OFFICIAL MINUTES
COMMISSION OF THE CITY OF BRUNSWICK GEORGIA
REGULAR RESCHEDULED MEETING
7:00 P.M., JUNE 19, 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: Regular Rescheduled meeting of June 5, 2002.

Commissioner Lawrence made a motion and Commissioner Davis seconded the motion approving the minutes of the meeting of the regular meeting of June 5,
2002. The motion passed.

DELEGATION(S):

1)

Business owners Ernest Gray, J. D. Fat Cats Ice Cream Truck and Tammie Aldaba, Bowdie's Ice Cream Truck, to discuss obtaining a variance to City's Sound Truck Ordinance.

Attorney Kevin Gough appeared before the Commission to discuss the pending
application of his clients Ernest Gray d/b/a J. D. Fat Cats Ice Cream Truck and
Tammie Aldaba d/b/a Bowdie's Ice Cream Truck. He mentioned that the owners
submitted their applications to do business in the City. Attorney Gough stated that
he would like for the Commission to approve the application for a business license
so that the owners may do business in the City. He stated that the Sound Truck
ordinance has been proposed and would be adopted today and his clients need to
know by the end of the day whether or not they will be granted a license.

The City Attorney mentioned that it is two separate issues and the ordinance has
nothing to do with them being able to do business. The revision would be that
after sunset, businesses won't be able to operate with any kind of sound
amplification or bells or anything that make noise that attract children toward them
as it starts to get dark.

Mayor Brown mentioned that he did speak with one of the owners of the ice cream truck business and made the suggestion of the use of a mechanical bell for announcing their arrival in neighborhoods. He stated that one of the ice cream trucks actually utilized it and received a lot of compliments from neighbors. There is no special permit for the use of the bell in accordance to the noise ordinance.
Mayor Brown questioned where the businesses are currently located and whether they have a Glynn County or City of Brunswick business license or do they have a business license from other communities.

Attorney Gough stated that both of his clients came to the City and requested a business license and they were told that they did not need a business license.
Attorney Gough mentioned that he reviewed the City Ordinance and it was not

exactly clear which license the ice cream businesses are supposed to apply for and the requirements. He stated that his clients are prepared to complete an application if the City Attorney would tell them which one to complete.

Mayor Brown questioned if the ice cream businesses have a license anywhere in the State of Georgia.

Attorney Gough stated that the owners have business licenses in the state of Georgia.

Mayor Brown questioned whether the owners applied for a transient merchant license to operate within the City limits.

Attorney Gough stated that his clients are not required to apply for a transient license.

The City Attorney pointed out that they are not transients unless they are operating here temporarily. He pointed out that they would be entitled to rely on their license from another location, but when it comes time to renew their license they would renew it in Brunswick if they are planning to stay here.

Mayor Brown asked why other merchants have to comply with the transient issues. They set up in parking lots for a few hours they are not set-up twenty four/seven.

The City Attorney stated that it is not a twenty four/seven issue it is a matter of whether businesses would stay here. If they set-up in a parking lot and leave they are suppose to get a transient license.

Following a lengthy discussion Commissioner Jennings made a motion and Commissioner Davis seconded the motion granting J. D. Fats Cats Ice Cream Truck and Bowdie's Ice Cream Truck permission to apply for a business license and to follow the rules in the Sound Truck Ordinance.

Commissioner Jennings added an addendum to the motion granting the businesses an opportunity to apply for their business license after the meeting. Commissioner Davis seconded the motion.

Commissioner Lawrence questioned why the City agreed on something the City Attorney had not seen. He recommended that the motion should include allowing the City Attorney to review the application.

Commissioner Jennings amended the motion to include that the applications be submitted subject to the approval of the City Attorney reviewing them to make sure everything is in order. Commissioner Davis seconded the motion. On call for the vote the motion passed 4 to 1. Mayor Brown voted No.

The City Manager recommended that the City Attorney's Item #1 on the agenda be discussed next.

CITY ATTORNEY'S ITEM(S):

1) Revisions to Sound Truck Ordinance #952

The City Attorney recommended approval of the Sound Truck Ordinance subject to the change between sunset and sunrise.

