

**OFFICIAL MINUTES
COMMISSION OF THE CITY OF BRUNSWICK, GEORGIA
RESCHEDULED REGULAR MEETING
7:00 P. M., DECEMBER 13, 2000**

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

ABSENT: Commissioner Doris Davis.

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 Jennings seconded the motion approving the minutes of the Called Meeting of November 9, 2000 and Regular Meeting of November 15, 2000. The motion passed.

RECOGNITIONS:

Swearing in of Attorney Christopher O'Donnell as Judge Pro-Tem of Municipal Court.

Superior Court Judge Amanda F. Williams of the Brunswick Judicial Circuit Administered the Oath of Office to Attorney Christopher J. O'Donnell newly appointed Municipal Judge Pro-Tem of the City Court of Brunswick, Georgia.

APPROVALS:

November monthly reports:

- A) General Fund
- B) Water & wastewater
- C) Community Development
- D) Municipal Court

Commissioner Lawrence made the motion and Commissioner Williams seconded the motion approving the monthly reports.

Bid recommendation on Bank Consolidation.

The Director of Finance reported that bids were received on November 28, 2000 from the following banks:

Vendor	Comments	Total
Atlantic National		\$24,000.00
First Georgia		-0-
Sun Trust		\$21,145.76
Coastal		-0-

Bank of America		\$12,016.40
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He stated that a pre-bid conference was held with all the banks as well as a post-bid conference with banks that submitted a proposal.

The Director of Finance recommended that the Commission authorize the City Manager and staff to negotiate with the top two proposers in order to receive the greatest financial benefit for the City of Brunswick.

Following a lengthy discussion Commissioner Williams made the motion to follow proposal of staff and authorized the City Manager and staff to negotiate terms and bring back information to the Commission by the second week in January. Commissioner Jennings seconded the motion.

On call for the vote the motion passed by a vote of 3 to 0. Mayor Brown abstained because of his relationship with SunTrust. The motion passed.

Year 2001 Alcoholic Beverage License Renewals.

Commissioner Lawrence suggested that the list of businesses submitted by the City Manager for renewal of their Alcoholic Beverage License be granted except for the following business until further discussion:

- 1) Turtle River Beach Club
- 2) Chrystal's Lounge
- 3) The double Eagle
- 4) The Boilermaker Club
- 5) Club 64 also known as Club 87
- 6) Club Cache

Commissioner Lawrence made the motion and Commissioner Williams seconded the motion approving the following 2001 Alcoholic Beverage License Renewals:

To retail alcoholic beverages including distilled spirits for consumption on premises:

Scott Jackmore at Red Carpet Lounge, 300 "F" Street;

Alix M. Kenagy at Cargo Portside Grill, 1423 Newcastle Street;

Louis N. Dyer, Jr. at golden Isles cruise Lines, Ind., d/b/a Emerald Princess, 1701 Newcastle Street;

Patricia Diane King at Lighthouse Lounge, 3302 Glynn Avenue;

Robert P. Redden at Pablo's Mexican Restaurant and Cantina, 3348 Cypress Mill Road;

Alben Yarbrough at Spanky's Inc. – Marshside 1200 Glynn Avenue;

Richard L. cash at the Jug Package Store, 1300 London Street;

Paul Marshall at Veterans of Foreign Wars Post 2588, 2120 Davis Street;

To retail alcoholic beverages including distilled spirits for consumption off premises:

Jacob Manley at The Beverage Center, 1411 "L" Street;

To retail beer and wine for consumption off premises:

Joe Harvey, III at J. H. Harvey Company d/b/a Harvey's Supermarket #72, 4980 Altama Avenue;

James L. Gibson, Jr. at JP's, 3304 Glynn Avenue;

Henry A. Sowell at Sowell & Sowell c/b/a Bunky's Foods, 2803 Glynn Avenue;

To retail beer for consumption on premises:

Michael T. Hasty at Pizza Inn, 3461 Cypress Mill Road;

To retail beer for consumption off premises:

Suleiman Solomon at Adams Market, Inc., at 1700 Norwich Street;

To wholesale beer and wine for consumption off premises:

David Moody at National Distributing Company, Inc. d/b/a Standard Distributing, 1725 "T" Street.

