

COMMISSION OFFICIAL MINUTES
OF THE CITY OF BRUNSWICK,
GEORGIA
REGULAR MEETING
7:00 P.M. FEBRUARY 21, 2001

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

ABSENT: Commissioner Jonathan Williams

INVOCATION: Commissioner Harold E. Jennings gave the invocation.

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

APPROVAL OF MINUTES: Adopt minutes from the February 7, 2001 meeting.

Commissioner Lawrence made the motion and Commissioner Jennings seconded the motion approving the minutes of the regular meeting of February 7, 2001. The motion passed.

DELEGATIONS: Ms. Sandra Hathaway, Glynn County Commission on Children and Youth, to speak on under age drinking.

Commissioner Davis stated that she serves as a member of the Board on Glynn County Commission on Children and Youth along with the Chief of Police and Sandra Hathaway the Deputy Director. She stated that Glynn County voted and adopted an ordinance to register beer kegs at establishments. She pointed out that the City could be uniform with the County if the City would go along with it. She asked Sandra Hathaway and the Chief of Police to explain to the Commission the drinking age of students and children in our community.

Sandra Hathaway stated that she attended National training events statewide and worked closely with the Carl Vincent Institute of Government over the past two-years to develop a long term five-year plan with one of the goals to reduce access to alcohol and drugs for school aged children and reduce school aged violence. One of the things the local team participated in was State and National training. The local team found that limiting access to alcohol is one of the greatest potential

to impact not only underage drinking, but a lot of associated things that are impacted by underage drinking and that is loss of life, health and medical cost, loss of wages, violence, date rape and teenage pregnancy. Alcohol is a major portion and part in a teenager's decision to participate in risky behavior. She discussed the thirty-two best practices the office of Juvenile Justice and a specific Institute of Research and evaluation identified that many States are adopting to prevent underage drinking. The Safe and Drug Free School Community at their local meeting identified five best practices that the Chief of Police and Mrs. Hathaway will discuss. The five best practices identified is to restrict minors access to bars and night clubs, to implement beer keg registration, to mandate responsible beverage service background, to implement teen party ordinances and to restrict the age of alcohol servers and sellers.

Ms. Hathaway stated that she is representing over 50 organizations and individuals. She gave statistical information on a recent statewide survey on Key registration laws, underage drinking. She asked the Commission to pass laws that limit access to alcohol and offered support in the effort to limit that access.

The Chief of Police stated that the availability of alcohol to teens is not a new problem and there are other things that the City could do to prevent the alcohol from getting into teenagers hands. He stated that the City discussed on many occasions how easy it is for teens to get into nightclubs. The City cannot do a lot about restaurants that serve alcohol, but the City should do something about that. The Chief of Police spoke on the subject as a Police Chief and felt that it was in the best interest of the community's young people to help them avoid the availability of alcohol and make it mandatory that teens be kept out of all nightclubs.

The Chief of Police spoke about the subject as a parent who lost a stepson several years ago after he was served alcohol being underage in a nightclub. He recalled how unpleasant it was to get that early morning phone call from the emergency room. He pointed out that he could speak from both sides having experienced it both ways. He strongly encouraged that the City follow the County's precedence that they have already set for the keg law. He asked that the City take it a step further and limit the access to nightclubs to those under the age of twenty-one.

Commissioner Lawrence asked whether teenagers attend the classes. Ms. Hathaway stated that many youth participate in the focus groups.

Commissioner Lawrence stated that he has tried for over ten-years to have a curfew to get kids off the streets at night. He stated that it was understood that the State has a Curfew Law. He asked that the City start now and begin to put teeth into the curfew law. The Chief of Police recalled that the curfew law keeps kids less than 17 years of age off the streets at night. He pointed out that it is already

being done, but not on a large scale probably due mostly to the amount, time and the paperwork that is generated when a teen less than 17 is picked up. Many times parent have excuses why the teens are out, parents give excuses such as they sent them out or their child was on the way from work or the child was given permission to be out late. Sometimes children that are out at night have no good reason to be out at that time of night and a case is made under state law. He felt that a City ordinance may not provide much more debility to keep kids off. the streets, but if the Commission chose to adopt an ordinance he would certainly abide by their direction. He further stated that there is a need for an ordinance to limit access to nightclubs, bars and lounges for anyone under the age of 21 years old. This would be an important step right now to keep teens away from alcohol that could easily be obtained by them.

Commissioner Lawrence stated that the keg ordinance would take care of the "-
problems that exist.

