

**OFFICIAL MINUTES
COMMISSION OF THE CITY OF BRUNSWICK GEORGIA
REGULAR MEETING
6:30 P.M., FEBRUARY 19, 2003**

PRESENT: His Honor Mayor Bradford S. Brown, Commissioners Harold E. Jennings and Jonathan Williams.

ABSENT: Mayor Pro-Tem Doris A. Davis and Commissioner Roosevelt Lawrence.

INVOCATION: Commissioner Harold E. Jennings gave the invocation.

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

MINUTES: Regular meeting of February 5, 2003.

Commissioner Williams made a motion and Commissioner Jennings seconded the motion approving the minutes of the meeting of February 5, 2003. The motion passed.

RECOGNITION

- 1. Proclamation presentation to Ms. Ginger Collins for saving the life of Raymond Gorham on January 22, 2003.**

Mayor Brown read a proclamation congratulating Ginger Collins for quick response to danger and knowledge of life saving skills demonstrated on January 22, 2003 used to save the life of Raymond Gorham.

- 2. Proclamation presentation to Glynn-Brunswick Economic Development Authority in reference to supporting the Georgia Business Retention and Expansion Process.**

Mayor Brown presented a Resolution in support of the Georgia Business Retention and Expansion Process sponsored by the Glynn County Development Authority, Brunswick Golden Isles Chamber of Commerce and the Coastal Georgia Community College together with the Georgia Department of Community Affairs.

DELEGATION(S)

- 1. John Tuten, Tuten and Associates, to update on New City Hall/Customs House.**

John Tuten, appeared before the Commission to give information on the progress of New City Hall/Customs House. Mr. Tuten stated that he would obtain a building permit, and advertise in the newspaper for construction proposals.

- 2. Nelson Hart in reference to Alcoholic Beverage licenses at The Keg and The Keg Lounge located at 3101 Johnston Street.**

Attorney Alan David Tucker, Attorney-at-Law appeared before the Commission on behalf of his client Nelson Hart to request that his client be granted an alcoholic beverage license to continue to operate The Keg and The Keg Lounge.

The City Attorney stated that Mr. Hart was found guilty in Municipal Court for violating local Ordinances and for violating State transport of alcohol and failure to pay local charges in Municipal Court in a timely manner.

The City Attorney recommended that Mr. Hart come back in six (6) months to renew his license.

Attorney Tucker pointed out that allegations made in Municipal Court were never proven. He recalled the shooting at the Double Eagle and minors were present in the Club. Eyewitnesses testified that they saw minors buy alcohol. Attorney Tucker stated that those decisions were made by the Management of the Club.

Attorney Tucker stated that the violation of State transport of Alcohol occurred when the liquor supply was low at the Double Eagle and Mr. Hart's daughter brought liquor from the Keg Package Store to the Double Eagle. Mr. Hart pled no contest and this was an administrative offense with six (6) to twelve (12) months and not to have any further violations. Mr. Hart was charged a \$1,000.00 penalty which has already been paid to the State.

Attorney Tucker stated that Mr. Hart had a lack of representation and with counsel he could have beat the case.

Police Captain Chris Stewart reported that Mr. Hart was fined in October for allowing several minors to enter his bar and was found guilty on five counts.

Commissioner Williams stated that Mr. Hart violated State regulations by transporting liquor from one location to another. He pointed out that the State did not prevent Mr. Hart from operating his business.

Captain Stewart stated that Mr. Hart was charged for allowing underage minors in his building. He received no charges for the shooting. He was fined for failure to post a sign in the window that says no minors.

Commissioner Williams stated that he would like to see that all businesses are charged for not placing a sign in their window that says no minors.

Commissioner Williams stated that Mr. Hart's money is tied up in his inventory and his violations by the State did not force him to close his business. He pointed out that there are some extenuating circumstances which Mr. Hart does not understand. He further stated that Mr. Hart has been a good citizen and he was willing to give him a chance to get back in business and if he violates any State law he would be out of business.

Commissioner Williams questioned if the City has an ordinance in place to punish underage persons who goes into bars.

Captain Stewart stated that it is incumbent upon management to check identification when a minor goes into a bar.

Mayor Brown stated that the reason the City have the current ordinance in place is to regulate bars. He further stated that the Commission should stick by their decision not to grant a license for six (6) months. Mayor Brown stated that he did not want the tragedy to happen to persons here like what happened in Chicago. The Commission is opening themselves up for situations that could happen.

Commissioner Jennings recommended a four (4) months suspension.

Commissioner Jennings made a motion and Commissioner Williams seconded the motion to suspend the licenses for alcoholic beverage for Nelson Hart for four (4) months. On call for the vote the motion passed by 2 to 1. Mayor Brown voting no.

