

### **Consideration of Items for Consent Agenda**

Mayor Sessions called the Consent Agenda to order at 6:30PM. Those present were Monty Parks, John Branigin, Barry Brown, Nancy DeVetter and Spec Hosti. Also attending were Dr. Shawn Gillen, City Manager; Bubba Hughes, City Attorney; Tracy O'Connell, Assistant City Attorney; George Shaw, Director, Community Development; and Janet LeViner, Clerk of Council. Jay Burke was not in attendance.

### **Mayor Sessions listed the following items on the consent agenda:**

- Minutes, April 8, 2021
- Request to amend budget to cover repairs to fire department vehicles and equipment. Currently funds are in the DPW budget. Finance Director requests to move funds so that TIFD can do PO's and pay invoices when needed.
- Underground Easement, 116 Lewis Avenue.
- Mobile Tower Equipment Lease Agreement. **Discussion: Mr. Hughes** stated this item was added as part of the amended agenda. He would ask Mayor and Council to approve/authorize the Mayor to sign if an appropriate agreement can be arrived at with the Lessor or an alternative. The meeting thereafter, when receive an agreement, it would be made a part of the agenda.

**Mayor Sessions** called the regular meeting to order. All those present for the consent agenda were present.

### **Opening Ceremonies**

- Call to Order
- Invocation: Rev. Kenneth Williams
- Pledge of Allegiance

### **Reports of Staff, Boards**

**Hannah Eckert**, approached Mayor and Council to give an update on the **Sustainability Committee**. Ms. Eckert stated she is a member of the Fight Dirty Tybee group and other service oriented committees on the Island. She recommended Tybee having a Sustainability Committee on the Island to reduce plastic, plastic straws, and children's beach toys. Ms. Eckert asked what the City does to protect the environment. Mayor Sessions responded there are many activities on Tybee Island and volunteer groups that help the City with trash. She asked Dr. Gillen to add a link as to what Tybee Island is doing regarding not only the different volunteer groups but also the statistics on what has been collected. Mayor Sessions thanked Ms. Eckert.

**Doris Williams, Executive Director, Rape Crisis Center of the Coastal Empire** approached Mayor and Council to give a presentation on the work of the Center. Ms. Williams stated she would like to highlight Sexual Assault Awareness Month and inform the citizens of Tybee the services that are offered. She continued with her presentation (attached). Mayor Sessions thanked Ms. Williams for her presentation.

**Renee DeRossett and "Florence"** approached Mayor and Council to give an update on the **Tybee Arts Association**. Ms. DeRossett with the assistance of others gave a brief presentation of the productions they have produced over the years. She then presented the Tybee Island Ballet Theater, which is children oriented and they presented a very short program. Ms. DeRossett again thanked Mayor and Council for all the support. Mayor Sessions thanked everyone for their presentation.

**Chief Robert Bryson, Tybee Island Police Department**, approached Mayor and Council to give his **Quarterly Report**. **Chief Bryson** stated his presentation is included in the packet before them tonight and thanked Mayor and Council for all their support. Chief Bryson then introduced the Tybee Island Detective team to Mayor and Council. Mayor Sessions thanked Chief Bryson, the Tybee Island Police Force and Staff for everything they do for Tybee. Mayor pro tem Brown thanked Chief Bryson for the officers stopping and interacting with the children on the Island as this helps the children not be afraid of the police. Chief Bryson thanked Mayor pro tem Brown.

**Chief Matt Harrell, Tybee Island Fire Department**, approached Mayor and Council to give his **Quarterly Report**. **Chief Harrell** stated his presentation is included in the packet before them tonight. He stated that hopefully after COVID they will be able to add volunteers to the staff and provide training. Chief Harrell explained that most of the fire fighters are crossed trained as life guards which helps if there is a water emergency. Daily beach patrols have started due to the heavy influx of beach goers as well as seasonal life guards which are patrolling seven days a week. Mayor Sessions thanked Chief Harrell as well as his entire staff for everything they do for not only the citizens of Tybee Island but also the visitors.

### **Citizens to be Heard**

**Andy Davis** approached Mayor and Council to speak to the **Elimination of Gas Powered Golf Carts**. Mr. Davis stated he was at the meeting to campaign for the quality of life on 14<sup>th</sup> Street. He continued, he has no problem with golf carts on Tybee but would asked Mayor and Council for a compromise to identify golf carts (rental) on 14<sup>th</sup> Street so bad behavior can be reported back to the rental company. Mayor Sessions thanked Mr. Davis and stated this will be included on an upcoming agenda to address issues as presented tonight.

