

**OFFICIAL MINUTES  
COMMISSION OF THE CITY OF BRUNSWICK, GEORGIA  
REGULAR MEETING  
6:30 P.M., SEPTMEBER 3, 2003**

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

**INVOCATION:** Commissioner Harold E. Jennings gave the invocation.

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

**MINUTES:** Meeting of August 19, 2003.

Commissioner Williams made a motion and Commissioner Davis seconded the motion approving the minutes of the Rescheduled Regular Meeting of August 19, 2003. The motion passed by vote of 4 to 0.

**DELEGATIONS**

**1. Gary Coleberg, CEO, SE Georgia Regional Medical Center, to present check to After School Program for the City Recreation Department.**

Gary Coleberg, CEO of the South East Georgia Regional Medical Center updated the Commission on events that happened at the Hospital. He next presented a check to the Commission in the amount of \$50,000.00 for the City of Brunswick Day Care Program.

The Mayor received the check with appreciation.

**2. Janis Slade in reference to Commissioners' Absenteeism.**

Janis Slade thanked Commissioner Jennings for introducing the serious issue of Commission absenteeism at the last meeting. She mentioned that as a tax paying citizen the true problems that result from absenteeism which is the lost of representation whenever a Commissioner fails to attend a meeting for whatever reason. It is naturally that some taxpayers become victims of a form of discrimination if any official business is conducted at all, the taxpayer is unfairly represented in the process. She strongly urged the Commission to adopt a policy which would protect those rights. She felt that a six months absence is just far too long for some citizens to be without representation. She asked the Commission to take the necessary steps to protect the citizens in the future.

Mayor Brown told Mrs. Slade that there is a follow-up on the Agenda to address absenteeism tonight.

**3. Sandy Dean in reference to Sanitation Fee.**

Sandy Dean stated that her concern was sanitation fees for people who do not use the service. She mentioned that the fee is tacked on to the water bill and if she chose not to pay the sanitation fee it affects her water. She asked if she did not pay her water bill, the City would turn off her water. Mayor Brown commented that was correct. She next asked if she did not pay her sanitation fee would the City turn off her garbage. Mayor Brown commented that the City would turn off her water. She mentioned that the City has no way of siphoning what is sanitation and what is water. She asked if a person does not want the service then they will be forced to pay for it. She pointed out that there are a lot of merchants in downtown Brunswick that do not use the City's garbage cans and do not use lawn trash and is still subject to the City's garbage fee of \$14.50 per month for service they are not getting from the City of Brunswick. She said "I just don't think that it is fair if you are not using a service, why do you have to pay for it?"

Mayor Brown told Mrs. Dean that the City Ordinance dictates there really is not suppose to be any private haulers within the City. Although there are some private haulers. His

argument has always been that everyone creates trash in some point or fashion and it may not be picked up right now at a residence or a business but, the City have to spend funds picking it up somewhere on the streets, on the side of the road, or in cemeteries.

Mrs. Dean asked Mayor Brown if he was saying that businesses should be responsible for the illegal dumping that is going on in the city streets. And as far as dumpsters being in the City with permits, she pointed out that a dumpster is at the City's Custom House from a company that does not belong to the City and do they have a permit.

Mayor Brown stated that Public Works is dealing with the problem.

Mrs. Dean asked the Mayor if the downtown businesses have to pay for sanitation services. Mayor Brown answered yes.

## **APPROVALS**

### **1. Consider adopting Water and Wastewater's 2003/2004 Budget.**

The Water and Wastewater Director submitted the Water and Wastewater Budget proposal for 2003-2004.

Following a discussion Commissioner Williams made a motion and Commissioner Jennings seconded the motion to postpone taking action until the next Commission meeting. The motion passed by vote of 4 to 0.

Mayor Brown moved agenda item no. 5 under approvals before items No. 3 and 4.

### **5. Redstone Group requesting a variance on water hook-up to property located off US Hwy 17.**

Steven Patch representing the Redstone Group requested a variance on water hook-up on property located behind the ABC Home Health Building on US Highway 17.

Following a discussion Commissioner Jennings made a motion and Commissioner Williams seconded the motion to table the request until the City Attorney and Water and Wastewater Director look at the feasibility study. The motion passed by vote of 3 to 1. Mayor Brown voted No.

### **2. Fiscal Year 2003 Law Enforcement Block Grant (LEBG) Application.**

The Interim Police Chief Edna Johnson requested to submit the 2003 Law Enforcement Block Grant Application in the amount of \$47,314.00 with a cash match of \$5,257.00. This grant would be used to provide equipment for the Police Department.

Commissioner Williams made a motion and Commissioner Davis seconded the motion authorizing the Interim Police Chief to submit the 2003 Law Enforcement Block Grant Application in the amount of \$47,314.00 with a cash match of \$5,257.00. The motion passed by vote of 4 to 0.

### **3. Adopt Blueprint Brunswick's Master Plan as part of the City's Comprehensive Plan.**

### **4. Approve Blueprint Brunswick's contract.**

Mayor Brown announced that Agenda Approval Items No. 3 and 4 has been postponed.