3. Eddie West, owner of Club 87 Lounge located at 1604 4th Street, to address closing time of Lounges.

Eddie West appeared before the Commission to receive the proper closing time for clubs located in the City. He stated that some clubs are opened until 3 or 4'oclock in the morning.

Captain Chris Stewart stated that there is not anything in the City Code that requires Clubs to close, but Clubs must stop selling alcohol at 2:00 a.m. during the week and 1:45 a.m. on Sunday as stated in the City Ordinance. Captain Stewart stated that Clubs that open on Sunday must serve over fifty percent food and about fifty percent alcohol.

The City Attorney stated that over fifty percent of sales have to come from the sale of food on Sunday and everyday of the week throughout the year and it must be documented. He further stated that the City would have an ordinance in place to close every bar in the City at 2:00 a.m.

4. Jimmy Bradley, Finance Director, to present 2001/2002 Audit.

The new Director of Finance, Jimmy Bradley submitted the findings of the 159 page audit with nine (9) sections.

On Stale Dated Checks he recommended that checks which accumulates in the bank account as outstanding checks should be researched or written off and sent back to the State as unclaimed property.

The E-911 Fund, OJP Fund, Police Seizure Fund and General Long-term Debt Account Group. These budgets were adopted at the last Commission meeting.

Obsolete checks of \$25,000.00 on balance sheets, write off, no information to support it.

Account Receivables needs continued reconciliation and customer ledgers done on a monthly basis. This work needs more staff.

Listings of every street, traffic light, sidewalk, pipes, building, cars and etc. on record at a value and depreciated. A consulting firm could help. The City currently maintains a listing of buildings and cars for insurance purposes. Not in compliance.

Fund Accounting rules are in existence and have purchasing procedures. No procedure for audit have been done.

Group Health Plan has been monitored closely. Worker's Comp is doubling. Cannot control staff health care.

Actuary Evaluation will bring into compliance. Actuary does not have CPE courses that allowed him to continue to perform his duties.

Pension Plan payment was not made, it was not an oversight. The City did not have money to make the December 2001-June 2002 payment of \$700,000.00. The City made partial payment. This is entirely paid by the City.

The City Attorney stated that the City must find a way to make pension payment. New hires can be set up on a separate pension fund.

Mayor Brown suggested looking at a Tax anticipation Note (TAN).

Inventory of Water and Sewer funds had a change in management and inventories jumped.

Policies are not in effect and the Commission is working towards creating policies.

Payroll Processing has staff limitation, now have a different person doing the bank reconciliation.

Mayor Brown suggested outsourcing that duty to save money.

The Director of Finance stated that the City would lose some of the personal services, can outsource and make it a package to make it cost effective.

The City Manager pointed out that regular checks require two signatures. The City Manager and the Director of Finance is required to sign checks.

Cemetery Stock Certificates can be produced along with complete report of holdings in Cemetery Trust Fund.

Arrears in homeowner's loan are being taken care of by the Community Development Director.

The Director of Finance stated that the deficit is our challenge and cash has to be monitored and the City has to make payroll every week. The staff is monitoring the budget.

Cancellation of Invoices-The Director of Finance disagree, software would not let the City issue the same check for an invoice.

City employees must use required forms.

Tax collections could be adjusted on an annual basis.

Commissioner Jennings stated that taxes could be due on December 15, 2003.

Mayor Brown suggested merging tax collections with the County for cost savings. Bills could be due at the same time.

The Director of Finance stated that the County is now considering bi-annual billing for two (2) billings a year.

The Director of Finance recommended having an audit committee consisting of City Commission working with audit staff.

Commissioner Williams thanked the new Finance Director for the new direction that the City is taking and for his straight forwardness approach.

5. Lana Williamson, CARS Group, to address the introduction of Action Register and to discuss the Action List.

Lana Williamson representing the Citizens Alliance for Responsible Spending discussed action items on the original action list.

Action Item #1

The City would continue to use the present system.

Action Item #2

The findings have been documented in audit reports.

Action Item #5

Expenditures would be tracked on an official action register along with a monthly report.

Mrs. Williamson requested that members of CARS be allowed to participate in monthly meetings to address items. They have people standing ready to move forward. She stated that CARS expect to have a meeting to address action items and members would appear monthly to access the progress of these items.

Mayor Brown stated that the Commission appreciated the offer but cannot accept it until issues are resolved.

Mayor Brown expressed his concerns about half truths and accusations that were made about the Commission Board.

APPROVAL(S)

1. Monthly Reports:

- a) **General Fund**
- b) **Water and Wastewater Fund**
- c) **Community Development Fund**
- d) **Recreation Department Fund**
- e) **Municipal Court**

Commissioner Williams made a motion and Commissioner Jennings seconded the motion to approve the above monthly reports. The motion passed.