The Chief of Police recommended approval of Chrystal's Lounge, The Boilermaker Club and Club 64 also known as Club 87 for the 2001 Alcoholic beverage license with certain restrictions. He stated that these business owners should understand that some problems occurred during the year, and that the City expects them to better control some of the things that are going on around their premises.

Commissioner Lawrence questioned whether the Chief of Police had any discussion with the business owners about the problems that occurred during the year. The Chief of Police stated no, just when the events took place. Commissioner Lawrence asked the Chief of Police whether the business owners knew what was expected of them. The Chief of Police stated that business owners were not given anything specifically in writing, but they have been aware of things that have gone on around their businesses.

Commissioner Lawrence asked the Chief of Police to give some specific things that happened and give the name of the business. Commissioner Lawrence recalled that he read that Club 64 also known as Club 87 was cited because the business was too close to a nursery and church and people are always standing around outside of the club.

Commissioner Lawrence asked the Chief of Police how businesses can maintain better control if they ask a person to vacate the premises and a person chooses not to leave.

The Chief of Police told Commissioner Lawrence that business owners have to at least assert some sort of control or call on their security person to have them leave or take a warrant out on that person or call the Police.

Commissioner Lawrence stated that businesses are complaining when they call the Police to come out to their business, the Police document the fact that the owner called for assistance fifty times, twenty-five times or ten times. The police Department document how many times they were called and report this information at the end of the year.

The Chief of Police asked Commissioner Lawrence to understand that the Police Department could not necessarily say that the Police Department is finding fault with businesses for calling when they have a situation where they have one person they cannot control as opposed to calling in because their crowd have gotten unmanageable at their business. He pointed out that the Police Department is going to hold that against the business and it have been done for years. The Police Department expects businesses to call if they have problems with someone who is not following instructions. That will not be held against a business he felt that it was unfair to hold that against someone's business license. The Chief of Police stated that he wanted the Commission to be more aware of the past history of these businesses to make a better decision on whether or not that business can continue in operation.

Commissioner Lawrence mentioned that the Commission only finds out that trouble existed in the past at these businesses when it is time for license renewal.

The Chief of Police stated that the Commission will have better knowledge of what type of business have had problems during the year and what type of businesses are not working out and whether or not the Commission want them to continue to operate.

Commissioner Jennings questioned how many calls the Police Department received from these businesses.

Corporal Dickerson stated that a ballpark figure would be for Club 87 probably 35 to 50 calls. He explained that he did not bring in his books with the documentation of the calls. Corporal Dickerson stated that the Police responded to Chrystal's Lounge for 10 open container violations. Corporal Dickerson stated that the Police responded to the Boilermaker Club 35 or 40 times.

Commissioner Lawrence expressed his feelings about the term open container. He stated that it does not necessarily mean that a person who has an open container in front of the Boilermaker Club brought the beer or whatever he is drinking from the Boilermaker Club, however the business owner is being charged for an open container violation.

The Chief of Police stated that it does not necessarily mean that the business is being charged with an open container violation, but if that business is allowing it on their premises then they will be charged.

Commissioner Lawrence asked the Chief of Police how the owner would know about an open container being on the outside of his business if the owner is on the inside managing his business.

The Chief of Police stated again that is why he was saying that these businesses should have some type of responsibility of their own in maintaining what goes inside as well as outside of their businesses.

Commissioner Lawrence stated that businesses should maintain some. He stated that Police Officers who wish to serve as security for businesses are being denied that opportunity for whatever reason. He stated that a Police Officer was working at businesses could get more cooperation than a regular citizen working as a security guard.

The Chief of Police stated that he probably could.

Mayor Brown asked the Chief of Police to clarify for everyone the reasons why the reasons why the City do not allow Police Officers to work off duty at night clubs or bars so everyone could have a clear understanding of that Policy.

