

OFFICIAL MINUTES  
COMMISSION OF THE CITY OF BRUNSWICK, GEORGIA  
REGULAR MEETING  
8:30 A.M., MAY 1, 2002

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

INVOCATION: Commissioner Jonathan Williams gave the invocation.

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

MINUTES: Commissioner Jennings made a motion and Commissioner Davis seconded the motion approving the minutes of April 17, 2002 meeting. The motion passed.

REZONING:

- 1) Application to rezone 3119 Cherokee Road from R-9 (Residential) to LM (Limited Medical). Property to be used for a Doctor's Office.

Donna Moody submitted the application to rezone property located at 3119 Cherokee Road from R-9 (Residential District) to LM (Limited Medical District).

This Property is owned by Florence Younger and she wishes to use the property as a doctor's office.

Ronnie Perry stated that the proposed property should be used as the highest and best use limited medical unless it harms adjoining property. He pointed out that the next highest and best use of the proposed property would be residential. Mr. Perry requested that the proposed property be rezoned to Limited Medical.

Mayor Brown asked if there was anyone present who wished to speak for or against the proposed rezoning.

Commissioner Lawrence stated that he would not support rezoning the property when other property owners in that area was just denied a rezoning.

Commissioner Jennings asked the advice of the City Attorney.

The City Attorney recalled that it is a difference from the property that was recently denied a rezoning. The City Commission has the discretion and a right to rezone property or not to rezone property.

Commissioner Davis questioned the green areas on the map submitted by Mr. Perry.

Mr. Perry pointed out that the areas on the map shows neighbors that signed a petition in favor of the proposed rezoning. He mentioned that all the neighbors signed except a blind person who did not want to sign.

Commissioner Williams recalled that a request was made to rezone property across the street and was recently denied. He gave reasons why it would not be fair to

grant this rezoning and reject the other property owner. He pointed out that the homeowner who was rejected would come back to have their property rezoned if this rezoning was approved.

Mr. Perry explained the economic use of the proposed property. He questioned if there was some law that states the City cannot grant a blanket rezoning for property owners. He mentioned that doctors need medical facilities.

Commissioner Davis stated that she could picture the area through the eyes of a three-year old. She gave an example if someone keeps slicing the pie the only thing left is any empty plate and that is exactly what will happen in that area. She pointed out that the City does not have a lot of nice homes and the homes near the hospital are nice homes. They are not shabby homes and homeowners are selling houses in that area just to get a couple more dollars to put in their pockets. These homes are great, nice homes.

Mr. Perry mentioned that the tax base would deteriorate if the houses in that area are rented.

Mayor Brown recalled that the master plan showed that the area of the cut off for rezone. He stated that the City did not want to continue to lose residential property. The rezoning destroys the residential area.

Ronnie Perry stated that the ultimate loser would be the City of Brunswick. He pointed out that medical facilities will move to the County.

Commissioner Williams mentioned that the City of Brunswick would be on the move after October and he hope that there will be some available residents in Brunswick where people can live.

Mayor Brown pointed out that there are other lots in the City closer to the hospital that could be used as medical facilities.

Mr. Perry stated that he felt if the Commission does not rezone the property they are being prejudice toward his client.

Commissioner Jennings made a motion to approve the rezoning. The motion failed for lack of a second.

Commissioner Davis made a motion and Commissioner Williams seconded the motion to deny the proposed rezoning.

Upon being put to the vote the motion passed by vote of 4 to 1. Commissioner Jennings voted Nay.

DELEGATION(S) :

1)

"Woody" Woodside, Executive Director of Chamber of Commerce, to address support the Georgia Department of Transportation's Reception on May 15, 2002.

Woody Woodside, Executive Director of the Chamber of Commerce appeared before the Commission to extend an invitation to the Commission to attend a

reception and dinner for the Department of Transportation officials and community leaders scheduled for Wednesday, May 15, 2002 at 6:30 p.m. Mr. Woodside asked the Commission to reschedule their meeting on Wednesday, May 15, 2002 at 7:00 p.m. He next requested that the Commission contribute \$200.00 for the dinner.

