

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

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

INVOCATION: The Pledge of Allegiance was recited in unison by everyone in attendance.

MINUTES

Meeting of August 6, 2003.

Commissioner Jennings made a motion and Commissioner Davis seconded the motion approving the minutes of the meeting of August 6, 2003. The motion passed by a vote of 4 to 0.

DELEGATION(S)

Debbie Mallory to address the issue of trimming with the City.

Debbie Mallory appeared before the Commission to discuss the oak tree that was cut in her yard. Ms. Mallory stated that she bought her home 12 years ago and last week on August 13 she came home and found her beautiful healthy oak tree butchered beyond belief without any kind of notice. She mentioned that thirty-five feet has been taken off the tree in her yard. She stated that the City workers told her that the work was authorized by Roosevelt Harris, City Manager and his department head John Butts, Director of Public Works. Ms. Mallory stated that she inquired as to whether the oak tree was on city property. She since found out that the side of the tree that was cut was entirely on her property. She also mentioned that a reliable source informed her that the initial order was made by the top of the City's chain of command. She also found out that City workers were supposed to go to a home located at the corner of Reynolds and Second Avenue. Instead, they went to her home located at the corner of Reynolds and Second Street. She further stated that the reason for her being at the meeting this afternoon is for the reason that the sun now beats down on her once nicely shaded home and she will now see an increase in her power bill. She pointed out that the oak tree would never be the same in her lifetime and have been advised that such a severe amputation could kill the oak tree. She mentioned that she is bewildered, saddened, irritated, and angered each time she walks out of the door and sees what remains of her oak tree. She submitted pictures of the before and after to the Commission.

REZONING(S), QUITCLAIM(S) AND ABANDONMENT(S)

Accept application to rezone 1700 Kay Avenue from R-6 to GR-General Residential. Property owner is Wilson Marion _ Donna Moody, Building Official.

The Building Official, Donna Moody recommended approval to rezone Urbana, Block E 9, 237 square feet of property from R-6 to GR General Residential District for the owner to construct two new homes. She pointed out that adjacent property on the north, south, east, and west is zoned R6, General Residential and Office Commercial.

Mayor Brown asked if there was anyone who would like to speak against the rezoning.

Following a discussion, Commissioner Jennings made a motion and Commissioner Davis seconded the motion to approve the rezoning of Urbana, Block E from R-6 to General Residential District. The motion passed by vote of 4 to 0.

ALCOHOL BEVERAGE LICENSE(S)

“D” Mart Convenience Store located at 2806 Altama Avenue, in Five Points Plaza, to retail packaged Beer not to be consumed on premises. Owner/Manager is Diane L. Griffin.

The Chief of Police stated that the application for “D” Mart Convenience Store was in compliance with State Law and City ordinances.

Commissioner Davis made a motion and Commissioner Jennings seconded the motion granting an alcoholic beverage license to Diane Griffin to retail packaged beer for consumption off premises at “D” Mart Convenience Store at 1806 Altama Avenue. The motion passed by vote of 4 to 0.

APPROVAL(S)

1. Bonnie Dvorak-Roberts, Human Resource Director, with a change to the Personal Leave of Absence section of the City’s Standards of Practice.

The Human Resources Director requested approval to change language in the Personal Leave of Absence Standards of Practice to clarify that the word “month” means (4) work weeks “6 months” means (24) work weeks, and “12 months” means (52) work weeks.

Following a discussion, Commissioner Jennings mad a motion and Commissioner Williams seconded the motion approving the change in language in the Personal Leave of Absence Standards as presented by staff. The motion passed by vote of 4 to 0.

2. A. J. Jones, III, Director of Community Development, with second part of the Hazardous Materials and Weapons of Mass Destruction Grant to GEMA (Georgia Emergency Management Association).

The Director of Community Development requested to submit an application for the second part of the Hazardous Material and Weapons of Mass Destruction Grant to the Georgia Emergency Management Association by resolution for \$211, 689.00.

Commissioner Davis mad a motion and Commissioner Jennings seconded the motion authorizing the Director of Community Development to submit an application to the Georgia Emergency Management Association for the amount of \$211, 689.00 for the Hazardous Materials and Weapons of Mass Destruction Grant. The motion passed by vote of 4 to 0.

3. A. J. Jones, III, Director of Community Development, with a review of the Norwich Community District Guidelines.

The Director of Community Development discussed the guidelines for the Norwich Street Community. There was no action taken on the review of the guidelines for the Norwich Street Community.