The Chief of Police stated that it was his decision not to approve any officers to work in nightclubs or bars, but they have in the past. The officers that have worked there in the past found themselves getting involved in fights many times and the department have also found that if officers get into fights their chances of getting injured are more than if they have a not so unruly crowd to deal with. These security jobs deal with managing folks who are getting under the influence of alcohol and if they are on duty they will run into that from time to time. The chances of the Officer getting injured and not being able to report to duty or even more likely. It's also given that when officers are in those places and working where alcohol is being consumed in lounges they find some few who would be more unruly than others. Police officers who have to man handle someone and is off duty complains of an injury later on and find that claims are being filed against the Police Department and the City of Brunswick.

Commissioner Lawrence pointed out that Police Officers could get injured even if they were not working in bars or lounges. The Chief of Police stated that it could happen, but the likelihood of it happening seems to be more so in places where officers are working around folk who are indulging in alcoholic beverages.

Commissioner Williams stated that business owners told him that they do not tolerate any kind of disturbance in their place of business. These owners hire bouncers and they will put anyone who starts a disturbance out of the club. One particular owner came outside and assisted the Police in trying to control the crowd outside. He felt like that was an example of a proprietor trying to do something to help the situation. He further stated when the City does not recognized proprietors' efforts in trying to control, and then he did not know how much to expect the owner to be responsible. He recommended getting stricter loitering

rules. He suggested that the Chief of Police let the Commission know about the problems businesses are having before it is placed in an annual report.

Commissioner Williams made a motion and Commissioner Jennings seconded the motion granting the alcoholic beverage licenses with the recommendation of the Chief of Police. The motion passed.

Mayor Brown recommended that the Chief of Police give monthly reports on businesses that have violations and problems. The Chief of Police stated that he would submit a monthly report.

The Chief of Police reported that Club Deep now the Turtle River Beach Club opened their business on a Sunday and served alcohol. He recommended approval with reservations subject to inspections every year.

Commissioner Lawrence asked what could stop the Club from opening on a Sunday again. The Chief of Police stated that the Club was charged a fine for the violation.

Commissioner Jennings made the motion and Commissioner Lawrence seconded the motion granting an alcoholic beverage License to the Turtle River Beach Club with the recommendation from the Chief of Police. The motion passed.

Commissioner Williams stated if violations continue the City will revoke their license and fines would be much greater.

Mayor Brown requested that the City enforce littering in front of the building.

The Chief of Police reported that the Double Eagle Lounge has large crowds gathering. A letter of warning was given to the owner and the Police Chief was assured that the Double Eagle Lounge had a reliable security team. He mentioned that someone was shot in the vicinity of the Double Eagle Lounge. The Chief of Police recommended approval.

Commissioner Williams stated that the owner has demonstrated cooperation.

Commissioner Williams made the motion and Commissioner Lawrence seconded the motion granting an alcoholic beverage license to the Double Eagle Lounge under conditions outlined by the Police Chief. The motion passed.

The Chief of Police reported that Club Cache's license was suspended earlier in the year.

Captain Chris Stewart reported on September 7 a letter was hand delivered to the attorney representing Club Cache about the conditions of their probation. On October 21 Corporal Dickerson and Captain Stewart checked Club Cache and found three under age people there who were not 21 years of age and no one was found checking the door. December 8, Corporal Dickerson and Agent Wan Thorpe checked the club and found the gate to the poolroom in the back of the building closed and locked. On November 26, shots were fired in Club Cache.

Commissioner Lawrence asked if the underage persons were questioned. Captain Stewart stated yes.

The Chief of Police recommended that the Commission not approve Club Cache's alcoholic beverage license for the reason that they did not follow the conditions of their probation.

The City Attorney stated that, for non-renewal of licenses for a business the owners must be given notice of what was decided. The business must be treated fairly.

Commissioner Lawrence stated that the City should notify Club Cache and give them an opportunity to appeal the decision.

Commissioner Lawrence made the motion and Commissioner Williams seconded the motion to accept the recommendation for non-approval of an alcoholic beverage license for Club Cache and to administer due process. The motion passed.

Mayor Brown pointed out that Club Cache must request a hearing for the three violations that occurred.

Revisions to Business License and Tax Ordinance.

Commissioner Lawrence made the motion to and Commissioner Jennings seconded the motion unanimously adopting the following ordinance.