Following a discussion Commissioner Lawrence made a motion and Commissioner Jennings seconded the motion approving the \$200.00 for the Department of Transportation Dinner scheduled for May 15, 2002. The motion passed.

Commissioner Lawrence made a motion and Commissioner seconded the motion amending the motion to add that the Commission would contribute \$400.00 for the Department of Transportation dinner if the County does not contribute \$200.00. The motion passed.

2) Bonnie Dvorak, HR Director, to update on policy's protocol for drug testing City employees following a work place accident. The City Manager announced that the Human Resource Director's update would be placed on the next Commission agenda.

3) A.J. Jones, Community Development Director, to request permission to hold a Public Hearing on the City's Solid Waste Management Plan.

The Community Development requested to hold a Public Hearing to allow citizens to participate and give input on the City's Solid Waste Management Plan for the year 2002 - 2006.

Commissioner Lawrence made a motion and Commission Jennings seconded the motion approving a Public Hearing on the City's Solid Waste Management Plan. The motion passed.

4) Larry Mack, resident of 2400 block of Bartow Street, to complain about loud music and speeding in area.

Larry Mack appeared before the Commission to discuss his concerns about speeding and loud noise in the 2400 block of Bartow Street. Mr. Mack recalled that he spoke with the City Manager, the Police Department and Commissioner Lawrence with his concerns. Mr. Mack pointed out that speeding in a residential area where kids are playing can be dangerous.

Mayor Brown instructed the City Manager to get Police Officers to patrol the area on Bartow Street more regularly.

Commissioner Lawrence stated that residents should get tag numbers of speeding vehicles and turn it over to the Police Officers and something should be done.

Captain Chris Stewart of the Brunswick Police Department stated that residents who turn in tag numbers would have to accept a summons to appear in court as a witness to the speeding. Police Officers who are called about speeding vehicles cannot pursue the vehicle owner because the officer must see the speeding vehicle to give a citation.

Mr. Mack stated that he is willing to testify, but it is very hard to get a tag number when a car is speeding.

Commissioner Williams mentioned that there is a need to look at every area in the City to control speeders and loud noise coming from vehicles.

Commissioner Jennings suggested creating a neighbor watch. Captain Stewart stated that he would speak with Mr. Mack before he left the meeting.

Mayor Brown asked Captain Stewart to relay back to the Police Officers if citizens are willing to testify against speeders then they should start making cases.

Officer Mike Childers, Resource Officer at Brunswick High School, to request a flashing school zone light on Habersham Street for the school.

Officer Mike Childers, Resource Officer at Brunswick High School appeared before the Commission to request that a flashing light be erected at Brunswick High School 3921, Habersham Street to get persons to slow down and drive the speed limit which is 25 miles per hour.

Officer Childers stated that Police Officers can regulate the 25 miles per hour speed in a school zone. He pointed out that officers are not able to regulate the 15 miles per hour speed.

Commissioner Williams asked if it was anything the City could do to cut down the speed limit.

Officer Childers mentioned that it is approximately three hundred feet from Townsend Street to Woodland Way and the speed limit should be changed to 15 miles per hour.

Commissioner Williams instructed the City Manager to get the flashing light up as soon as possible.

6) Millicent Thomas, Executive Director, Totally Free Inc. to introduce services provided by her company.

Millicent Thomas, Executive Director of Totally free, Inc. appeared before the

Commission to speak about the services Totally Free, Inc. offers to citizens in the community. She stated that Totally Free is a non-profit agency that offers debt management seminars to area agencies, businesses and churches. One-on-one counseling is offered to individuals who need direction in financial management or consumer credit counseling services. Totally Free, Inc. serves as a clearing house for information that assist an individual in gaining whatever type of financial services they need, the office is located at 1515 ½ Newcastle Street next to Manhattan Sub.

Mayor Brown stated that the City does not have a company in Brunswick that offers these types of services. He mentioned appreciation for having a company in Brunswick.

Mayor Brown stated that Bob Togas was present to speak about Street Lighting at the Brunswick Marina. This item was placed under the Mayor's item on the agenda.