## **CITY CLERK'S ITEM**

Petition received from Carolyn Annette Sundberg to return for resale Lot 69, Section Block 105 in Palmetto Cemetery. Petitioner to retain Lot 68, Section Block 105 in Palmetto Cemetery. Original Deed surrendered to City Clerk.

Commissioner Davis made a motion and Commissioner Jennings seconded the motion approving the above Cemetery petition. The motion passed by vote of 4 to 0.

### **CITY ATTORNEY'S ITEM**

The City Attorney stated that he was instructed to draft a policy to do two things: 1) After missing a couple of meetings there would be reduction in the Commission pay thereafter for future absences. 2) To put in force something that is more of a guideline than the City have for when to declare a seat vacant due to an extended absence.

He mentioned that State Law provides a mechanism to be followed and the draft states that after 3 months, 90 days the idea is to give guidance to the Commission and future Commission about what point to step in and make a decision. After 3 months the City Commission would issue a notice to the absent Commissioner to the effect that the seat is being vacant and then proceed to call for an election unless the court tells the City not to do it. This would be a step in the right direction. He asked the Commission to look at the policy and tell him what they want.

Following a lengthy discussion, Commissioner Williams made a motion and Commissioner Jennings seconded the motion to place the absenteeism policy on the Agenda for the first meeting in October. The motion passed by vote of 4 to 0.

Commissioner Williams requested that the absenteeism policy not go into effect for the present Commission Board until all of their terms expire.

Mayor Brown recommended that the absenteeism policy be put into effect on January 1, 2004.

### **DISCUSSION**

#### **1. GASB 34 – Policies and Procedures.**

The Director of Finance requested that the Commission adopt GASB 34 Policies and Procedure to meet the standards for preparing record keeping for fixed assets based on the State of Georgia Auditors Financial Guide.

Commissioner Davis made a motion and Commissioner Jennings seconded the motion adopting the GASB 34 to prepare financial statements for annual audits of the City of Brunswick. The motion passed by vote of 4 to 0.

#### **2. City Surplus Property – 920 Newcastle Street.**

The City Manager stated that he would have the information at the next meeting.

#### **3. Declaring City property located on the corner of Albany Street , Amherst Street and Fourth Avenue as Surplus.**

Commissioner Jennings made a motion and Commissioner Williams seconded the motion declaring property located on the corner of Albany Street, Amherst Street and Fourth Avenue surplus property. The motion passed by vote of 4 to 0.

#### **4. Level III Probation**

The Interim Police Chief Edna Johnson reported that the State's investigation is still ongoing at Level III. She stated that the owner Brett Schmid is willing to hire off duty police officers to work in Level III and outside trash would be removed and the sidewalks swept after the club is closed.

The City Attorney pointed out that the suspension of Level III ends today. He requested that the Commission formally adopt the probation in addition to the two above items mentioned and any of these violations would result in nonrenewal of the alcoholic beverage license for Level III until the end of the year. This would include the investigation of the State Revenue Department that is ongoing.

Following a discussion, Commissioner Jennings made a motion and Commissioner Williams seconded the motion unanimously adopting the following probation conditions for Level III through December 31, 2003:

**CONDITIONS OF PROBATION FOR "LEVEL THREE"**

1. No one under 21 years of age is to be allowed inside the club-not on any floor, not in any room, and not at any time. Signage to this effect must be clearly and prominently displayed at all entrances. Club management shall at all times the premise are open to the public have a person posted at each entrance charged with the duty of checking ID's to assure compliance.
2. Club must be in compliance with all fire codes, building codes, life safety code and with all applicable local codes and regulations. This includes, but is not limited to, provisions relating to the following: means of egress, stairways, lighting and maximum occupancy of particular rooms and the building as a whole. Management must keep up with number of persons entering and leaving to assure maximum occupancy is not exceeded.
3. Club must supply ample trained security personnel, shown as such on the club's employee records, conspicuously dressed to identify them as "SECURITY." There should at least be one such security person dedicated to each point of entrance and at least one to each room open to customers.
4. There shall be no music or other entertainment provided after two o'clock a.m., and all customers shall be cleared out of the premises and encouraged to leave the area by two a.m. At least two Club security personnel will assist in clearing the area outside the club entrances after closing and will call police if any person refuses to leave the area. Club personnel shall immediately notify police of any violations of law observed inside the Club or the approached to the Club.
5. Club management shall post conspicuous signage inside and outside the Club advising patrons that there is to be no loitering outside the Club during or after business hours.
6. No teen activities, and no sexually oriented entertainment of the type regulated by the City Adult Entertainment Ordinance, are allowed in the licensed premises at any time. The premises shall only be used for the licensed purpose.
7. Any conduct inconsistent with these rules of probation or any violation of any City or State or Federal law will be grounds for immediate revocation of the license.
8. Must hire two Off -Duty Police Officers to work inside Level III.
9. All Outside trash would be removed and the sidewalks swept after the club is closed.

**EXECUTIVE SESSION**

Commissioner Jennings made a motion and Commissioner Williams seconded the motion to hold an Executive Session to discuss personnel and pending litigation. All voted by standing.

Following the Executive Session Commissioner Williams made a motion and Commissioner Williams seconded the motion to adjourn the meeting. All voted by standing.

**MEETING ADJOURNED.**

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

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