

Consideration of Items for Consent Agenda

Mayor Buelterman called the consent agenda to order at 6:30PM on April 11, 2019. Those present were Julie Livingston, John Branigin, Wanda Doyle, Barry Brown, and Shirley Sessions. Also attending were Dr. Shawn Gillen, City Manager; Bubba Hughes, City Attorney; George Shaw, Director, Community Development; and Janet LeViner, Clerk of Council.

Julie Livingston made a motion to adjourn to Executive Session to discuss real estate, litigation and personnel. **John Branigin** seconded. Vote was unanimous, 5-0.

Wanda Doyle made a motion to return to regular session. **Barry Brown** seconded. Vote was unanimous, 5-0 to approve.

Mayor Buelterman listed the following items on the consent agenda:

- City Council Minutes, March 28, 2019
- Contract, Korkat, Jaycee Playground Shade System. \$75,663.84 and surface is \$94,715.50. Budget Line Item: 322.6210.54.1100. **Discussion:** Approval authorizes Mayor Buelterman to sign the contract once it has been formalized to include receipt of the Performance Bond. Mr. Hughes confirmed.
- GA Power, Contract, License Plate Reader
- Boundary Agreement, Moore and Solomon

Mayor Buelterman called the regular meeting to order at 7:00PM. All those present for the consent agenda were present.

Opening Ceremonies

- Call to Order
- Invocation: Jan LeViner, Clerk
- Pledge of Allegiance

Wanda Doyle announced the activities for Georgia Cities Week, April 21 – 26, 2019 to include a Volunteer Reception, Beach Sweep and Employee Recognition Picnic. On Thursday, April 25th the Tybee Island Youth Council will participate in the City Council Meeting to present their current and future activities.

Recognitions and Proclamations

Mayor Buelterman recognized **Cathy Sakas** for her years of service as Chair of the Beach Task Force. Ms. Sakas thanked everyone for their support and the recognition.

Major Joel Fobes introduced **Korra Jaglinski** who recently graduated from the Police Academy and is now a member of the Patrol Staff, Tybee Island Police Department.

Ava Thomas, Tybee Island Youth Council, approached Mayor and Council to give an update on the Youth Council. Ms. Thomas detailed their trip to Atlanta for Savannah/Chatham Day and their upcoming fund raising events.

Jan Will approached Mayor and Council to give an update on Tybee's Flower, the Zinnia.

Mack Kitchens and Crista Rader approached Mayor and Council to discuss his agenda item, Naylor Avenue. Mr. Kitchens stated this was before Mayor and Council previously and since has

had the utilities and services located and marked. They propose to purchase a piece of property as outlined on the plat in Mayor and Council's packet before them as it cannot be opened. The easement would be left in place then come to terms regarding set-backs as a new structure is planned on the lot. They are not looking to build into the easement only up to it. Ms. Rader would continue to maintain the easement. Ms. Livingston confirmed the reason for purchasing the property is for the set-back as they cannot build without a variance. Mr. Kitchens confirmed. Ms. Livingston is in favor of moving forward with this request. Mr. Hughes confirmed the process for moving forward. Ms. Doyle asked if there is a negative impact regarding this request. Mr. Hughes stated Mayor and Council are at the point in the process to determine if they want to move forward with the transaction. Mayor pro tem Brown confirmed the dimensions of the set-backs. Mr. Branigin stated he supports moving forward with the process as that is what before Mayor and Council currently. Mayor Buelterman thanked Mr. Kitchens and Ms. Rader.

Jenny Rutherford, Beach Equipment Rental. Not present. To be heard at a later date.

Wanda Doyle made a motion to approve the consent agenda. **Julie Livingston** seconded. Vote was unanimous, 5-0.

Public Hearing

Text Amendment: Sec 5-090 Variance (b) Height – Text Additional/Change. George Shaw approached Mayor and Council. Mr. Shaw stated this is an item that was before Mayor and Council previously and includes a height definition to prevent elevators from opening above 35'. When this was heard previously Mr. Shaw did not realize height was defined in the variance procedures. He continued, with this change both ordinances will match. **Julie Livingston** made a motion to approve. **John Branigin** seconded. Voting in favor were Julie Livingston, John Branigin, Wanda Doyle and Shirley Sessions. Voting against was Barry Brown. Motion to approve, 4-1.

Consideration of Bids, Contracts, Agreements and Expenditures

Mack Kitchens, C. Rader, Naylor Avenue. Wanda Doyle made a motion to approve moving to the next phase of the request. **Julie Livingston** seconded. **Discussion:** Mayor Buelterman stated the rationale of this request is this will enable the petitioner to build into the set-back on one side. Mayor pro tem Brown confirmed. Mr. Branigin stated what is before Mayor and Council is only approving moving forward with the next phase of the request. Mr. Hughes stated the next phase of the process is to reach out to the Department Heads for their recommendation if this request is in the best interest of the City to make the conveyance. Then the petitioner needs to obtain an appraisal and finally to the Planning Commission. Voting in favor were Julie Livingston, John Branigin, Wanda Doyle and Barry Brown. Voting against was Shirley Sessions. Motion to approve, 4-1.

Brent Watts, Additional structure at 15 Meddin. Mr. Hughes stated the Clerk has the plat showing the placement of the pool and asked that it be distributed. He stated this is the same plat as previously presented, none of the lot lines have changed and the configuration of the lot have previously been approved. He continued, the only issue is the addition, of what is Lot "B" where the barracks have been restored, of a structure of a swimming pool. The conditional zoning or Land Use Agreement provides any new structures in the new lots would require approval by Mayor and Council. Mayor Buelterman stated it is not clear and the plat as presented to them has not been made public nor has Mayor and Council had sufficient time to review. His preference would be **to move this item to April 25, 2019 City Council**

Meeting. **Josh Yellin** approached Mayor and Council. Mr. Yellin made reference to the Conditional Agreement that was entered into for the rezoning of the property did stated that any new structure would come before Mayor and Council and it is his opinion that a pool is not a structure. The petitioner does not need building permit, only a pool permit.

Julie Livingston made a motion to adjourn to executive session to discuss real estate, litigation and personnel. **Wanda Doyle** seconded. Vote was unanimous, 5-0.

Julie Livingston made a motion to return to regular session. **Wanda Doyle** seconded. Vote was unanimous, 5-0.

Barry Brown made a motion to adjourn. **John Branigin** seconded. Vote was unanimous, 5-0.

Meeting adjourned at 9:15PM.

Janet R. LeViner, CMC
Clerk