

OFFICIAL MINUTES
COMMISSION OF THE CITY OF BRUNSWICK GEORGIA
REGULAR MEETING
6:00 P.M., SEPTEMBER 15, 2002

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

INVOCATION: Commissioner Harold Jennings gave the invocation.

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

MINUTES

Minutes of September 4, 2002

Commissioner Lawrence made a motion and Commissioner Jennings seconded the motion approving the minutes of the meeting of September 4, 2002.

RECOGNITION(S)

Presentation of plaque to Corporal James C. Dickerson, upon his retirement of 30 years service given to the Brunswick Police Department.

Mayor Brown and the City Council presented Corporal J. C. Dickerson with a plaque in recognition of 30 years of dedicated service with the City of Brunswick Police Department.

Corporal J. C. Dickerson received his plaque with appreciation.

Police Chief T. C. Cowan commended Corporal J. C. Dickerson for 30 years of faithful service with the City of Brunswick Police Department.

APPEAL HEARING

David E. Amos, Architect, LLC, to appeal decision of the Brunswick Historic Preservation Board on McGarvey Property, located on Newcastle Street.

David E. Amos, Architect representing Cormac McGarvey reported that there were two items that he was appealing from the Brunswick Historic Preservation Board. The installation of the air conditioning units and changing the exterior from tabby to stucco.

Mr. Amos pointed out that he had a problem with the time frame in which the Brunswick Historic Preservation Board reported to them about the above discrepancies. Mr. Amos stated that a member of the Brunswick Historic Preservation Board owns property near Mr. McGarvey's building and she should have not been allowed to make any decisions concerning the McGarvey building with members of the Brunswick Historic Preservation Board.

Commissioner Lawrence questioned whether the original architect received approval from the Brunswick Historic Preservation Board.

Mr. Amos stated that it was approved and pointed out that changes in the plans were not submitted to the Brunswick Historic Preservation Board, but were submitted to the City's Building Inspection office.

Mayor Brown mentioned that a different set of plans were submitted to the Building Inspection office, which seems like fraud.

Commissioner Williams reiterated on what Mayor Brown said and pointed out that the time frame that the Brunswick Historic Preservation Board reported back to Mr. Amos in regards to the air conditioning units and exterior tabby was a mute item for him.

Commissioner Jennings asked Mr. Amos, Architect, what could be done to resolve the problems.

Mr. Amos stated that the tabby presently on the building now is of better quality than stucco, and in reference to the air-conditioning units, there was no area to conceal or hide them.

G. Carroll Palmatary, Attorney representing Mr. McGarvey stated that the ordinance allows the air conditioning units to be painted to help camouflage them. Mr. McGarvey agreed to place metal grates around the air conditioning units.

The City Attorney pointed out that this could be done if the air conditioning units were on the side or rear of the building.

G. Carroll Palmatary, Attorney stated that the revisions would require that the building be tom down.

Commissioner Jennings questioned if there was a way to place the air conditioning units inside the building and not be visible on the outside.

Mr. Amos stated that he was not sure, he was not a mechanical engineer. He mentioned that Mr. McGarvey was looking into other ways to place the air conditioning units with

the help of a mechanical engineer. Mr. Amos submitted pictures of landscaping that he plans to implement to help conceal the air conditioning units.

Commissioner Jennings suggested that Mr. Amos and Mr. McGarvey meet with the Brunswick Historic Preservation Board to try and resolve the issues.

Liane Brock, Chairman of the Brunswick Historic Preservation Board reported that the sixteen (16) air conditioning units would be a great impact because the McGarvey building is so close to the sidewalk. Ms. Brock mentioned that if Mr. McGarvey had contacted the Brunswick Historic Preservation Board in reference to using tabby instead of stucco, the board would have told him that tabby could not be used. She stated that the Brunswick Historic Board did not feel comfortable with Mr. McGarvey's landscaping City property. She pointed out that the board would have approved shingles instead of metal roofing. She mentioned that all the decisions that the board made for the McGarvey building were unanimous and if the board member, Mr. Amos referred to, had removed herself, the decision would still be unanimous, because they still had a quorum.

She pointed out that none of the changes were brought before the Brunswick Historic Preservation Board, but when the changes were brought to their attention, the board responded immediately.

Commissioner Williams recommended that the Brunswick Historic Preservation Board and the builder make another effort to try and resolve the issues.

Attorney G. Carroll Palmatary agreed to defer the appeal until the October 2nd Commission meeting.

Commissioner Jennings made a motion and Commissioner Williams seconded the motion authorizing the City Attorney to meet with the Brunswick Historic Preservation Board, Mr. McGarvey, Attorney G. Carroll Palmatary and Architect David E. Amos to try and negotiate a resolution. The motion passed.

