

OFFICIAL MINUTES

COMMISSION OF THE CITY OF BRUNSWICK, GEORGIA

RESCHEDULED REGULAR MEETING

7:00 P.M., JANUARY 16, 2002

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

INVOCATION: Reverend Eddie Lee Turner gave the invocation.

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

MINUTES: Meeting of January 9, 2002.

Mayor Brown announced that the minutes of the meeting of January 9, 2002 have
been deferred to the next meeting.

DELEGATION (S)

Reverend Eddie Turner, Chairman of the Recreation Advisory Board, to
discuss adding two members to the Board.

Reverend Eddie Turner requested that the Commission appoint two additional members to serve on the Recreation Advisory Board for the reason that the Recreation Department will be reorganized and expanded and more input and information is needed to serve all residential areas in the City. He mentioned that additional members would give more input on what type of services is needed within the City.

Following a discussion Commissioner Jennings made a motion and Commissioner Lawrence seconded the motion approving two additional members to serve on the Recreation Advisory Board. The motion passed.

Commissioner Lawrence made the motion and Commissioner Williams seconded the motion to move item number 7 on the agenda up. Board appointments - Recreation Advisory - 2 positions. The motion passed.

Commissioner Lawrence nominated Cora Bacon Commissioner Davis nominated Helen Summers. There being no further nominations, the nomination was closed. Mayor Brown recognized by votes by the show of hands.

Cora Bacon received

Helen Summers received

4 votes

5 votes

Commissioner Lawrence made the motion and Commissioner Davis seconded the motion appointing Cora Bacon and Helen Summers to serve on the Recreation Board for a term of four years. The motion passed.

APPROVALS:

Vehicle Package for the Police Department.

The following bids were received to purchase a 2002 Enforcement Vehicle Package for the Police Department.

Vendor	Comments
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Bid recommendation on a 2002 Tahoe Special Law Enforcement	
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Tahoe Special Law	
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Total	
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Dan Vaden Chevrolet

121 Altama Conn.

Brunswick, GA 31525

Bill Heard Chevrolet

3615 Manchester Exp.

Columbus, GA

Nally

178 Altama Conn.

Brunswick, GA 31525

Delivery - 60 Days

G M C Does not make

the Police Package

\$23,963.03

\$26,000.00

"No Bid"

Commissioner Davis made the motion and Commissioner Lawrence seconded the motion accepting the low bid of Dan Vaden Chevrolet in the amount of \$23,963.03. The motion passed.

B. Monthly Reports:

1. General Fund
2. Water and Wastewater Fund
3. Community Development Fund
4. Municipal Court Fund
5. Recreation Department Fund

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

ALCOHOLIC BEVERAGE LICENSE (S):

Club Cache, located at 1824 Norwich Street, to retail distilled spirits to be consumed on premises. Owners are Dixie and Thomas McCoy.

Commissioner Jennings made a motion and Commissioner Lawrence seconded the motion to go into an Executive Session to discuss a legal matter. The motion

passed.

Following the Executive Session Commissioner Lawrence made a motion and Commissioner Williams seconded the motion granting an alcoholic beverage license to retail distilled spirits to be consumed on premises at Club Cache, 1824 Norwich Street. Dixie and Thomas McCoy are the present owners. On call for vote the motion passed by 4 to 1. Mayor Brown voted No.

CITY MANAGER'S ITEM (S)

Update on SPLOST related projects.

The City Manager reported on all ongoing projects programs in the City.

Commissioner Williams requested that the City place a sign at all City SPLOST projects to let citizens know that SPLOST funds paid for the project.

CITY ATTORNEY'S ITEM (S)

Amendment to Transient Merchants Ordinance.

Following a discussion Commissioner Davis made a motion and Commissioner Lawrence seconded the motion adopting unanimously the following ordinance:

ORDINANCE 947

An ordinance to amend Chapter 13, Article XIV, of the Code of the City of Brunswick pertaining to transient merchants, itinerant merchants, and itinerant vendors; to provide for definitions; to provide qualifications and procedures for issuance of licenses; to provide for times and locations when and where transient vendor licensees may and may not conduct business; to provide for license fees; to require a bond of transient vendor licensees; to repeal conflicting ordinances; to provide for severability; to provide for penalties; to provide for an effective date; and for other purposes.

THE COMMISSION OF THE CITY OF BRUNSWICK HEREBY

ORDAINS:

Chapter 13, Article XIV of the Code of the City of Brunswick is hereby amended as provided below.