Following a discussion Commissioner Davis made a motion and Commissioner Jennings seconded the motion adopting the Sound Truck Ordinance #952 subject to changing the time of sunset to 10:00 a.m. The motion passed.

ORDINANCE 952

AN ORDINANCE TO AMEND CHAPTER 16 OF THE CODE OF THE CITY OF BRUNSWICK PERTAINING TO SOUNDTRUCKS; TO PROHIBIT OPERATION OF SOUNDTRUCKS AFTER SUNSET; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

The Commission of the City of Brunswick hereby ordains that the Code of Ordinances of the City of Brunswick be and it is hereby amended as follows:

SECTION ONE

Section 16-47 of Chapter 16 is hereby deleted and a new section 16-47 is substituted therefore, the text of which shall read as follows:

"§ 16-47 No person shall operate or cause to be operated any vehicle with a ringing bell or similar noise-making device in use, nor any soundtruck, i.e., any vehicle using sound amplifying equipment, in the incorporated area of the City after the time of sunset each day as that time is determined according to publicly available information from the National Weather Service and National Oceanic and Atmospheric Administration."

SECTION TWO

It is hereby declared to be the intention of this Ordinance that its sections, paragraphs, sentences, clauses and phrases are severable, and if any section, paragraph, sentence, clause or phrase of the Ordinance is declared unconstitutional or invalid, it shall not affect any of the remaining sections, paragraphs, sentences, clauses or phrases of this Ordinance.

SECTION THREE

All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

SECTION FOUR

This Ordinance shall take effect immediately upon passage by the City Commission.

ADOPTED this 19th day of June 2002.

BRADFORD S. BROWN, MAYOR

ATTEST:

GEORGIA MARION, CITY CLERK

2)

Mrs. Betsy Bean Old Town Preservation, to address billboards throughout City and the Professional Building located in the 2000 block of Gloucester Street.

Betsy Bean appeared before the Commission to request that a temporary moratorium be set on bill board displays on Gloucester Street. Mrs. Bean mentioned that the Regional Development Center has been working on turning it into a heritage corridor. She mentioned other cities that imposed a temporary moratorium on the use of bill boards.

The City Attorney recommended that the City place a temporary moratorium on bill boards prohibiting anyone from putting up a bill board until after the moratorium is lifted and the sign ordinance is changed.

Following a discussion commissioner Davis made a motion and Commissioner Williams seconded the motion granting a 45 day moratorium on bill boards in the City until the sign ordinance is amended. The motion passed.

ALCOHOLIC BEVEVERAGE LICENSE(S)

Alcoholic Beverage License for the Elks Lodge #745, located at 1825 Amherst Street, to retail Distilled Spirits on the premises. Manager is George Anthony Williams, Sr.

The Chief of Police recommended approval of the issuance of an alcoholic beverage license for the Elks Lodge #745.

Commissioner Lawrence made a motion and Commissioner Jennings seconded the motion granting an alcoholic beverage license to George Anthony Williams at the Elks Lodge #745, 1825 Amherst Street to retail distilled spirits for consumption on premises. The motion passed.

APPROVAL(S):

Adopt Resolution to submit the City of Brunswick's Comprehensive Plan Short Term Work Program Update for 2003-2007 to Coastal Georgia Regional Development Center - A. J. Jones, III, Director, Community Development.

The Community Development Director requested that the City adopt a resolution
submitting the short term work program update for 2003-2007.

Commissioner Lawrence made a motion and Commissioner Davis seconded the motion unanimously adopting the following resolution:

RESOLUTION OF SUBMITTAL

WHEREAS, the City of Brunswick has completed a Five Year Short Term Work Program for the period 2003-2007.

WHEREAS, this Five Year Short Term Work Program was prepared in accordance with the Minimum Planning Standards and Procedures for Local Comprehensive Planning established by the Georgia Planning Act of 1989, and
rescheduled City Commission meeting was held on Wednesday, June 19, 2002 at
8:30 a.m., in City hall located at 700 Gloucester Street.

