

**OFFICIAL MINUTES
COMMISSION OF THE CITY OF BRUNSWICK, GEORGIA
REGULAR MEETING
WEDNESDAY, DECEMBER 17, 2003 AT 6:30 P. M.
CITY HALL COMPLEX
700 GLOUCESTER STREET, 3rd FLOOR**

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

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 December 3, 2003.

Commissioner Williams made a motion and Commissioner Jennings seconded the motion approving the minutes of the meeting of December 3, 2003. The motion passed by vote of 5 to 0.

BRUNSWICK POLICE DEPARTMENT

1. **ALCOHOLIC BEVERAGE LICENSE(S)**

Renewals for the year 2004 – Interim Chief Edna Johnson, Brunswick Police Department.

Interim Police Chief Edna Johnson stated that all applicants met code requirements and recommended approval.

To retail consumption dealer including distilled spirits:

Leonard J. Cahoon, Jr., at the Boilermaker Club, 1828-1/2 Wolfe Street;

Kevin McGarvey at McGarvey's Wee Pub, Inc., 1704 Newcastle Street;

To retail consumption dealer beer and wine:

Rosalynn Chow at Chow Noble House d/b/a New China Restaurant, 3202 Glynn Avenue;

To retail package dealer beer and wine for consumption off premises:

Mike Whaley at J. H. Harvey Co., LLC d/b/a Harvey's Supermarket #72, 4980 Altama Avenue;

To retail consumption dealer beer only:

Nancy H. Cahoon at Nan's Confectionary, 1818 Wolfe Street;

To Wholesale Dealer including beer and wine for consumption off premises:

William Podres at National Distributing Company, Inc., d/b/a Standard Distributing, 1725 T Street.

2. CALEA (Commission on Accreditation for Law Enforcement Agencies) – Interim Chief Edna Johnson, Brunswick Police Department.

This item was cancelled.

DELEGATION(S)

Hal Hart, representing Riverside Association, to address drainage in Riverside Subdivision.

Hal Hart representing Riverside Homeowners Association appeared before the Commission to discuss flooding problems on Riverside Drive making it impossible to have access to their homes in rainy weather. Mr. Hart stated that the solution is to build a sand bag wall along the south wall to retain the floodwater. He requested permission to use the right-of-way.

Mayor Brown stated that he spoke with representatives of the Department of Natural Resources and found that a temporary permit can be issued for a sand dike. He suggested allowing permission to proceed with the retaining sand bag wall and check with the Public Works Department for additional help.

Following a discussion, Commissioner Davis made a motion and Commissioner Jennings seconded the motion approving the Riverside Homeowner's Association permission to use the City's right-of-way to construct a sand dike. The motion passed by vote of 5 to 0.

The Director of Public Works mentioned that he did not have the work force to help with the sand dike project.

Commissioner Jennings recommended that the City Manager and Director of Finance grant a financial contribution to the Riverside Homeowner's Association.

PROPERTY REZONING AND SUBDIVIDING

1. Consider approving rezoning of a 40-acre tract located off Shipyard Drive from Industrial to planned Development. Property owner is Devin B. Strickland.

Donna Moody, Building Official stated that staff recommends approval of the proposed rezoning.

Mayor Brown asked if there was anyone who wished to speak in favor or against the proposed rezoning.

The City Attorney stated that the rezoning should be approved contingent upon acquiring the title of the property.

Commissioner Jennings made a motion and Commissioner Davis seconded the motion approving the rezoning of a 40-acre tract located off Shipyard Drive from Basic Industrial to Planned Development contingent upon Devon Strickland acquiring the title from Mr. Braswell. The motion passed by vote of 5 to 0.

2. Consider approving subdividing a lot located at 716 Amherst Street into four (4) separate lots, property owner is Michael Harris – Donna Moody, Building Official.

Donna Moody, Building Official stated that staff recommends approval to subdivide two existing lots into 4 lots of 8,100 square feet.

Commissioner Williams made a motion and Commissioner Davis seconded the motion approving the subdividing of two existing lots into four (4) lots of 8,100 square feet.

Commissioner Harvey asked if the existing lots have any structures on it. The Building Official stated that there is one structure and the owner would construct three houses on the remaining subdivided lots.