The Chief of Police stated that the Keg ordinance is designed to obtain identification and registration of kegs that are purchased so that when the Police discover a Keg during a teen party the serial number will determine who sold the keg and the name of the purchaser.

Commissioner Lawrence stated that he supported the idea one hundred percent. He stated that the City would no longer have to deal with beer kegs, only cases of beer. The City Attorney stated that the County has adopted the ordinance regulating kegs and it will not do any good if people can come in Brunswick and buy kegs. This is something that the City should consider. He pointed out that he would find out what seems to be working in other places.

Commissioner Jennings stated that the State of Georgia is working on a law. He felt that the City should consider an ordinance if it is a state law. He suggested that only two children ride in an automobile together to decrease accidents. Research has proven that five or six children riding in the same car could lead to death just as much as alcohol.

Commissioner Davis questioned whether parents attended meetings with their children. Ms. Hathaway stated that parents serve on the boards of Glynn County Commission on Children and Youth and the Safe and Drug Free School and also the Carl Vincent Institute of Government meetings. She stated that the Commission would receive a packet of information.

Commissioner Lawrence made the motion and Commissioner Davis seconded the motion authorizing the City Attorney to prepare an ordinance concerning keg registration and bring it back to the Commission to adopt. The motion passed.

Mayor Brown stated that he felt that it would be a great policy for the City to implement and hope to save some lives and also to keep tragedy from occurring in this community in the future.

DELEGATIONS: A.J. "Artie" Jones, Director of Community Development, to provide an update on unfit structures.

The Director of Community Development stated since April of last year he has been working closely trying to relieve the City of unfit structures, to possibly find ways to repair unfit structures in the City. The Department of Community Development is currently working with twenty-nine unfit structures and information was submitted to the Commission.

The first group of unfit structures has been before the Structure Fitness Board and property owners of these structures have been sent notices of violations by way of certified mail and citations will be sent out on Monday February 26, 2001 ordering property owners to appear in Municipal Court. The second group of structures has been before the Municipal Court Judge and property owners have been given directions to possibly repair their properties and since that time they have not repaired their properties. These property owners will receive citations to appear before the Municipal Court Judge. The third group of properties has been shut down by the Citizens Involved to Eradicate Drugs (C.I.T.E.D.); four of the six properties that have been shut down by the C.I.T.E.D. program have been sent citations and notice of violations. One property owner is scheduled to appear in court on March 7, 2001 and on another property the City is trying to find heirs to the property because the owner is deceased.

Commissioner Lawrence stated that he had two or three questions. He asked the City Attorney how could they make property owners take care of their unfit

structures? The other question was asked to the Director of Community Development. He asked if property owners received a notice what happens if the property owner has the desire to repair the property, but do not have the funds to do it with.

The Director of Community Development explained that notices of violations are sent to property owners asking them to contact the Building Inspectors Office to bring their property up to code..,The property owners will be given directions or assistance as far as bringing their home up to code. The property owners are given three months to six months to take care of their home. If the property owners do not contact the Building Inspectors Office they receive certified mail and then if no contact is made the property owner receives a notice of citation to appear before the Municipal Court Judge to work out something with the Judge.

The City Attorney stated that a lot of property owners will go before the Municipal Court Judge and a lot of properties will be repaired and some of the properties will fall in the category that was just mentioned people just don't have the money to repair the houses and most of these properties are not bad enough to tear down. The legal remedy is to close the house up and make it safe, so that people will not go in there and get hurt. The Municipal Judge under the current ordinance have the power to order properties that are so bad that people cannot walk near them to be tom down.

Commissioner Lawrence stated that properties in the City may seem to be in adequate and not suitable to live in, but some people may see it as the only place they can live in. These people if ordered to move will not have a place to go. What can the City do in this type of situation?

The Director of Community Development stated that all the properties listed are abandoned or dilapidated properties and no one is living in them. These houses are falling in. If property owners cannot repair their property the City will help the

owner secure the property by boarding up the doors and windows. The properties that the C.I.T.E.D. program was involved in were wide open and people were in and out of them. Drug paraphernalia was found in them and the property was being used for illegal activities.

Commissioner Lawrence mentioned that some property owners need help even though they were not placed on the list, but they could have been easily placed on that list.

The Director of Community Development stated that he is still working with a lady and gentleman trying to get assistance to repair their property.

Commissioner Lawrence stated that he did not have anything against the program, but wanted to discuss some of the problems that exist and every situation will not be the same.

Mayor Brown stated that the program is geared toward abandoned houses and vacant houses. The City is citing properties that are abandoned.

The Director of Community Development stated that all properties are in terrible shape that needs to be repaired or torn down.