BE IT THEREFORE RESOLVED, that the City of Brunswick Commission does hereby submit the Five Year Short Term Work Program 2002-2007 to the Coastal
Georgia Regional Development Center for Regional review, as per the requirements of the Georgia Planning Act of 1989.

Adopted this 19th day of June 2002.

By:

Bradford S. Brown, Mayor

Attest:

Georgia E. Marion, City Clerk

Commissioners Williams, Davis and Jennings commended the community Development Director, Artie Jones, III and his secretary Nancy Cash-Brooks for
holding all the Public Hearings so that citizens could voice their opinions in a
timely and professional manner.

2. Bid recommendation received for a Sidewalk & Curbing Machine for Public Works.

The following bids were submitted for a sidewalk and curbing machine for Public
Works SPLOST project.

Vendor	Comments	Total
Power Curbers Inc. PO Box 1639		

Salisbury, NC 28145-1639

Delivery 3 wks.

* 129,500.00

Mid-South Equipment Svc.
137,400.00
PO Box 5638
Douglasville, GA 30154
Coastal Equipment Service
141,200.00
PO Box 622427
Orlando, FL 32862
GOMACO
154,760.00
Hwy's 59 & 175
Ida Grove, Iowa 51445
Southern Forming & Supply
No Bid

PO Box 23609
Jacksonville, GL 32241

The City Manager stated that this was a SPLOST item and recommended that the
low bid be accepted from Power Curbers.

Commissioner Davis made a motion and Commissioner Jennings seconded the motion accepting the low bid of Power Curbers, Inc. in the amount of $129,500.00.
The motion passed.

3. Bid recommendation received for Curb and Gutter Forms for Public Works.

The following bid was submitted for curb and gutter forms for Public Works.

Vendor	Comments	Total
Southern Forming & Supply PO Box 23609 Jacksonville, FL 32241		* 12,781.36
Mid South Equipment PO Box 5638 Douglasville, GA 30154		14,767.00
Coastal Equipment Service PO Box 622427 Orlando, FL 32862		15,700.00
Sunbelt Rentals 135 Key Circle Dr. Brunswick, GA 31520	Delivery 3-5 working days.	21,663.61

The City Manager recommended that the low bid be accepted from Southern Forming and Supply. He mentioned that this was a budgeted item.

Commissioner Williams made a motion and Commissioner Davis seconded the motion accepting the low bid of Southern Forming and Supply in the amount of
$12,781.36. The motion passed.

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Burton Carter, Construction Manager, requesting permission to reline Pump Station #17, located on the corner of Parkwood Avenue and Redondo Drive.

Burton Carter, Construction Manager appeared before the Commission to request
the rehab of Lift station # 17 with Epoxy coating at the corner of Parkwood
Avenue and Redondo Drive and to submit the proposal of J. H. Waterstop.

Following a discussion Commissioner Lawrence made a motion and Commissioner Williams seconded the motion accepting the proposal of J & H Waterstop, Inc. to reline pump station #17 for the cost of $30,000.00.

5. Contract for Aging Services for the Multi-purpose Center - Darlene Whymes, Director, Multi-Purpose Center.

Darlene Wymes, Director of the Multipurpose Center appeared before the Commission to submit contract to serve 14,869 meals to senior citizens.

Commissioner Lawrence made a motion and Commissioner Davis seconded the motion authorizing the Mayor to execute the contract. The motion passed.

6. Rick Drummond, Finance Director, requesting permission to renew City's Liability Insurances.

This item was deferred.

7. Monthly Reports:

a) General Fund
b) Water & Wastewater Fund
c) Community Development Fund
d) Municipal Court Fund
e) Recreation Fund

Commissioner Lawrence made a motion and Commissioner Jennings seconded the motion approving the monthly reports. The motion passed.

CITY MANAGER'S ITEM(S):

Glynn Peyton Building

The City Manager reported that he sent memos last week concerning the use of the Glynn Peyton Building. He mentioned that the City spent $42,000.00 on storage. He asked permission to research the possibility of renovating the roof of the building and replacing windows.

Commissioner Jennings recommended that the City Manager research the possibility of enlarging the building for future storage to prevent the City from paying for future storage.

Mayor Brown asked the City Manager to submit the cost for renovation of the building and include the cost of a sprinkler system, air conditioning and roofing.