Bob Torras appeared before the Commission to speak about lighting that is much needed at the Brunswick Marina. He stated that lighting help relieve criminal activity in the area on Newcastle Street. Mr. Torras told the Commission that he paid for lighting at the Boat Marina for eight years and found out that the City can be billed for the lighting to allow Mr. Torras to pay commercial rates.

Following a discussion Commissioner Lawrence instructed the City Attorney and the City Manager to look at this and bring back a recommendation to the Commission.

ALCOHOLIC BEVERAGE LICENSE(S):

1)

Elk's Lodge, #745, located at 1528 Amherst Street. This is a renewal to retail, for consumption on premises, Distilled Spirits. Manager is George A. Williams.

Captain Chris Stewart stated that his recommendation is not to grant an alcoholic beverage license based on City Ordinance #940 which prohibits the issuance of a license to a business located within 600 feet of an existing Church building.

Commissioner Williams stated that the reason Elks Lodge does not have a current business license is for the reason that membership has been low and the membership is up. These people have been in business for many years they are citizens and older men. Commissioner Williams stated that John Atkinson and Mr. Williams were present. Commissioner Williams stated that the Lodge is not a place for young people to hang out and act up. He asked to grandfather in this business based on the type of business and the kind of people that will be attending the Lodge. This business is non-profit and will not be opened to the public.

Commissioner Lawrence requested that the City grant a license to the Elk's Lodge base on the same rules used to grandfather in other businesses.

The City Attorney pointed out the business is located within 600 feet of a church and if the business existed before the church then a license could be issued.

Commissioner Jennings recommended changing the ordinance to put in a clause granting fraternal lodges an exemption.

The City Attorney stated that the ordinance can be revised to include Fraternal organizations.

Commissioner Lawrence asked if the Elk's Lodge was notified about the changes in the ordinance even though their last license was granted in 1988.

The City Attorney stated that everyone is notified the same way and they have waited a long time to renew their license.

The City Attorney suggested holding a work session on Tuesday May 7, to discuss changes in the ordinance.

Commissioner Lawrence made a motion and Commissioner Williams seconded the motion to postpone the license petition until the next meeting. The motion passed.

2) The Green Tavern, located at 1102 "L" Street. This is a new business to retail, for consumption on premises, Distilled Spirits.  
Owner/Manager is Herschel Thomas.

Commissioner Lawrence made a motion and Commissioner Davis seconded the motion to grant an alcoholic beverage license for consumption on premises at the above location. The motion passed.

3) Nita's Lounge, located at 2307 Gloucester Street, to add on the sale of Distilled Spirits for consumption on premises. Owner is Easter Armstrong.

Commissioner Davis made a motion and Commissioner Lawrence seconded the motion to grant the sale of distilled Spirits for consumption on premises at the above location. The motion passed.

APPROVAL{S}:

1) Bid recommendation on three (3) 2003 Ford Crown Victoria Police package vehicles.

The following bids were received to purchase three 2003 Ford Crown Victoria Police Interceptors for the Police Department:

Vendor	Comments	Total
Kings Colonial Ford 3565 Community Rd. Bwk., GA 31520	Delivery August / September with after market equipment installed per specifications	~ 70,408.26
Allen Vigil Ford 7090 Jonesboro Rd. Morrow, GA 31091		71,142.00
Clint Brannen Motor Co. PO Box 746 Unadilla, GA 31091		75,549.00

Commissioner Lawrence made a motion and Commissioner Davis seconded the motion accepting the low bid of King's Colonial Ford in the amount of \$70,408.26.  
The motion passed.

2) Bid recommendation on Wrecker Towing Services for City. . :. Light weight vehicles  
. :. Heavy equipment

The following bids were received for wrecker towing services/lightweight vehicles and wrecker towing services/heavy equipment.