BOARD APPOINTMENT(S)

Board of Governors of the Brunswick and Glynn County Development Authority.

Rees Sumerford, representing the Brunswick Glynn County Development Authority appeared before the Commission to request a joint resolution to appoint: Fred W. McGinty, Johnnie J. Graves and Matthew P. Hodgdon to the Brunswick and Glynn County Development Authority.

Following a brief discussion Commissioner Davis, made a motion and Commissioner Williams seconded the motion appointing Fred W. McGinty, Johnnie J. Graves and Matthew P. Hodgdon to serve on the Brunswick and Glynn County Development Authority Board. The motion passed by vote of 4 to 1. Commissioner Lawrence opposing for the reason that the appointees are not residents of the City.

JOINT RESOLUTION OF THE COMMISSION OF THE CITY OF BRUNSWICK, GEORGIA, AND THE BOARD OF COMMISSIONERS OF GLYNN COUNTY, GEORGIA APPOINTING THE BOARD OF GOVERNORS OF THE BRUNSWICK AND GLYNN COUNTY DEVELOPMENT AUTHORITY

WHEREAS, the Brunswick and Glynn County Development Authority was created by the General Assembly of the State of Georgia pursuant to an amendment to the Constitution of the State of Georgia

(Ga. Laws 1962, page 810, et seq.), ratified and proclaimed, by an act of the General Assembly of the State of Georgia (Ga. Laws 1963, page 2826, et seq.), as amended by an act of the General Assembly of the State of Georgia approved March 30, 1965 (Ga. Laws 1965, page 2928, et seq.); an amendment to the Constitution of the State of Georgia (Ga. Laws 1966, page 910, et seq.); an act of the General Assembly of the State of Georgia approved April 9, 1981 (Ga. Laws 1981, page 4335, et seq.); an act of the General Assembly of the State of Georgia approved March 14, 1983 (Ga. Laws 1983, page 4057, et seq.); an act of the General Assembly of the State of Georgia approved February 24, 1987 (Ga. Laws 1987, page 3659, et seq.); and an act of the General Assembly of the State of Georgia approved March 31, 1987 (Ga. Laws 1987, page 5391, et seq.); and

WHEREAS, said Act approved March 31, 1987, (Ga. L. 1987, p. 5391), among other things, amended the 1963 Act and various amendments thereto implementing the Brunswick and Glynn County

Development Authority by striking Section 1 of the 1963 Act in its entirety and inserting in lieu thereof a new Section 1 to read as follows:

"Section 1. The Brunswick and Glynn County Development Authority shall consist of a board to be known as the Board of Governors composed of five persons appointed by a joint resolution of the governing bodies of Glynn County and the City of Brunswick. At the time of the election of the first Board of Governors, the governing bodies of Glynn County and the City of Brunswick shall elect three members for three-year terms and two members for two-year terms. Thereafter, the term of all members shall be for three years. No member of the Authority may serve for more than two successive terms. If at the end of any term of office of any member, a successor thereto has not been elected, the member whose term of office has expired shall continue to hold office until his successor is appointed."; and

WHEREAS, said Act approved March 31, 1987, (Ga. L. 1987, p. 5391), among other things, amended the 1963 Act and various amendments thereto implementing the Brunswick and Glynn County Development Authority by striking Section 2 of the 1963 Act in its entirety and inserting in lieu thereof a new Section 2 to read as follows:

"Section 2. The members of the authority shall be taxpayers residing in Glynn County, Georgia.

No member shall be an officer or employee of Glynn County or the City of Brunswick. The

members of the authority shall elect one of their members as chairperson and another as vice-chairperson and shall also elect a secretary and a treasurer.

In the event of a vacancy in the membership of the authority, the authority will submit to the governing bodies of Glynn County and the City of Brunswick the name of one candidate for each vacancy. If any candidate is not acceptable to the governing bodies of Glynn County and the City of Brunswick, the authority will be asked to submit the name of a second candidate. If three of such candidates for a particular vacancy are found to be unacceptable, the governing bodies of Glynn County and the City of Brunswick, by resolution, shall appoint an individual or individuals

to fill such vacancy or vacancies.

Upon appointment, each member of the authority shall take an oath before a notary public, or other

officer authorized to administer oaths, that he or she will truly and faithfully perform the duties of a member of the authority."