On call for the vote the motion passed by vote of 5 to 0.

APPROVAL(S)

1. Maintenance Resolution for a section of Torras Causeway – Burton Carter, Construction Manager .

Commissioner Davis made a motion and Commissioner Harvey seconded the motion approving the Maintenance Resolution for a section of the Torras Causeway. The motion passed by vote of 5 to 0.

2. Revised City Right-of- Way Agreement to include Carrie Street, Hopkins Avenue and Kaiser Avenue – Burton Carter, Construction Manager.

Burton Carter Construction Manager stated that the Commissioner previously approved the revised City right-of-way Agreement for Ward & TBN Streets. He stated that staff recommends approval.

Commissioner Harvey made the motion and Commissioner Davis seconded the motion approving the Revised City Right-of-Way agreement to include Carrie Street, Hopkins Avenue and Kaiser Avenue. The motion passed by vote of 5 to 0.

3. Revised City Right-of-Way Agreement to include New Street (Parkwood Drive) and Norman Street – Burton Carter, Construction Manager.

Burton Carter, Construction Manager stated that staff recommends approval of the revised City right-of-way agreement to include Parkwood Drive and Norman Street.

Commissioner Davis made a motion and Commissioner Williams seconded the motion approving the revised right-of-way agreement to include New Street (Parkwood Drive) and Norman Street. The motion passed by vote of 5 to 0.

4. Relocation of Guy Wires at Warde and TBN Streets – Burton Carter, Construction Manager.

This item was referred for discussion in an Executive Session.

5. Redevelopment Powers Law – A.J. Jones, III. Community & Economic Development Director.

The Director of Community and Economic Development discussed the Redevelopment Powers Law and Tax Allocation District and requested that the Mayor execute a resolution.

Following a discussion, Commissioner Williams made a motion and Commissioner Harvey seconded the motion authorizing the Mayor to execute a resolution adopting all powers available under the Georgia Redevelopment Powers Law and naming the City Commission as redevelopment agency for Exercise of powers under the act; and, alternatively to name the DDA as Redevelopment agency in the area within the DDA District as it exists or may be amended to exist in the future. The motion passed by vote of 5 to 0.

6. MONTHLY REPORTS

- General Fund
- Sanitation Fund
- Community Development Fund
- Water and Wastewater Fund
- SPLOST III & IV

Commissioner Williams made a motion and Commissioner Jennings seconded the motion approving the above monthly reports. The motion passed by vote of 5 to 0.

CITY ATTORNEY'S ITEM(S)

1. Revisions to Truck Ordinance.

Commissioner Williams made a motion and Commissioner Jennings seconded the motion unanimously adopting the following Ordinance:

ORDINANCE 958

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF BRUNSWICK, PARTICULARLY CHAPTER 14, ARTICLE II OF THE MUNICIPAL CODE OF THE CITY OF BRUNSWICK; PARTICULARLY SECTION 14-34 PERTAINING TO TRUCK ROUTING ON STREETS WITHIN THE CITY OF BRUNSWICK; TO PROVIDE A PROHIBITION AGAINST OPERATING CERTAIN MOTOR VEHICLES ON ANY BUT DESIGNATED TRUCK ROUTES; TO LIST SUCH TRUCK ROUTES; TO PROVIDE FOR EXCEPTIONS; TO PROVIDE FOR APPROPRIATE SIGNAGE; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

The City Commission of the City of Brunswick hereby ordains as follows:

SECTION ONE

Section 14-34 of the City Code is hereby deleted and is replaced by a new

Section 14-

34, the text of which shall read as follows:

Sec. 14-34. Limitations on operation of trucks and trailers on various City streets.

(a) For purposes of this section, the word "truck" shall mean any motor vehicle, or combination of motor vehicle and trailer, which either weighs more than six thousand pounds, or has more than six wheels, or has a height greater than nine feet measured from the road surface.