Commissioner Williams asked the City Manager to look at the possibility of enlarging the Glynn Peyton building and Star Bright building.

Commissioner Lawrence asked the City Manager to look at what the City is paying based on the number of years for about a ten-year period.

Commissioner Lawrence made a motion and Commissioner Davis seconded the motion authorizing the City Manager to conduct a research on the Glynn Peyton building and the Star Bright building. The motion was rescinded. The

Commission gave their consensus.

CITY ATTORNEY'S ITEM(S):

2) Open Records Policy

The City Attorney stated that the open records policy was presented at the last
meeting and was revised to include part #2 procedures and inspection of records.

Commissioner Lawrence made a motion and Commissioner Davis seconded the motion adopting the open records policy. The motion passed.

CITY OF BRUNSWICK OPEN RECORDS POLICY AND PROCEDURES

APPROVED: June 19, 2002
EFFECTIVE: June 19, 2002
REVISED

SUMMARY All City Departments and offices shall handle requests for records or information in a timely manner according to the procedures set forth below.

POLICY The policy of the City of Brunswick is that municipal records are open to the public except in the case of certain documents which are made confidential by law, such as employee health and insurance records, documents from an ongoing criminal investigation, and confidential attorney-client communications. Open records are subject to inspection upon request and copies will be made available in accordance with the payment procedures below. Department heads are responsible for putting internal procedures in place to comply with this policy, including the prompt notification of the City Manager and City Attorney of all non-routine requests and the identification of confidential documents which should not be disclosed.

PROCEDURES

[1] RECEIVING REQUESTS

[a] Each department shall assure that all personnel are aware of the importance of properly handling open record requests, and of directing the person making a request to the proper City personnel to respond to the request. If such an employee is not immediately available, arrangements should be made to assist the person in meeting with the appropriate staff member, or in the event of any difficulty in doing so, the person should be referred to the City Manager.

[b] Any request for inspection or copying of municipal records is to be treated as an Open Records request- it need not be in writing, and no special wording is necessary. The citizen requesting the records need not mention the Georgia Open Records Act and may not even know of its existence. A non-routine request made orally should be immediately reduced to writing by completion of a "Record Request Open Records Policy Form" to be supplied to all departments. Because a response is required within seventy-

two hours of receipt of the request, it is critical that the day and time the request is made be accurately recorded. A written request by letter or otherwise requires that a notation be made to indicate how (e.g., by postal delivery, hand delivery from the sender, UPS, or fax) and when it was received, and by whom.

[c] All non-routine requests for records or information shall be immediately brought to the attention of the City Manager for consideration before a response is made. "Non-routine" in this context means any request for information or documents made by any attorney or law firm, by the media, or by any public official or government agency. It also includes any request for personnel records.

[2] RESPONDING TO REQUESTS

[a] As noted above, the required response time is seventy-two hours, so it is not always necessary to drop everything to search for records. An effort should be made to accommodate routine requests while the citizen is present rather than forcing a return visit. The employee handling the request should determine what, if any, fee is to be charged for administrative or copying costs and inform the requestor in advance of the copying. A response form will be provided to all departments to use in documenting the response to

all non-routine record requests. Its use is encouraged, but not required, in handling routine requests as well.

[b] Non-routine requests will be handled in accordance with the directions of the City Manager. Any questions as to confidentiality or other legal issues shall be immediately referred to the City Manager and City Attorney for determination.

[c] A copy of the request form and the written response shall be provided to the City Manager on all non-routine requests.

[d] In the event any person seeks to make a visual inspection of any document or to do an audio review of any audio recording, this shall be done inside City Hall or such other City facility where the record is maintained, and shall be monitored by City staff during the inspection. No marking, highlighting, erasure, mutilation, or other alteration of the City document shall be permitted.

[3] CHARGES

[a] Records copied on letter or legal sized paper shall be charged for at the rate of twenty-five cents ($0.25) per page unless exempt; copies of other records, such as maps, photos, blueprints, and video or audio tapes, shall be charged on the basis of the cost of reproduction. A record shall be kept of the amount received and the funds shall be remitted to the Finance Department in accordance with City accounting policies.