Commissioner Davis stated that the majority of the property owners are out of town or deceased.

The Director of Community Development stated that seventy percent of property owners live in southeast Georgia and thirty percent live out of State.

Commissioner Jennings recommended that the Director of Community Development in two months update the Commission on the properties that have been repaired or tom down.

Commissioner Jennings asked the Building Inspector who owns the old structure on Oglethorpe and First Avenue. The Building Inspector stated the structure was the old E.M. Champion Co. Commissioner Jennings stated that he had been trying for four-years to get that structure tom down. He stated that a new property owner who lives across the street has spent fifty to one hundred thousand dollars on renovation of their Victorian home.

Mayor Brown pointed out that the property Commissioner Jennings is speaking about is located on the comer of Bay Street and First Avenue between Oglethorpe and Bay Street next to Atlas Sign Company; the Old E. M. Champion Company is the wrong property. Commissioner Jennings stated that the property is located across from 600 Oglethorpe Street and wanted to know why the property has not been tom down.

The Building Inspector reported that for three-years he did not have an ordinance to work with. Commissioner Jennings pointed out that the Building Inspector had one-year to take care of the properties. The Building Inspector stated that he is trying to get back into abandoned properties. He explained that the City did not have an ordinance or means in place to tear the structure down. Commissioner Jennings asked how long the procedure would take to eliminate abandoned properties. The Building Inspector stated as soon as the City can place it on the list along with the other one hundred properties the City have on the list.

Commissioner Lawrence expressed his concerns about the statement that the City never had an ordinance in place for removal of abandoned structures in the City.

Commissioner Lawrence asked why did the City demolish the Boone Building and other buildings in the City without an ordinance. The City Attorney pointed out that the demolition of the Boone Building brought on a lawsuit and the City had to cease tearing down building.

The Director of Community Development stated that the Commission would receive a monthly report concerning unfit buildings.

APPROVALS:

Certified Government Preservation/Survey and Planning Grant.

The Director of Community Development reported that the Certified Government Preservation Survey and planning grant would assist in inventories of homes in the Historic District. He stated that the City was last surveyed in 1979. The Survey will be completed in eighteen months. The grant would provide full funding for the first project and receive about sixty percent on all other projects. The cost of

the grant will be \$12,350.00 with a cash match of \$3,700.00, which will be, recaptured funds, \$3,250.00 in kind services and \$5,400.00 from the City. Commissioner Lawrence recalled that the survey was taken in the Historic Districts Downtown. He questioned if the survey would be conducted in other historical areas in the City. The Director of Community Development stated that the survey could be conducted outside of the historical districts to fund other historical areas within the City.

Commissioner Jennings made the motion and Commissioner Lawrence seconded the motion approving the funding of \$12,350.00 to be used for the survey with sixty percent of the funds being paid back to the City. The motion passed.

Darren Harper explained how the survey would be conducted.

Director of Community Development advertise for Public Hearings.

The Director of Community Development requested permission to advertise to hold a public hearing on March 13, 2001 at 7:00 p.m. at the Friendship Baptist Church to hear input from the General Public about the Community Development Block Grant/CHIP Grant. He pointed out that the application deadline is scheduled for April 1, 2001. Commissioner Lawrence recommended that the City hold two Public Hearings.

Commissioner Lawrence made the motion and Commissioner Davis seconded the motion granting permission to hold a Public Hearing ON March 13, 2001 and another hearing to hear input from the public about the CDBG/CHIP Grant. The motion passed.

GMA's Loan Pool Lease Agreement.

The Director of Finance submitted information on the Georgia Municipal Association Lease Pool Program.

Commissioner Davis made the motion and Commissioner Lawrence seconded the motion unanimously approving the following GMA Lease Pool Agreement.

RESOLUTION

A RESOLUTION OF THE CITY OF BRUNSWICK (the "LESSEE"), AUTHORIZING, INTER ALIA, THE ANNUAL APPROPRIATION OF ALL AMOUNTS REQUIRED PURSUANT TO LESSEE'S PARTICIPATION IN THE TPPLIED LEASED PROGRAM SPONSORED BY GEORGIA MUNICIPAL ASSOCIATION.