Revisions to Business Licenses:

ORDINANCE No. 945

An ordinance to amend Chapter 20 of the City Code of Brunswick so as to provide for new and Revised definitions for the business and Occupational tax ordinance; to provide for calculation of the amount of said tax based upon the number of employees; to amend the procedures for registration of businesses and practitioners of professions and occupations; to repeal conflicting provisions; to provide for an effective date; and for other purposes.

BE IT ORDAINED BY THE CITY COMMISSION OF BRUNSWICK:

SECTION 1.

Article III of Chapter Twenty of the City Code of Brunswick is hereby amended as follows.

SECTION 2.

Sections 20-40, 20-41, 20-43, 20-47, 20-51, and 20-69 are hereby repealed and the following new Sections 20-40, 20-41, 20-43, 20-47, 20-51 and 20-69 are substituted therefore:

Sec. 20-40 Occupational Tax Required, For Business Dealings Within the City of Brunswick.

For the year 2001 and succeeding years thereafter, each person engaged in any business, trade, profession or occupation in the City of Brunswick, Georgia, whether with a location in the incorporated area of the City of Brunswick or in the case of an out of state business with no location in Georgia exerting substantial efforts within the State pursuant to O.C.G.A. 48-13-7, shall pay an occupation tax for said business, trade, profession or occupation; and the Occupation Tax Certificate indicating the payment of the tax shall be displayed in a conspicuous location in the place of business, if the taxpayer has a permanent business location in the incorporated area of the City of Brunswick, Georgia. If the taxpayer has no permanent business location in the incorporated area of the City of Brunswick, Georgia, such Occupation Tax Certificate shall be shown to the Occupation Tax Officer or enforcement officers or to any police officer of the City of Brunswick, Georgia, upon his or their request.

Sec. 20-41 Construction of Terms; Definitions

- A. Wherever the term "City" is used herein, such term shall be the City of Brunswick, Georgia
- B. As used in this Ordinance, the term:
 - 1. "Administrative Fee" mean a component of an occupation tax, which approximates the reasonable handling and processing of the Occupation Tax.
 - 2. "Business" means any person, corporation, partnership, or other legal entity which exerts substantial efforts within the City, engages in, came to be engaged in, and/or represents or holds out to the public to be engaged in any occupation or activity with the object of gain or benefit, either directly or indirectly.
 - 3. "Business Location" means the physical location of a business, and includes any structure or vehicle where a business, profession, or occupation is conducted. This definition does not include a temporary or construction work site, which serves a single customer or project vehicle used for sales or delivery by a business or practitioner of a profession or occupation, which has a location or office. A temporary work site, which serves multiple customers, is included in this definition, and any business operating at such location is subject to the requirements of the Ordinance. For the purposes of this Ordinance, a separate location shall exist if there is a separation of buildings of a business by the property of another, not including public streets.

Each rental residential property consisting of four or more units shall be deemed a branch establishment or separate place of business for the purpose of this Ordinance when there is a representative of the owner or the owner's agent living on the premises who is authorized to conduct business for such owner or owner's agent or there is a regular employee of the owner or the owner's agent working on the premises who is authorized to transact business for such owner's agent.
 - 4. "Commission" means the Board of Commissioners of the City of Brunswick, Georgia.
 - 5. "Dominant Line" means the type of business within a multiple line of business from which the greatest amount of income is derived.
 - 6. "Employee" means an individual whose work is performed under the direction and supervision of the employer and whose employer withholds FICA, federal income tax, or state income tax from

such individual's compensation or whose employer issues to such individual for purposes of documenting compensation a form I.R.S. W-2, but not a form I.R.S. 1099 and shall include an owner of said business if such owner performs managerial or any other work for the business.