SECTION ONE

The title to Article XIV OF Chapter 13 is deleted and replaced with a new

title which shall read:

"Article XIV. TRANSIENT MERCHANTS."

SECTION TWO

Sec. 13-507 is deleted and is replaced by new Sec. 13-507 which shall provide:

"(a) No transient merchant shall conduct, in whole or part, a business upon any public sidewalk, street, alley, park, right of way or other public lands of the City without first obtaining the consent of the City commission after furnishing proof satisfactory to the Commission that the location and conduct of such business will neither obstruct such public ways and places, nor interfere with the orderly regulation of traffic, nor interfere with the right of the general public to the use of such public ways and places; provided, however, that the Market at Mary Ross Waterfront Park and such other places as the Commission may from time to time designate may be used for transient merchant business subject to any terms, fees and conditions as may be provided for by the City Manager or such other person or persons as the Commission may place in charge of management of the facility.

(b) No transient merchant shall conduct a business upon any privately owned property without first providing the deputy city marshal with written authorization for such use of the property, identifying the owner thereof and signed by the owner.

(c) No transient merchant shall locate any business in any residential-zoned area.

SECTION THREE

Sec. 13-522 is deleted and replaced by new Sec. 13-522 which shall provide:

"Applicants for a license under this division shall file with the Deputy City Marshal a written application under oath, signed by the applicant if an individual, by all partners if a partnership, and by the president if a corporation, and showing as follows:

- (1) The name of the person having the management or supervision of the applicant's business during the time it is proposed that it will be carried on within the city; the local address of such person while engaged in such business; the permanent address of such person; the capacity in which such person will act (that is, whether as proprietor, agent or otherwise); the name and address of the person for whose account the business will be carried on, if any; and if a corporation, the state of the incorporation.
- (2) The place or places within the city where it is proposed to carry on the applicant's business and the length of time during which it is proposed

that such business will be conducted at each location. Where the transient business will be conducted upon private property, the signed, written documentation of owner permission as required by Sec. 13-507 (b) shall be appended to the application.

(3) The place or places other than the permanent place of business of the applicant where the applicant conducted a transient business within the six month period next preceding the date of application, stating the nature of each such business and giving the post office and street address of the location at which the business was conducted and identifying the local licensing entity for each.

(4) A statement of the nature, character, quality and quantity of the goods, produce, wares, merchandise or services to be sold or offered by the applicant within the city; whether the same are proposed to be sold from stock in possession, by sample, at auction, by direct sale, by taking orders for future delivery or any combination of the foregoing; where the goods or products to be sold are manufactured or produced and where the goods or products are located at the time of application. Where the applicant proposes to sell goods, wares and merchandise from stock in possession, there shall be appended to the application a complete and itemized list of the articles to be sold, which shall be signed by the applicant and verified under oath.

(5) Written documentation or credentials from the person or company for which the applicant proposes to do business, authorizing the applicant

to act as a representative.

(6) A list of the full and correct names of all persons who will or may be employed in the transient business.

(7) A listing of any prior periods when the applicant has carried on a transient business with the city.

(8) An acknowledgement that applicant has been furnished with a copy of Article XIV, Chapter 13 of the City Code and will abide by all city ordinances in conducting the proposed transient business,"

SECTION FOUR

There is added a new Sec. 13-530 which shall provide:

"Sec. 13-530. Violations.

Failure to comply with the licensing, application and other requirements of this Article XIV shall be deemed a violation of the City Code punishable as provided for in Chapter 15 of the City Code."

SECTION FIVE

It is the intention of the City Commission that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any such part

shall be declared invalid or unconstitutional by valid decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any remaining parts of this Ordinance since the same would have been enacted by the Commission without the incorporation of such invalid or unconstitutional part of the Ordinance.

SECTION SIX

The Ordinance shall become effective immediately upon its adoption by the City Commission.

Adopted by vote of the City Commission upon motion duly made during the regular meeting of the Commission this sixteenth day of January 2002.

Bradford S. Brown, Mayor

ATTEST:

Georgia Marion, City Clerk

EXECUTIVE SESSION:

Commissioner Lawrence made a motion and Commissioner Davis seconded the

motion to hold an Executive session to discuss a legal matter. The motion passed.

Following the Executive Session, Commissioner Lawrence made a motion and Commissioner Davis seconded the motion to settle the litigation issue. The motion passed.

MEETING ADJOURNED.

Mayor

Attest:

City Clerk