DATED: 2/21/01

WHEREAS, Lessee is participating in the Georgia Municipal Association, Inc. ("GMA") sponsored pooled lease program (the "Lease") pursuant to which GMA leases the Equipment to the Lessee and (ii) an Administration and Servicing Agreement initially dated as December 1, 1990 (the "Servicing Agreement"), an subsequently amended, among First Union National Bank of Georgia, Atlanta, Georgia, as servicer (the "Servicer"), First Union National Bank of Georgia, as Trustee, GMA and each lessee participating in the program (including Lessee), pursuant to which Servicer services the collection and transmittal of payment of or

the Leases for GMA and transfers the moneys collected pursuant to the Servicing Agreement; and

WHEREAS, certificates of participation ("Certificates") have been issued pursuant to a Trust Agreement dated as of December 1, 199, by and between First Union National Bank of Georgia, as trustee ("Trustee"), and GMA evidencing undivided interests in the Lease payments; and

WHEREAS, in connection with the issuance of the Certificates and the creation of the Program, (i) Municipal Bond Investors Assurance Corporation (the "Credit Facility Issuer") issued its financial guaranty insurance policy (the "Credit Facility Issuer") issued its financial guaranty insurance policy (the "Policy") and entered into the Reimbursement and Indemnity Agreement by and between the Credit Facility Issuer, The Trustee, the Servicer and GMA (the "Credit Facility Reimbursement Agreement"); (ii) Wachovia Bank ("Bank"), has agreed to purchase certificates tendered pursuant to tender rights under the Trust Agreement in accordance with the terms of a Standby Purchase Agreement dated as of December 1, 1990, and subsequently amended, by and among the Trust, GMA, the Bank, the Servicer and the Tender Agent (the "Standby Purchase Agreement"); (iii) Chemical Bank serves as tender agent (the "tender Agent") pursuant to a tender agent agreement dated as of December 1, 1990, and subsequently amended, by and among the GMA, the Trust, the Servicer, and the Tender Agent (the "Tender Agent") pursuant to a tender agent agreement dated as of December 1, 1990, and subsequently amended, by and among the GMA, the Trust, the Servicer, and the Tender Agent (the "Tender Agent Agreement"); (iv) BT Securities Corporation and at such time as specified in the Trust Agreement, Chemical Securities Inc., will serve as remarketing agents (referred to collectively hereafter as the "Remarketing Agent"), pursuant to a remarketing agreement dated as of December 1, 1990 by and among the Remarketing Agent, the GMA, the Tender Agent, the Trustee and the Servicer (the "Remarketing Agreement"); and

WHEREAS, pursuant to the Lease Agreement, Lessee is required to appropriate annually the Minimum Annual appropriated Amount set forth on

Schedule A hereof; and

WHEREAS, in order to give effect to, and comply with, the foregoing agreements and instruments, and in order to authorized payment of its obligations incurred thereunder (collectively, the "Program Obligations"), either (i) the lessee has available to satisfy Program Obligations uncommitted and unappropriated funds in this current operating budget in an amount not less than the Minimum Annual Appropriated Amount as set forth in Schedule A or (ii) the Lessee must amend its current operating budget in accordance with Title 36, Chapter 36-81-5 of the Official Code of Georgia Annotated (the "Code") to authorize the payment of the Program Obligations; and

WHEREAS, if required, in order to amend its current operating budget, the Mayor and Council of Lessee have heretofore taken the following actions, all in accordance with Title 36, Chapter 81 of the Code: (i) through the Lessee's Program Obligations in accordance with the requirements of Code Section 36-81-5(b) (the "Amended Budget", a copy of which is attached hereto as Schedule B) which was previously submitted to the Mayor and Council of the Lessee, (II) AT THE TIME OF RECEIPT OF THE amended Budget from the Lessee's budget officer, placed a copy of the Amended Budget in a public place in the Lessee,

which place is convenient to the resident's of the Lessee, (iii) published a notice in the official organ of the Lessee advising residents of the Lessee that the Amended Budget is available for inspection; (iv) conducted a public hearing on the Amended Budget at least one week prior to the date hereof; and (v) taken all other action necessary to effect the foregoing;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section I. Confirmation and Reaffirmance of Program Obligations.

The Lessee does hereby confirm, ratify and reaffirm all the Program Obligations, including, expressly, the Lease and the Servicing Agreement.

Section II. Appropriation: amendment of Budget. In order to give effect to, comply with, and assume the liabilities associated with, the foregoing approvals, and authorize the expenditure of the amounts required to be expended pursuant to the Lease Agreement and the Servicing Agreement the Lessee does hereby adopt, ratify and approve the Amended Budget attached hereto as Schedule B or commit those portions of the current budget set forth on Schedule B to the payment of the Program Obligations and does hereby appropriate and commit moneys in an amount not less than the Minimum Annual Appropriated Amount to payment of Program Obligations for the current calendar year.

