functions of the job. The City Attorney explained the language of the ordinance for physical exams by a physician.

Commissioner Jennings asked the City Attorney if the taxicab ordinance needed to be upgraded. The City Attorney stated that he sees a number of changes that would be advisable. He pointed out under the qualifications Section 52 it refers to being a City resident for six months obviously there is a lot of drivers who will be County residents as opposed to City residents.

Commissioner Jennings asked if the City needs a separate ordinance for a transit company such as Fast Track or should the City upgrade the 1953 ordinance and include a paragraph in the ordinance to make Mr. Fulton's company in compliance in case certain situations happen.

The City Attorney stated that the Commission can place some exclusionary language in the existing ordinance, but if the Commission want to get into a separate way of regulating transit companies the City should adopt a separate ordinance.

Mayor Brown stated that the needs are separate the transit company are carrying people for a fare be it paid by an agency or by the individual the same rule should apply. The main purpose of the ordinance is for the safety of the people.

Mr. Fulton stated that there still would be a difference because there is one provision that requires taxicabs to be uniform in color and or a combination right now for the transit companies there is no stipulation.

The City Attorney stated that the Commission needs to clarify for the future whether transit companies if they are operating as a taxicab from time to time are going to be treated as taxicabs. As the ordinance is written now they should be and if the Commission wants to do it differently the ordinance needs to be changed saying that transits will be lumped in with taxicabs.

Mayor Brown stated that the transportation of people and the safety of individuals is what the Commission is looking at and one ordinance should be able to cover both of them.

Commissioner Jennings stated that he agreed with Mayor Brown. He suggested adding one or two paragraphs and prepare the ordinance so that it shows that the

City appreciates Mr. Fulton for starting two businesses in the City. He further stated that he would like to see a paragraph or two upgrading the City's ordinance as to color and everything else even drug screening. He suggested putting a paragraph in the ordinance where Mr. Fulton in extreme circumstances can act like a taxicab. He stated that he felt like the Mayor and the City do not need a brand new ordinance on transit. He stated that if the Commission put something in the current ordinance it would protect Mr. Fulton and make him in compliance.

Commissioner Williams asked about the function of the Public Service Commission.

The City Attorney stated that the Public Service Commission regulates fifteen passengers or more buses. He mentioned that a lot of that is regulated by the Federal Government and cannot be changed.

Commissioner Williams asked Mr. Fulton if he still owned his bus. Mr. Fulton stated that he still owns his bus and it is regulated under the Public Service Commission.

Commissioner Williams stated that the Commission really needs to cover the whole area especially the transit issue. He stated that it is a whole lot that the Commission needs to look into. The Commission needs to do some studying on this ordinance.

The Chief of Police stated that they discussed holding another meeting and inviting someone from the Public Service Commission to attend and help clarify where their limitations leave off and ours begin or vice versa.

The City Attorney stated that the City do not want to have gaps where there are no regulations. The City doesn't want to step in and try to go over the authority of the PSC.

Commissioner Williams brought up for discussion 21-9 Parking. He asked about the parking problem.

The City Attorney stated that it refers to Parking at taxicab stands. It would not work and it has not been done in a long time. What Mr. Fulton is asking for since it doesn't work to take out that section of the taxicab ordinance.

Commissioner Jennings stated that Mr. Fulton asked that wording in the ordinance be changed from City to County.

Mr. Fulton stated that it refers to the qualifications where it states that the applicant must be a resident for six months. Instead of using the word City change it to County.

Mayor Brown asked the City Attorney how soon could a meeting be set up with the Public Service Commission meeting.

The City Attorney stated that the City can hold the meeting at anytime whenever the Public Service Commission are available to attend the meeting. The City

Attorney stated that he could submit a draft of an amended ordinance by the next Commission meeting on December 13th if the meeting is held on that date.

Mr. Fulton commended the Chief of Police and his staff for doing a good job with the situation that occurred sometime ago on Albany and "G" Street.

Susan Youmans, City Cab, to discuss the Taxicab Ordinance.

Mrs. Youmans stated that the only problem she has with Mr. Fulton's companies is that he is running 9 or 10 colors of vehicles. Mrs. Youmans stated that she was taught that the right way is the only way to do it.