WHEREAS, on July 23, 1987, W. Ray Acosta, Robert B. Malone and William F. Torrey, Jr., were appointed to serve on the Board of Governors of the Brunswick and Glynn County Development Authority for a three-year term beginning August 1, 1987; and

WHEREAS, the terms of W. Ray Acosta, Robert B. Malone and William F. Torrey, Jr., expired on July 31, 1990, and W. Ray Acosta, William F. Torrey, Jr., and William R. Parker, Jr., were appointed to serve on the Board of Governors of the Brunswick and Glynn County Development Authority for a three-year term beginning August 1, 1990; and

WHEREAS, the terms of W. Ray Acosta, William F. Torrey, Jr., and William R. Parker, Jr., expired on July 31, 1993, and William M. Hannon, Waker C. McNeely and Ben T. Slade, III, were appointed to serve on the Board of Governors of the Brunswick and Glynn County Development Authority for a three-year term beginning August 1, 1993; and

WHEREAS, the terms of William M. Hannon, Waker C. McNeely and Ben T. Slade, III, expired on July 31, 1996, and William M. Hannon, Waker C. McNeely and Ben T. Slade, III, were appointed to serve on the Board of Governors of the Brunswick and Glynn County Development Authority for a three-year term beginning on August 1, 1996; and

WHEREAS, the terms of William M. Hannon, Waker C. McNeely and Ben T. Slade, III, expire the later of July 31, 1999, and Fred W. McGinty, Johnnie J. Graves and Dennie L. McCrary were appointed to serve on the Board of Governors of the Brunswick and Glynn County Development Authority for a three-year term beginning August 1, 1999;

WHEREAS, the terms of Fred W. McGinty, Johnnie J. Graves and Dennie L. McCrary expire the later of July 31, 2002, or until their successors are appointed; and

WHEREAS, pursuant to the above-referenced act by the General Assembly of Georgia requiring a joint resolution of the governing bodies of Glynn County and the City of Brunswick, this Joint Resolution is hereby made as an embodiment of the separate resolutions of the Commission of the City of Brunswick and the Board of Commissioners of Glynn County, Georgia;

NOW, THEREFORE, it is

RESOLVED, that Fred W. McGinty be appointed to the Board of Governors of the Brunswick and Glynn County Development Authority for a term beginning on the date of his appointment and ending the later of July 31, 2005, or until his successor is appointed, to fill the vacancy created upon the expiration of the term of Fred W. McGinty;

FURTHER RESOLVED, that Johnnie J. Graves be appointed to the Board of Governors of the Brunswick and Glynn County Development Authority for a term beginning on the date of his appointment and ending the later of July 31, 2005, or until his successor is appointed, to fill the vacancy created upon the expiration of the term of Johnnie J. Graves; and

FURTHER RESOLVED, that Matthew P. Hodgdon be appointed to the Board of Governors of the Brunswick and Glynn County Development Authority for a term beginning on the date of his appointment and ending the later of July 31, 2005, or until his successor is appointed, to fill the vacancy created upon the expiration of the term of Dennie L. McCrary.

I, Bradford S. Brown, hereby certify that I am Mayor of the City of Brunswick, Georgia, and as such am a member of the Commission of the City of Brunswick, Georgia, and that the foregoing Resolution was duly adopted by the Commission of the City of Brunswick, Georgia, at a meeting duly and regularly called and held on September 18, 2002.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Brunswick,

Georgia, on this 18 day of September, 2002.

Bradford S. Brown
Mayor, City of Brunswick, Georgia

I, Cap Fendig, hereby certify that I am Chairman of the Board of Commissioners of Glynn County, Georgia, and that the foregoing Resolution was duly adopted by the Board of Commissioners of Glynn County, Georgia, at a meeting duly and regularly called and held on September 5, 2002.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Glynn County, Georgia, on this 19th day of September, 2002.

Cap Fendig
Chairman, Board of Commissioners
Glynn County, Georgia.

APPROVAL(S)

1. GTS' Proposal to collect Real Property and Ad Valorem Taxes.

Chris Laney, representing GTS appeared before the Commission to offer GTS services to assist the City of Brunswick with the collection of delinquent real and personal property taxes. Mr. Laney explained the process that GTS uses to collect delinquent taxes.

Angela Bennett, supervisor of Delinquent Taxes, recommended using the services of GTS.

Commissioner Jennings made a motion and Commissioner Davis seconded the motion approving GTS services to assist in the collection of real property and ad valorem taxes subject to the City Attorney's approval of the contract. The motion passed.

2. Artie Jones III, Director of Community Development, requesting the Adoption of the 2003-2007 Comprehensive Plan Short Term Work Program Update.

Artie Jones III, Director of Community Development, requested the Adoption of the 2003-2007 Comprehensive Plan Short Term Work Program Update. He stated that the work program met all the required standards.

Commissioner Jennings made a motion and Commissioner Williams seconded the motion unanimously approving the adoption of the following resolution:

Be it resolved by the Commission of the City of Brunswick that it hereby adopts the City of Brunswick's 2003-2007 Comprehensive Plan Short Term Work Program Update.