7. "Engaged in Business" means doing or performing any act of selling any goods or services, or soliciting business, or offering any good or services for sale primarily in attempt to make a profit, including selling or performing services of the character of a wholesaler or retailer, or being involved in any of the functions performed as a manufacturer, or renting real or personal property; all of the foregoing performed either as an owner, operator or agent of any business, trade, profession, or occupation within the City.
8. "Manufacturing" shall mean either directly or by contracting with others for the necessary labor or mechanical services, manufacturing for sale or commercial use any articles, substances or commodities, including but not limited to, the following: materials upon which commercial activities have been applied, by hand or machinery, so that as a result thereof a new substance of trade or commerce is produced; the production or fabrication of special or custom-made articles; the making, fabrication, processing, refining, mixing, slaughtering, packing, aging, curing, preserving, canning, preparing and freezing of fresh foods, fruits, vegetables, and meat.
9. "Nonprofit Organization" means an organization which is formed for a purpose not involving pecuniary remuneration, directly or indirectly, to its shareholders or members as such. Such organizations encompass those, which are truly altruistic as well as those whose aid is limited to its membership.
10. "Number of Employees" shall mean the highest number of employees employed by a business, trade or profession, either on a full or part-time basis during the period October 1 through December 31, of the preceding tax year; for first time applications, the highest number of employees anticipated in the last quarter of the tax year.
11. "Occupation Tax" means a tax levied for revenue raising purposes on persons, partnerships, corporations or other entities for engaging in occupation, profession or business.
12. "Occupation Tax Officer" is the Finance Director of the City of Brunswick or his or her successor in office or their designee.
13. "Occupation Tax Certificate" means the form issued by the Occupation Tax Officer as evidence that the business has registered and paid the occupation tax and fees due under this Ordinance.
14. "Person" shall be held to include sole proprietors, corporations, partnerships or any other form of business organization but specifically includes charitable nonprofit organizations, which utilize eighty percent (80%) of their proceeds for charitable purposes.
15. "Practitioner of profession or occupation" is one who by State law is subject to State licensure requirements regulating such profession or occupation.
16. "Practitioners of professions or occupations" shall not include

a practitioner who is an employee of a business, if the business pays an occupation tax.

17. "Registration" shall mean the information supplied to the Occupation Tax Officer to enable that officer to compute the Occupation License Tax and the executed form provided by the Occupation Tax officer for that purpose.
18. "Regulatory fees" means payments, whether designated as license fees, permit fees or by another name, which are required by local government as an exercise of its police power and as a part of or as an aid to regulation of an occupation, profession or business. The amount of a regulatory fee shall approximate the reasonable cost of the actual regulatory activity performed by the City. A regulatory fee may not include an administrative fee. Development impact fees, as defined by Paragraph 8 of O.C.G.A. Section 36-71-2, Capital Tapping Fees, Tapping Fees or other costs or conditions of zoning or land development are not regulatory fees.
19. "Retailer" means a person who sells to consumers or any other person for any purpose, other than for resale, any tangible person or property.
20. "Services" means the accommodating or performing a duty or work by a person utilizing time or talents for direct or indirect remuneration.

Sec. 20-43 Occupation Tax Levied; Restrictions; Refunds

- A. 1. An occupation tax shall be levied upon those businesses and practitioners of professions and occupations with one or more locations or offices with the unincorporated are of the City and upon the applicable out-of-state businesses with no location or office in Georgia pursuant to O.C.G.A. 48-13-7 based upon the number of employees of the business or practitioner.
2. The number of employees is computed on a full-time position basis or full-time equivalent basis, provided that for purposes of this computation an employee who works 40 hours or more weekly shall be considered a full-time employee and that the average weekly hours of employees who work less than 40 hours weekly shall be added and such sum shall be divided by 40 to produce full-time position equivalents.

B. Occupation Tax Schedule

The occupation tax levied shall be based upon the following tax table.

TAX TABLE

<u>Bracket</u>	<u>Number of Employees</u>	<u>Tax Amount</u>
1	0-4	\$50
2	5-9	\$75
3	10-19	\$100
4	20-49	\$150
5	50-99	\$200
6	100-249	\$250
7	250 and over	\$500

- C. 1. No business or practitioner shall be required to pay more than one occupational tax for each of its locations.

The City shall not require an occupation tax on those employees that were taxed by occupation tax in other locations or States, provided that those businesses were taxed in full compliance with O.C.G.A. -48-13-7 and 48-13-14. Upon request by any City official, including but not limited to personnel of the Business License Department, Finance Department, and Building Inspection Department, the operator of a business shall be required to provide proof that the business was taxed pursuant to O.C.G.A. 48-13-7 and 48-13-14.