Mrs. Youmans stated that she felt if one company had to go by a set of rules then every body should go by the same set of rules. She mentioned that the taxicab company had to repaint a van because it was not gray. She pointed out that they had to paint cars the same color and pay the insurance. She stated that the biggest problem is that they followed the ordinance and other companies did what they wanted to do.

Mayor Brown stated that the Commission is attempting to insure that every body follows the same rules and that the rules are updated to comply with the 21st century.

DISCUSSION:

Combining December's two Commission Meetings to have one meeting on Wednesday, December 13, 2000 at 7:00 p.m.

Mayor Brown stated that the Commission normally have two meetings a month and the month of December being Christmas season it may be prudent to combine these meetings into one meeting and hold the meeting on the second Wednesday in the evening.

Commissioner Jennings made the motion and Commissioner Davis seconded the motion combining the regular meeting scheduled for December 6, and the regular meeting scheduled for December 20th together to hold one meeting on December 13th 2000 at 7:00 p.m. The motion passed.

APPOINTMENTS:

LIBRARY BOARD

Commissioner Davis made the motion and Commissioner Williams seconded the motion appointing Charlie Atkinson the only applicant that applied to serve on the Library Board to fill the unexpired term of the late Maureen Arnold. The motion passed.

STRUCTURAL FITNESS BOARD

Mayor Brown read the names of the two applicants who applied for the position on the Structural Fitness Board, Burnette Fulton, Sr. and Bishop James Brooks.

Commissioner Williams asked about the residence of the applicants. He asked if the applicants are required to live in the City.

Mayor Brown stated that the Commission tends to appoint City residents. Mayor Brown mentioned that 715 Lee Street is located in the City. He asked Mr. Fulton if 2302 Townsend Street was located in the City. Mr. Fulton made a correction on his present address, which is 1519 Lee Street.

Commissioner Williams nominated Virgil Ryals for the appointment to the Structural Fitness Board.

Commissioner Jennings stated as a courtesy to Commissioner Lawrence he would like to make a motion to defer the appointments to the Structural Fitness Board and Hospital Authority until the next meeting.

Commissioner Davis seconded the motion.

On call for the vote the motion passed by vote of 3 to 1, Mayor Brown voting No.

Mayor Brown pointed out that an appointment has already been made to the Library Board and the Commission should not rescind that appointment.

Mayor Brown instructed the City Clerk to advertise for appointments to the Brunswick Historic Preservation Board, Downtown Development Authority and Zoning Board of Appeals.

COMMISSIONER DAVIS' ITEM:

Vendors Purchasing Peddler (Transient) Licenses.

Commissioner Davis stated that Woody Woodside was present to speak about transient licenses.

Woody Woodside stated that a few years ago they were looking at Transient Business Licenses. He mentioned that State Laws have changed considerably where by people who may have a license in some other county if their license is valid they can operate in this City or any other Municipality or County in Georgia. Mr. Woodside stated that the Issuing of Peddlers Licenses should be reviewed and asked that Glynn County work in any way possible with the City Commissioners if they decide to restructure peddlers' license fees. He spoke about what recently happened last week and lot of people witnessed it. He pointed out that it was not a good site for tourist to see a semi truck from another state selling furniture on a corner. When it was brought to the attention of the City and also the Department of Transportation it was found that the person did pay for a peddlers' license fee of \$25.00 per day. The person was acting under the City's ordinance. The person was removed from that site because the business was being operating on DOT's right of way. Mr. Woodside urged that a different fee structure be established and examined over the next few weeks or so. He asked that a time limit be set when purchasing a peddler's license and require a tax ID number for businesses for sales

tax purposes. He urged that the City consider taking some action and work with Glynn County's Attorney to bring in more revenue.

Commissioner Davis instructed the City Attorney to revise the City's Peddler's License.

Commissioner Davis voiced her concerns about people coming into the City and selling goods on street corners.

The City Attorney stated that he would like to see the issue of Peddler's License placed on the next agenda.

Commissioner Lawrence's items were not discussed because of his absence.

MEETING ADJOURNED.

/s/Bradford S. Brown
Mayor

Attest: /s/Georgia E. Marion
City Clerk