4. Contract approval on Side Streets in the U.S. Highway 17 Improvement Project_ Burton Carter Construction Manager.

The City Manager recommended approval of the contract for the side streets in the U.S. Highway 17 Improvement Project.

Commissioner Williams made a motion and Commissioner Davis seconded the motion approving the contract for the side streets in the U S> Highway 17 Improvement Unit item contract with Dot for \$475, 00.00. The motion passed by vote of 4 to 0.

5. Approval to cut a reimbursement check to the Department of Treasury on grant monies received – Keith Morgan, Director, Water and Wastewater.

The Director of Water and Wastewater stated that the EPA ruling was for the City of Brunswick not following the correct procedure or warding engineering services as related to a grant for WWTP upgrades. He mentioned that this happened in the middle to late 1980's. He pointed out that the City is still obligated to pay the amount of \$167,867.00. The motion passed by vote of 4 to 0. Commissioner Jennings voting under protest for the reason that further negotiations should have been done to reduce the debt.

6. Monthly reports for July 2003:

-  General Fund
-  Community Development
-  SPLOST III & IV
-  Recreation Department
-  Sanitation Department

Commissioner Davis made a motion and Commissioner Williams seconded the motion accepting the above monthly reports. The motion passed by vote of 4 to 0.

CITY MANAGER'S ITEM(S)

The City of Brunswick's Entitlement.

The City Manager recommended that the City of Brunswick be an entitlement City. He mentioned that the City could receive about \$500,000.00 per year. Currently under the Department of Community Affairs the City of Brunswick is recognized as a small city. HE stated that he wanted to be sure about the amount the City would receive an entitlement City.

Commissioner Davis made the motion and Commissioner Williams seconded the motion accepting the entitlement status for the City of Brunswick. The motion passed by vote of 4 to 0.

CITY ATTORNEY'S ITEM(S)

Level 3 Lounge Probation.

The Chief of Police stated that Level 3 probation was put in the form of a letter. He mentioned that the City Attorney assisted with the contents of the probationary letter for Level 3.

The Chief of Police recommended that Level 3 alcoholic beverage license be placed on suspension for two weeks until an investigation could be completed concerning a sign that was placed on Level 3's back door in which a police officer observed during a security check. According to the Chief of Police of Police the sign directed the liquor distributors to deliver the liquor intended for Level 3 to R & S Package Store on L Street. The Chief of Police stated that it is a violation of state law to have liquor delivered anywhere other than the intended location.

Brett Schmid, owner of Level 3 stated that he was unaware that a sign existed on the back door and vendors have never gone anywhere, but to Level 3 to deliver their alcohol. He

mentioned that he pays a person to sit at Level 3 to take the delivery and that person was also unaware of a sign placed on the back door.

Commissioner Williams asked if the Commission had legal rights to suspend the alcoholic beverage license of Level 3 for two weeks. He mentioned that someone else or an enemy could have placed the sign on the back door of Level 3.

Following a lengthy discussion Commissioner Davis made a motion to suspend the alcoholic beverage license of Level 3 for two weeks until further investigation of a state violation. Commissioner Williams seconded the motion. The motion passed by vote of 4 to 0.

COMMISSIONER JENNINGS' ITEM(S)

1. Tax Payers Bill of Rights.

Commissioner Jennings recommended to allow residents to vote on any future increases in taxes, pointed out that this would give direction to future Commission to vote on a referendum before City taxes are increased.

Commissioner Jennings made a motion and Commissioner Williams seconded the motion to adopt a tax payers bill of right allowing residents to vote on any future increases in taxes. The motion passed by a vote of 3 to 0. Mayor Brown abstained for lack of information on how this would work.

2. Commissioners' Absenteeism.

Commissioner Jennings recommended that the City Attorney draw up an ordinance whereby if any City Official misses three months from Commission meetings they would be paid that one time and would be penalized for missing any other meetings.

Commissioner Davis stated that the Commission could have an ordinance drawn up for the future. She stated that after six months of health problems she was not ready to return to Commission meetings. Commissioner Williams stated that this issue is something the Commission would really have to look into and have legal guidance.

The City Attorney mentioned that there is nothing in State Law concerning absenteeism. He stated that he would be glad to put together a memo using alternatives.

MEETING ADJOURNED.

/s/ _____
Bradford S. Brown, Mayor

Attest: /s/ _____
Georgia E. Marion, City Clerk