Vendor	Comments	Total
Star Recovery Systems* 4140 Norwich St.		
Per Tow	· 100.00	
Winching Charge	· 100.00	

Bwk., GA 31520

D. H. Gibson Wrecker  
Service  
135 Keith Dr.  
Bwk., GA 31523

J & M Towing Inc.  
1743 Old Jesup Rd.  
Bwk., GA 31525

Per Tow  
Winching Charge

Per Tow  
Winching Charge

- 100.00
- 100.00
  
- 30.00
- 15.00

Following a discussion in which the City Manager recommended using both towing companies for heavy equipment, Commissioner Jennings made a motion and Commissioner Lawrence seconded the motion accepting the low bids of Star Recovery Systems, D. H. Gibson Wrecker Service and J & M Towing, Inc. The motion passed.

3) Bid recommendation on 8" Sewer Reline on Albany Street, and rehab 19 manholes.

Burton Carter submitted bids received for an 8-inch sewer reline, Albany Street and Rehab 19 manholes:

CORRECTED

Bid Tabulation - Albany Street Rehab

Proposer

Reynolds, Inc.

Price (Labor & Equipment)  
Alternate 3 - \$222,825.00

InsituForm Technologies	Alternate 1 - \$124,150.00
J & H Waterstop	Alternate 2 - \$72,750.50
Nicassio Corporation	Rejected - Did not prequalify
Azurix North America	Rejected - Did not prequalify

Following a discussion Commissioner Jennings made a motion and Commissioner

Davis seconded the motion accepting Alternate 1 bid of Insituform Technologies in the amount of \$124,150.00 for relining the 8-inch pipe and alternate 2 bid of J. H. Waterstop, Inc. in the amount of \$72,750.50 for rehabilitation of 19 man holes.  
The motion passed.

4) National Pollutant Discharge Elimination System II (NPDES).

The City Manager reported that this item was discussed at the last Commission Meeting.

CITY CLERK'S ITEM:

Cemetery Deed

1) Petition received to exchange Catholic Section, Lot 82-A, spaces A,B and C and Section 82-B, spaces A,B and C, owned by Gene Spaulding for Section 141-a, Lot 1-A, spaces A,B,C,D,E,F,G and h. Original deed surrendered.

- 2) Petition received to transfer Section 62, Lot No. 3 in Greenwood Cemetery, from Theodore Crittenden to Bettie Crittenden Neeley. Original Deed lost or misplaced, but City records verify ownership.

Commissioner Lawrence made a motion and Commissioner Jennings seconded the motion granting the above cemetery deed petitions. The motion passed.

Quit claim deed:

Petition received from William Ligon, Jr. Attorney for Marilyn Lyde, for a quit claim deed in favor of his client, to Lawrenceville, Lot No. 25, to clear title record of tax deed that was subsequently redeemed, but was lost without being recorded.

Commissioner Davis made the motion and Commissioner Lawrence seconded the motion granting the above quit claim deed. The motion carried.

Board Appointment

1. Downtown Development Authority - 1 appointment.

Commissioner Lawrence made a motion and Commissioner Jennings seconded the motion appointing Jack Waters to serve on the Downtown Development Authority Board to fill the unexpired term of Charles Nesmith until May 6, 2003. The motion passed.

2. Park and Tree Board - 1 appointment.

Mayor Brown stated that he received a letter from William Henry Lewis for consideration for appointment on the Park and Tree Commission.

Commissioner Lawrence made a motion and Commissioner Jennings seconded the motion appointing William Henry Lewis to serve on the Park and Tree Commission to fill the unexpired term of Robert Hicks until January 1, 2005. The motion passed.

CITY ATTORNEY'S ITEM(S)

Discuss City road projects.

The City Attorney did not bring up for discussion City road projects.

Commissioner Lawrence stated that Department Heads are receiving and giving

information that the City Manager does not have any knowledge of. He stated that all public records have to be channeled through the City Manager. Commissioner Lawrence further stated that he would like to see a policy drawn up at the next meeting on the issuance of public information.

EXECUTIVE SESSION:

Commissioner Lawrence made a motion and Commissioner Davis seconded the motion to hold an Executive Session to discuss pending litigation and personnel issues. The motion passed.

Following the Executive Session, the meeting was adjourned.

MEETING ADJOURNED.

/s/

Mayor

Attest: /s/

City Clerk