2. An Occupation tax shall not be levied in any manner except as described in this Section.

D. Refunds

1. A business, trade, profession or occupation may apply for a partial refund of its previously paid occupation tax when the business ceases to conduct business with the City. A business with multiple locations may apply for a refund when it closes one or more of its locations or offices, and no business dealings are conducted in the City from the closed location(s) or office(s). The previously paid occupation tax shall be prorated from the date certified in the written request for a refund and calculated pursuant to subparagraph (3), below.
2. A written request for a refund shall be submitted to the Occupation Tax Officer within six (6) months after the business, trade, profession, or occupation ceases to exist as a legal entity doing business in the City of Brunswick, and the request shall certify the date the business ceased to exist. If one or more locations or offices are still in operation and conducting business in the City of Brunswick, then the request for refund shall certify the date and location(s) or office(s) for which the occupation tax was paid ceased to conduct business in the City.
3. The occupation tax levied and paid under Section 2-6-9 herein shall be subject to a prorated refund based on the number of full months left in the year for which the Occupation Tax Certificate was issued upon written request as provided herein.
4. Administrative and regulatory fees and any penalties paid on behalf of a business, trade, profession or occupation shall not be subject to a refund.

Sec. 20-47 Profession As Classified In O.C.G.A. 48-13-9(c), Paragraphs 1 Through 18.

Practitioners of professions as described in O.C.G.A. 48-13-9(c)(1) through (18) shall elect as their entire occupation tax for the year 2001 and subsequent years, one of the following:

- A. The occupation tax based on number of employees; or
- B. A fee of \$400.00 per practitioner who is licensed to provide the service, such tax to be paid at the practitioner's office or location. The per practitioner fee shall include all persons in the business who qualify as practitioner under the State's regulatory guidelines and framework.

Sec. 20-51 is Reserved.

Sec. 20-69 is Reserved.

SECTION 3.

In the event any section, subsection, sentence, clause, or phrase of this Ordinance shall be declared or adjudged invalid or unconstitutional, such adjunction 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.

Bradford S. Brown, Mayor

Attest: _____
Georgia E. Marion, City Clerk

Revisions to portion of North Park Center Sub-Division Platt for Dr. Eric Segerberg.

The City Attorney recalled that revisions to portions of North Park Center Subdivision were presented a year and a half ago. He stated that staff recommended approval subject to a resolution. He pointed out that formal dedication of the property would be the commitment of the property owner and also the planting of vegetation.

Commissioner Jennings made the motion and Commissioner Lawrence seconded the motion approving the revisions to North Park Subdivision with stipulations presented by staff. The motion carried.

Mr. Hubert Lang, Jr. requesting alleyway behind Lang Building Supply on Prince Street to be closed.

Hubert Lang Jr. appeared before the Commission to request that the alleyway behind Lang Building Supply be closed for consideration of \$10.00 and that same be deeded to Lang Planning Mill.

Commissioner Jennings made the motion and Commissioner Lawrence seconded the motion deeding the alleyway behind Lang Building Supply for consideration of \$10.00 to Lang Planning Mill and close other end of said alley and make available to property owners. The motion passed.

DELEGATIONS:

James A. Myers in reference to street vendors.

James A. Myers appeared before the Commission to request that the City include him in the meetings when the City decides to revise the City of Brunswick Peddlers business license. Mr. Myers stated that he has been in the Peddling business in Brunswick for many years. He pointed out that removing peddlers from the streets would take money out of the black community. He thanked the Commission for their help when he requested it.

Mayor Brown mentioned that Commissioner Davis brought up Street Peddling she was concerned about vendors selling fruit on the street.

Commissioner Williams stated that Mr. Myers is a citizen and he would like to find some kind of way to encourage local vendors to use Mary Ross Waterfront Park. He stated that local citizens should be given a break and he felt that something should to be done about the many vendors setting up on City street corners.

Commissioner Lawrence stated that street peddling was not directed at local people. He recommended that Commissioner Davis meet with Mr. Myers and discuss her concerns.