3. John Butts, Public Works Director, to discuss the possibility of temporarily relocating the Sanitation Division.

The City Manager reported that the roof on the sanitation Department caved in and would like to relocate the Sanitation division to a temporary location on Lanier Boulevard.

Following a brief discussion Commissioner Davis made a motion and Commissioner Williams seconded the motion approving the temporary relocation of the Sanitation division to Lanier Boulevard. The motion passed.

4. John Butts, Public Works Director, presenting new Sanitation Fee Structure.

John Butts, Public Works Director, requested approval of a new Sanitation Fee Structure. Increase sanitation fee to \$12.00 per month and charge an additional \$4.50 for each additional can. Limit cans to three per customer and charge a replacement fee of \$55.00 for each can that is lost or stolen or charge a \$55.00 deposit for new garbage accounts to cover the cost of the item.

Following a brief discussion Commissioner Jennings made a motion and Commissioner Davis seconded the motion to approve the new sanitation fee structure. Commissioner Jennings amended the motion to start the new fee on November 1, 2002. Commissioner Davis seconded the amended motion. The motion passed by vote of 4 to 1. Commissioner Lawrence opposed raising of the sanitation fee by \$4.00.

5. Burton Carter, Construction Manager, requested that the Commission execute permit application for traffic light study at Community Road (SR 303) and Old Cypress Mill Road.

Following a brief discussion Commissioner Davis made a motion and Commissioner Williams seconded the motion to conduct a Traffic Engineering Study at Community Road (SR-303) and Old Cypress Mill Road. The motion passed.

Monthly Reports:

- General Fund
- Water and Wastewater Fund
- Community Development Fund
- Recreation Fund
- Municipal Court Fund

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

ALCOHOLIC BEVERAGE LICENSES(S)

Port City Billiards, located at 4420 Altama Avenue, Suite 44, to retail Beer and Wine to be consumed on the premises. Owner and Manager is W.A. Hammock.

Captain Chris Stewart of the Brunswick Police Department stated that he had no objections of approving the alcoholic beverage license for Port City Billiards, located at 4420 Altama Avenue, Suite 44 to retail beer and wine to be consumed on premises.

Following a brief discussion Commissioner Davis made a motion and Commissioner Lawrence seconded the motion approving an alcoholic beverage license for Port City Billiards, located at 4420 Altama Avenue, Suite 44 to retail beer and wine to be consumed on the premises. The motion passed.

DISCUSSION

1. Permanently changing City Commission Meeting times to evenings.

Commissioner Jennings recommended tabling the above item until Commissioner Lawrence could review his work schedule.

2. Business Licenses.

The City Manager reported that business licenses were reduced last year and suggested that the City return to what was previously charged, because the City lost

revenues. Mayor Brown requested that the City Manager conduct a study on the lost of revenues and report back to the Commission.

The City Manager stated that the study would be ready for the Commission at the October 2, 2002 meeting

Request to create a sub-division on property located on Amherst Street and Martin Luther King, Blvd., between "Q" Street and "R" Street. Property is owned by L.E. Lewis.

Mr. & Mrs. L. E. Lewis advised the Commission that they did not consider their parcel a subdivision and felt that they should not have to pay a fee to place a sewer line on property located within the City of Brunswick. Mr. & Mrs. Lewis felt that the City should provide the sewer line. They requested that the City review the ordinance and make changes.

Following a brief discussion the Commission instructed the City Attorney to review the ordinance and report back to the Commission at the October 2, 2002 Commission meeting.

MAYOR BROWN'S ITEM(S)

1. Dilapidated properties.

The City Attorney reported that Community Development and the Public Works Department were moving ahead with citations on dilapidated properties in the City.

2. Delinquent Funeral Home accounts.

The City Manager reported that discrepancies were found in the amounts due by the funeral homes. He mentioned that some of the funeral homes had paid in full. He stated that he wanted to confirm the amounts owed to the City.

The Director of Public Works stated that a computer invoicing program would be used to solve future problems of payment discrepancies.

Al Chapman was not on the agenda, but he was allowed to express his concerns about Palmetto and Greenwood Cemeteries. Mr. Chapman stated that grave openings would

have to be paid by family members directly to the cemetery. His firm will not be responsible for paying the grave opening fee. He next asked to see the budget for cemeteries to see whether or not a profit was being made by the City. Mr. Chapman asked the Commission to visit Waycross cemetery. Mr. Chapman offered to help the City to try and make money if they are losing money at the cemeteries.

MEETING ADJOURNED.

Bradford S. Brown, Mayor

Attest
City Clerk