[b] An administrative cost shall be charged for time spent on retrieval of records, monitoring of citizen inspection, and other direct administrative costs incurred in responding to the request. The staff time shall not be charged for unless it exceeds a minimum of fifteen minutes. If a charge is made, it shall be calculated on the basis of the hourly rate of the lowest paid person on the City staff who possesses the necessary skill and training to perform the request, even if a higher paid employee actually carries out the work.

[c] Certain minimal routine document requests may be exempted from the payment of charges, such as a citizen requesting a copy of their own current water bill, or an employee seeking a copy of their own personnel file (once in a calendar year). The charges may be waived by the City Manager as to requests by other governmental bodies. Each department shall charge as set forth above for copies unless the

material requested is within an exception category approved in writing by the City Manager or a waiver
as determined by the City Manager.

[d] The City staff member handling the request shall notify the requestor in writing of the estimated cost
of response to the request in advance of incurring any charges chargeable to the requestor.

3) Death Benefits Policy

The City Attorney recommended alternative #3. Provide a budgeted funded death
benefit beyond what is currently available by increasing the standard basic life
insurance to $15,000.00 per employee. The cost is estimated at an additional
$3,700.00 per year.

Commissioner Davis made a motion and Commissioner Lawrence seconded the
motion approving alternative #3, increasing the standard basic life insurance to
$15,000.00 per employee. The motion passed.

4) Vacation Buy Back Policy

The City Attorney recommended alternative #3. Create guidelines that would
allow employees to sell back vacation time when certain conditions are met. Such
conditions could include:

a) Employee must be employed for at least 10 years.
b) Employee must have used at least 2 weeks of vacation time in the calendar.
c) Employee can receive no more than 40 hours of pay for vacation sold back.
d) Vacation buy back would occur during the first pay period in December. Request made after the established deadline would not be honored.
e) Each employee is responsible for completing a form to request the City to buy back vacation leave.
f) The cost of this alternative is estimated at $7,000.00.

Following a lengthy discussion Commissioner Jennings made a motion and Commissioner Davis seconded the motion approving alternative #3, creating guidelines to sell back vacation time when conditions a,b,c,d,e and f are met. The motion passed.

5) Contribution Policy

The City Attorney recommended that it should be left up to the City Manager's discretion to handle request for contributions from various public or private non-profit agencies in accordance to some guidelines of a good written policy.

Commissioner Lawrence made a motion and Commissioner Davis seconded the motion approving alternative #3. Do nothing at all and leave the matter to the City Manager's discretion on giving contributions.

Following a lengthy discussion the vote passed by a show of hands 3-1-0.

Commissioner Lawrence, Davis and Jennings voted yes. Mayor Brown voted No, and Commissioner Williams abstained.

Commissioner Williams stated that it still can leave room for question no matter how small the contribution. He stated that he was not sure if he was satisfied and would rather see some type of policy in place that the City Manager could refer to.

CHANGING THE DATE AND TIME OF THE NEXT COMMISSION MEETING AND FUTURE MEETINGS.

Commissioner Davis requested that the next Commission meeting scheduled for July 3, 2002 be rescheduled to July 10, 2002 at 6:00 p.m. She next requested that all future meetings be rescheduled to 6:00 p.m.

The City Attorney stated that the future meetings should be changed on a temporary basis before making an official change in the charter.

Following a discussion Commissioner Davis made a motion and Commissioner Jennings seconded the motion rescheduling the July 3, 2002 meeting at 8:30 a.m.
to July 10, 2002 at 6:00 p.m. The motion passed.

Commissioner Jennings made a motion and Commissioner Davis seconded the motion rescheduling City Commission meetings in July, August and September of

2002 to 6:00 p.m. on a trial basis beginning with the July l0th meeting and
advertising the changes in the newspaper. The motion passed.

EXECUTIVE SESSION:

Commissioner Davis made a motion and Commissioner Jennings seconded the motion to hold an Executive Session to discussion to discuss pending litigation.
The motion passed.

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

MEETING ADJOURNED.

/s/

Mayor

Attest: /s/
City Clerk