Commissioner Williams recommended that street vendors be given a cut on renting stalls at Mary Ross Park. Commissioner Williams stated that something needs to be done and Mr. Myers has a valid point.

Mr. Myers pointed out that vendors need more than three days a week to sell their produce or goods at Mary Ross Park.

Commissioner Jennings recommended that Mr. Myers meet with Commissioner Davis and come up with ways that will help vendors.

Mayor Brown stated that Commissioner Davis should contact Mr. Myers and the Manager of Mary Ross Park to discuss ways of helping vendors set up at the park.

Nelson Hart in reference to Albany Street activities.

Nelson Hart appeared before the Commission to discuss some of his concerns about activities on Albany Street. Mr. Hart mentioned that a container on the outside of his property does not come from his place of business. He stated that people bring in alcoholic beverages from Florida to Brunswick and smuggle them in his place of business. Mr. Hart stated that his business did not make thirty-five calls to the police for assistance. He pointed out that guidelines should be drawn up for businesses for patrons who stand outside of clubs in the City. Mr. Hart mentioned that patrons leave his place of business and get into altercations on the other side of town and Police Officers ask where did they just come from and write up a report on the patrons and use his business. He stated that was unfair and wrong.

Commissioner Lawrence asked how could Mr. Hart control these problems.

Mr. Hart stated that his business is being held responsible for everything and if he calls the Police for problems he cannot handle his business will have a record for calling the Police for help.

Mr. Hart recalled when Police officers use to place a spot light on patrons who were leaving clubs in the City and asked them to leave the premises.

Commissioner Lawrence asked the Chief of Police to send officers whenever clubs close to make sure that the patrons leave.

The Chief of Police stated that he could not do this for one club. He pointed out that it would have to be done for all clubs in the City.

Commissioner Jennings asked the Chief of Police how many officers are on duty on the weekend at night.

The Chief of Police stated that 15 officers are on duty at night and on weekends.

Commissioner Jennings recommended having one Police car disburse crowds on the weekends.

Mayor Brown asked if the City could do this for one business and not the other.

The Chief of Police pointed out that the City must send all Police cars at all clubs at 2:00 a.m. to disburse crowds.

Commissioner Lawrence stated that the City is only 50 square miles and 2 officers should be given 12 miles to patrol and there should be no time within an hour that the patrol officers could not patrol. He pointed out that eight officers should be ready to patrol at all times and they could be given 10 miles each to patrol.

The Chief of Police stated that Patrol Officers receive calls and also do other duties.

Commissioner Lawrence recalled that he could not get through to the Police Station at night. The Chief of Police asked Commissioner Lawrence to call him at home if it is an emergency.

Commissioner Lawrence stated that the Chief of Police and Mr. Hart could work out problems.

Commissioner Williams suggested establishing a foot patrol for City businesses for at least two hours per night.

David Kyler, Executive Director, Center for a sustainable Coast, in reference to the Georgia Water Bill of Rights.

David Kyler appeared before the Commission to request that the City of Brunswick place a monitorial on withdrawals from the Floridian aquifer. He pointed out that Georgia is the 5th growing state on the Coast. He suggested the

use of ground water rules to manage water problems statewide. He asked the Commission to support the Georgia Water Bill of Rights.

Commissioner Jennings made the motion and Commissioner Lawrence seconded the motion drawing up a resolution concerning the Georgia Water Bill of Rights for the Commission to consider it. The motion passed.

DISCUSSION:

Sunday sales of Alcoholic Beverages on New Years Eve.

Brian Thompson, Executive Director of the Downtown Development Authority was present on behalf of some of the businesses in the Downtown area to request that businesses that sell food be allowed to extend business hours from 12:00 a.m. on New Years Day to 2:00 a.m.

Commissioner Jennings asked if the City Ordinance allows businesses to stay open after midnight.

Brian Thompson stated that the ordinance requires all businesses to close at 12:00 midnight on Sundays, which falls on New Year's Eve. Businesses want to stay open past 12:00 midnight to 2:00 a.m.

The Chief of Police stated that the City has an ordinance and businesses should abide by the ordinance and not make any changes for New Year's Eve. The Chief of Police stated that was his recommendation.