2. Burton Carter, Construction Manager, requesting approval to reline five (5) Manholes.

Burton Carter, Construction Manager submitted the following proposals to rehab (5) five manholes at the following locations:

US 17 and Belle Point Parkway
Wylly Avenue @ Townsend Street
Second Street @ Reynolds Street
US 17, Parkwood @ Redondo.

J. H. Waterstop, Inc. Orange City Florida, \$24,544.50
Poly-Triplex Technologies, Panama City Beach, FL., \$27,179.38

He recommended the low proposal of J. H. Waterstop, Inc., in the amount of \$24,544.50.

Commissioner Jennings made a motion and Commissioner Williams seconded the motion accepting the recommendation of staff to award the low proposal of J. H. Waterstop, Inc., in the amount of \$24,544.50. The motion passed.

ALCOHOLIC BEVERAGE LICENSE(S)

1. Level III, located at 1404 Newcastle Street, to retail Distilled Spirits for consumption on premises. This will be for a change of ownership. New owner and manager to be Ms. Kimberly Dawn Bush.

Captain Chris Stewart stated that Level III would have a change in ownership and there were no objections to granting the license.

Mayor Brown stated that Level III patrons put beer bottles on the street and that is not an enhancement for the downtown area.

Commissioner Williams stated that he is concerned about holding people responsible for trash on the street.

The City Attorney stated that there must be some type of evidence that beer bottles arrived with patrons who congregate at Clubs.

Mayor Brown stated that it is obvious that trash comes from patrons.

Following a discussion Commissioner Jennings made a motion and Commissioner Williams seconded the motion granting an alcoholic beverage license with a provision that the police keep a check on Level III and direct the owner to keep the area outside clean. On call for the vote the motion passed by vote of 2 to 1. Mayor Brown voted no.

- 2. The Fountain Package Store, located at 2300 Norwich Street, to retail Distilled Spirits not to be consumed on premises. This will be for a change of ownership. New owner and manager to be Ms. Parul M. Patel.**

Captain Chris Stewart stated that there is a change in ownership at the Fountain Package Store and there is no objection to grant a license to the Fountain Package Store.

Commissioner Jennings made a motion and Commissioner Williams seconded the motion granting an alcoholic beverage license to The Fountain Package store for consumption off premises. The motion passed.

CITY CLERK'S ITEM(S)

BOARD APPOINTMENTS

Brunswick Historic Preservation Board – 3 appointments.

Commissioner Williams made a motion and Commissioner Jennings seconded the motion appointing Sharon C. Hidek, Jane Hilderbrand and Donald G. Thompson to serve on the Brunswick Historic Preservation Board to fill the unexpired terms of Liane Brock, James Eppings and Jim Miller until June, 2003. The motion passed.

CEMETERY DEED(S)

Petition received to transfer spaces A & B of Lot 11, Section No. 19 in East Palmetto Cemetery from Donald Johnson to Melvin L. Johnson. Original Deed misplaced, but City records verify ownership.

Petition received to exchange property Lot No. 1, Spaces 1-6 of Section 221, in Palmetto Cemetery, for Section 16, Lot 5, Spaces A, B & C in East Palmetto Cemetery to Susan M. Davis and Robert Davis. Original Deeds surrendered.

Petition received to transfer Lot No. 5, Section 9, and Spaces C & D in East Palmetto Cemetery from Randy C. Brooker to James N Bailey. Original Deed surrendered.

Petition received to transfer Lot No. 10, Spaces A & B of Section 26 in East Palmetto Cemetery from Virginia W. Davis to Mrs. Nora Troupe. Original Deed surrendered.

Petition received to transfer Lots No. 89 & 90 in Section 1 of Palmetto Cemetery from Steve Sumner to Linda M. Forsyth. Original Deed surrendered.

Petition received from William Grimes to return for resale Section No. 12, Lot No. 6-A, Block No. 104, Lots 66 & 67 in Palmetto Cemetery. Original Deed surrendered.

Commissioner Jennings made a motion and Commissioner Williams seconded the motion approving the above Cemetery Deed petitions. The motion passed.

MAYOR BROWN'S ITEM(S)

Discuss Commissioners sponsorship of delegations requesting to appear on Agenda.

Mayor Brown stated that the Glynn County Board of Commissioners implements sponsorship of delegations requesting to appear on their agenda. He pointed out that some issues could be handled outside of the Commission meeting.

Following a lengthy discussion it met the consensus of the Commission to postpone until the next meeting.

Commissioner Jennings made a motion and Commissioner Williams seconded the motion placing on the agenda an emergency item to extend the moratorium on Bill Boards. The motion passed.

Commissioner Jennings made the motion and Commissioner Williams seconded the motion to extend the moratorium on Bill Boards thru March 19, 2003. The motion passed.

MEETING ADJOURNED.

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

Attest:/s/ Georgia E. Marion
City Clerk