Section III. No Personal Liability. No stipulation, obligation or agreement herein contained or contained in the Lease, the Trust Agreement, the Servicing Agreement, the Standby Purchase Agreement, the Tender Agent Agreement, the Remarketing Agreement, or the Credit Facility Reimbursement Agreement shall be deemed to be a stipulation, obligation or agreement of any councilman, chairman, officer, agent or employee of the Lessee in his or her individual capacity, and no such councilman, chairman, officer, agent or employee of the Lessee shall be personally liable on the Certificates or be subject to personal liability or accountability by reason of the issuance thereof.

Section IV. General Authority. From and after the execution and delivery

of the documents hereinabove authorized, the Mayor and the Clerk are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of said documents as executed and are further authorized to take any and all further actions and execute and deliver any and all other documents and certificates as may be necessary or desirable to document compliance with the Code.

Section V. Actions Approved and Confirmed. All acts and doings of the officers of the Lessee which are in conformity with the purpose and intents of this Resolution shall be and the same hereby are, in all respects approved and confirmed.

Section VI. Severability of Invalid Provisions. If any one or more of the agreements or provisions herein shall be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separable from the remaining agreements and provisions and shall in no way affect

the validity of any of the other agreements and provisions hereof or of the Certificates authorized hereunder.

Section VII. Repealing Clause. All Resolutions or parts there of the City of Brunswick in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

Section VIII. Effective Date. This Resolution shall take effect immediately upon its adoption.

ADOPTED this 21 st date of February 2001.
CORPORATE SEAL
Attest:

City of Brunswick

By:
Bradford S. Brown, Mayor

By:
Georgia E. Marion, City Clerk

SCHEDULE A

1. The City of Brunswick's pro-rata share of the principal amount of the Georgia Municipal Association Pool is \$336.965.00.

2. The City of Brunswick's Minimum Annual Appropriated Amount for the year ending December 31,2001 is \$77,943.45, to wit:

Basic Lease Payments due November 30, 2001	\$70,061.53
Interest and Administrative Expense G11.25%	\$ 7,881.92
TOTAL	\$77,943.45

SCHEDULE B
BUDGET

(To Be Supplied by Lessee)

CLERK'S CERTIFICATE

The undersigned Clerk of the City of Brunswick, DOES HEREBY CERTIFY that the foregoing pages of typewritten matter pertaining to the issuance of Certificates of Participation in the Georgia Municipal Association Pool in the aggregate principal amount of \$127,635,000, constitute a true and correct copy of

the resolution adopted on February 21, 2001, by the City Council on behalf of Lessee in a meeting duly called and assembled, which was open to the public, and

that the original of said Resolution appears of record in the Minute Book of the Lessee which is in the undersigned's custody and control.

WITNESS my hand and the official seal of the Lessee, this ___ day of

Georgia E. Marion, City Clerk

Preliminary approval of subdividing property of Glynn Iron and Steel.

The City Attorney reported that Glynn Iron and Steel requested that ten acres of land be subdivided and four acres be deeded to the current owners. The City Attorney recommended preliminary approval of subdividing property of Glynn Iron and Steel.

Following a discussion Commissioner Lawrence made the motion and Commissioner Jennings seconded the motion granting preliminary approval of subdividing property of Glynn Iron and Steel. The motion passed.

MONTHLY REPORTS:

- A) General Fund
- B) Water and Wastewater
- C) Municipal Court
- D) Community Development

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

CITY MANAGER'S ITEMS:

1. Provide an update on a stop and go light at Talmadge Avenue and US Highway 17

The City Manager reported that the Department of Transportation stated that Melinda Booth of the Department of Transportation Traffic Management Center confirmed that a permit for the stop and go light was previously approved by the City a few years ago.

Mayor Brown stated that he did not see justification for a light at Talmadge Avenue and Highway 17. He pointed out that a light is needed at Highway 17 and Gloucester Street.

Following a discussion the City Manager was instructed to get information about the stop and go lights.

Update on cost of installing a traffic light at "R" street and MLK Blvd.

The City Manager reported that the cost to place a stop and go traffic light at the intersection of "R" Street and Martin Luther King, Jr. Blvd. would cost \$54,000.00.

Commissioner Lawrence made the motion and Commissioner Davis seconded the motion approving installing a stop and go light at "R" Street and Martin Luther King, Jr. Blvd. for the amount of \$54,000.00. The motion passed.

Traffic Light at Fourth and Newcastle Street.

The City Manager reported that he is still investigating the possibility of placing a light at the intersection of Fourth and Newcastle Street.

Commissioner Lawrence made the motion and Commissioner Davis seconded the motion to adjourn. All voted by standing.

MEETING ADJOURNED.

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

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