Commissioner Jennings made the motion and Commissioner Lawrence seconded the motion to stay within the ordinance. The motion passed.

Commissioner Williams stated that everyone would be celebrating on Sunday and he did not have a problem with that because he would be in church. He felt that the City should cooperated with businesses so people could celebrate the New Year. He stated that something should be done to enhance businesses in the City and encourage them to keep their businesses here. He pointed out that Savannah has special provisions for holidays. He stated that this happens only once every seven years and do not see why the City can't make an exception.

Brian Thompson mentioned that First Night starts at 6:00 p.m. and ends at 10:00 p.m. and is alcohol free. He stated that two businesses O'Henry's and the Royal Cage have invested time and money and publicity for the City of Brunswick. He stated that the businesses appreciate the Commission allowing them to continue to stay open on New Year's Eve to celebrate in the Downtown area.

He pointed out that the businesses are not expecting any trouble.

Mayor Brown stated that the City ordinance requires businesses to close and this would not deter businesses from downtown.

Commissioner Jennings suggested that patrons purchase 5 or 6 drinks before midnight.

Commissioner Williams mentioned that the City ask businesses to locate downtown and then handcuff them.

On call for the vote the motion tied by 2 to 2.

No action was taken.

SPLOST IV

The City Manager stated that a SPLOST priority list has been submitted for review. A decision should be made by the 1st or 2nd meeting in January of 2001.

Commissioner Lawrence recommended that the Commission discuss the priority list at the 2nd meeting in January 2001.

Mayor Brown requested that the SPLOST Priority List be placed on the Agenda for the 2nd meeting in January 2001.

APPOINTMENTS:

Commissioner Jennings made the motion and Commissioner Lawrence seconded the motion to table appointments to the following boards: Structural Fitness, Hospital Board, Historic Preservation Board, Zoning Board of Appeals and Downtown Development Authority. The motion passed.

Mayor Brown instructed the City Clerk to continue advertising the Zoning Board of Appeals. He requested that applicants submit their home addresses.

CITY MANAGER'S ITEM:

Employee's Christmas Gift Certificates.

Commissioner Lawrence recommended a \$25.00 grocery certificate instead of a \$25.00 gift certificate from Wal-Mart.

Mayor Brown stated that there are businesses in the City like Winn Dixie to purchase grocery certificates.

Commissioner Lawrence made the motion and Commissioner Williams seconded the motion approving employee's Christmas grocery certificate in the amount of \$25.00 from Winn Dixie.

CITY ATTORNEY'S ITEM:

Revisions to Taxicab Ordinance.

The City Attorney stated that he is still trying to determine the status under the Public Service Commission Operations of Transit Companies.

He stated that he would have a revised Taxi Cab ordinance after the Commission gives their input and changes.

CITY CLERK'S ITEMS:

On motion of Commissioner Lawrence seconded by Commissioner Williams the following Cemetery petitions were unanimously granted:

- 1) Juanita Lott exchanging Section 221, Lot 3, Spaces C, D and E in Palmetto Cemetery for Block 105, Lot Spaces 1, 2 and 3 in Palmetto, original deed surrendered.
- 2) Transferring Section 96, Lot 10 in Greenwood Cemetery from John Gallimore to Cleveland J. Gallimore. Original deed lost, but City records verify ownership.
- 3) Roy T. Helms returning for resale Section 1, Lot 14 in East Palmetto Cemetery. Original deed surrendered.

COMMISSIONER LAWRENCE'S ITEM:

Commissioner Lawrence stated that he would like to discuss the items listed at the next Commission meeting, Solicitations, Citizens' groups and Executive Session.

MAYOR BROWN'S ITEM:

Christmas Greetings

Mayor Brown wished everyone a Merry Christmas.

EXECUTIVE SESSION:

Commissioner Lawrence made the motion and Commissioner Williams seconded the motion to hold an executive Session. The motion passed.

Following the Executive Session Commissioner Lawrence made the motion and Commissioner Williams seconded the motion adjourning the meeting.

MEETING ADJOURNED.

Bradford S. Brown

Mayor

Attest: Georgia E. Marion
City Clerk