(b) It shall be unlawful for any person to operate a truck upon any street, road, or alley within the City other than designated truck routes except the following:

(i) Trucks making deliveries or picking up freight or passengers at a location which is not on a designated truck route, so long as such trucks use designated truck routes to the extent possible and make a reasonable effort to limit their travel on other streets or ways to the most direct route practicable;

(ii) This limitation shall not prohibit operation of any police, fire, emergency medical or other public safety vehicle on any street or way within the City;

(iii) This section shall not prohibit operation of any vehicle owned or operated by any federal, state, local or other governmental entity;

(iv) This section shall not prohibit operation of any truck operated by any private person or entity which is using the vehicle while in the course of performing any work or service under contract with any governmental entity.

(v) This section shall not prohibit operation of any vehicle in a parade for which a written permit has been issued by the City Manager.

(vi) This section shall not prohibit operation of any school bus or any tour or charter bus which is carrying passengers for sightseeing purposes.

(c) The following roads are approved for use as designated truck routes:

(i) U.S Highway 17

(ii) U. S. Highway 341

(iii) Fernando Torras Causeway (iv) Community Road

(v) Cypress Mill Road (vi) L Street

(vii) Gloucester Street (viii) Bay Street

(ix) Norwich Street north of Gloucester (x) Fourth Street

(xi) Fourth Avenue

(xii) King and Prince Boulevard

(xiii) Newcastle Street north of G Street (xiv) Altama Avenue
(xv) Martin Luther King Jr. Boulevard north of Gloucester Street (xvi) Cook
Street
(xvii) Prince Avenue east of Martin Luther King Jr. Boulevard (xviii)
Mansfield Street west of Reynolds Street.

(d) The list of designated truck routes may be modified at any time by resolution of the City Commission.

(e) The City Manager and Public Works Director are hereby authorized to place reasonable signage, which warns motorists in general terms of the provisions of this Code Section.

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 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

Violations of this Ordinance shall be punishable as provided in Chapter 15 of the City Code of Ordinances.

SECTION FIVE

This Ordinance shall take effect ninety (90) days following the date of its adoption.

Adopted this 17th day of December 2003.

Bradford S. Brown

Bradford S. Brown, Mayor

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

2. Revisions to Dock Regulations.

Commissioner Jennings made a motion and Commissioner Davis seconded the motion unanimously adopting the following Dock Regulations:

DISCUSSION

1. Educational Incentives.

Mayor Brown spoke about possible changes in salary adjustment and changes on certification payout.

Commissioner Harvey stated that the plan would be amended in the coming year and the City would pay out the Educational Incentives for this year. He pointed out that amendments would be made and tenured employees may get some type of incentive and bonuses may be paid only one time. It would be better and viable for all employees.

The Human Resources Director was instructed by Commissioner Harvey to give a better assessment of the upcoming Incentive Program. She pointed out that the incentive program is a very positive thing and the City did a great job in saving money by encouraging employees to obtain their GED. She explained how certain degrees do help persons in their jobs. In reviewing transcripts of courses taken by employees, their course of study was found to be within their current job duties.

Mayor Brown stated that the City should determine which degrees are appropriate.

Following a lengthy discussion Commissioner Harvey made a motion and Commissioner Davis seconded the motion to pay out Educational Incentives for this year and make changes starting in January for next year. The motion passed by vote of 5 to 0.

2. Employees Gift Certificates/Friday, December 26, 2003, as an additional holiday.

Commissioner Davis made a motion and Commissioner Jennings seconded the motion to give Friday, December 23, 2003 as an additional holiday. Commissioner Williams made an addendum to the motion to give employees a \$25.00 gift certificate. Commissioner Davis approved the addendum. Commissioner Jennings seconded the motion to the addendum. Mayor Brown stated in a discussion that gift certificates must be limited to Businesses in the City. On call for the vote the motion passed by vote of 3 to 2. Mayor Brown and Commissioner Harvey voting No.

Executive Session

Commission Williams made a motion and Commissioner Harvey seconded the motion to hold an Executive Session to discuss pending litigation and personnel issues and Real Estate. The motion passed by vote of 5 to 0.

Following the Executive Session, Mayor Brown announced that the Commission discussed taking legal action regarding legal matters on Ward Street.

Commissioner Jennings made a motion and Commissioner Harvey seconded the motion authorizing the City Attorney and City Manager to take legal action on Warde and TBN Streets. The motion passed by vote of 5 to 0.

Commissioner Williams made a motion and Commissioner Davis 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