**Andy Davis** approached Mayor and Council to speak to the possibility of **Moving Red-light from 14th and Butler to 15th and Butler**. Mr. Davis shared his concerns with the traffic flow due to the high volume of vehicles on 14<sup>th</sup> Street. He recommended having an emergency lane near the Annex Building as City Staff will be moving into that building which will cause more traffic. Mayor Sessions thanked Mr. Davis and agreed with him as the volume of traffic is a concern for residents as well as visitors.

**Monty Parks** made a motion to approve the consent agenda. **Barry Brown** seconded. Vote was unanimous to approve, 5-0.

### **Consideration of Ordinances, Resolution**

**Second Reading, 2021-13, Chapter 54, Streets, Sidewalks and Other Public Places and Special Events and to Establish an Effective Date and For other Purposes**. Mr. Hughes stated this is a result of review from the Code Review Group as well as adding the requirement liquor liability insurance for special events servers. **Monty Parks** made a motion to approve. **Nancy DeVetter** seconded. Vote was unanimous to approve, 5-0.

**First Reading 2021-15, Environment**. Mr. Hughes stated this is another recommendation from the Code Review Group and recommendations including the tobacco free environment where there is to be a designated area for smoking. Mr. Branigin made reference to the numerous definitions throughout Chapter 22. Mr. Hughes stated he does not agree with some of the definitions and the ordinance needs to be consistence throughout. After a lengthy discussion, Mr. Hughes stated prior to second reading he will provide a summary of the changes and how they affect the City. He would not like to do anything that is inconsistent with Solid Waste Management Act and Refuse Collection Act and he will forward copies of both to Mayor and

Council for their understanding. Mr. Branigin proposed ordinances that are recommended by the Code Review Committee come before Mayor and Council for discussion prior to first reading for a better understanding of the proposed changes. Mr. Hughes concurred and recommended to leave Sec 22-166 and 22-191 as written pending the ability to review further as it appears necessary. Ms. DeVetter asked the City Manager if there are issues with Staff smoking and littering with cigarette butts outside City buildings. Dr. Gillen responded no as Staff is very responsible with their litter. Also, the number of Staff smoking is very low. Mayor Sessions asked Mr. Hughes to repeat his recommendations. Mr. Hughes recommended leaving Sec 22-166 and Sec 22-178 through Sec 22-190 as is. **Nancy DeVetter** made a motion not to adopt any changes. **Barry Brown** seconded. Vote was unanimous, 5-0.

**First Reading 2021-16 Municipal Court Sec 38.** Mr. Hughes stated this is necessary as it is an update of what is contained in the Municipal Code. Currently the City has pro-tem judges to act when and if the judge is not available. The Code as it reads now specifies the Mayor may set in and preside over the Court. Mr. Hughes continued he feels the fee schedule should be left in ordinance form and he has made a change in Sec 38-4 regarding technology costs surcharge. There needs to be a Local Act to impose this fee and to date there is none, therefore the fee has not been imposed. He stated he recommends the changes as shown in the red-line version of the proposed ordinance be adopted and the City peruse the technology fee. Ms. DeVetter asked Dr. Gillen to review the numbers for accuracy. **Nancy DeVetter** made a motion to approve with the recommended changes. **Monty Parks** seconded. Vote was unanimous to approve, 5-0.

**Telecommunications, Chapter 62.** Mr. Hughes stated a Resolution was adopted and is in the packet before them tonight as it sets the fee. **Attorney recommends no change.**

#### **Council, Officials and City Attorney Considerations and Comments**

**Bubba Hughes** stated there are a number of issues with the Marine Science Center currently which need to be addressed. This is to clarify the understanding between the City and the Marine Science Center as the building is getting closer to being fully operational. Mr. Parks recommended a full conversation with Mayor and Council regarding the Marine Science Center. He asked for a workshop to review the individual issues. Mayor Sessions confirmed and would like the discussion to include financial responsibilities, what has occurred, what needs to occur and who has responsibility I each concern/issue. After a discussion it was the consensus of Mayor and Council to have a workshop. Mayor Sessions recommended the Cathy Sakas, Board of Directors, be a part of the workshop. Mr. Parks recommended Mayor and Council extend an offer to Department of Natural Resources as well as a certified electrician to attend the workshop. Mr. Branigin suggested a new lease or an addendum to the current lease moving forward. Mayor Sessions concurred. **Clerk of Council was asked to coordinate a workshop to discuss issues.**

**Nancy DeVetter** gave an **Update on the Race Equity Resolution.** Ms. DeVetter stated things have happened but there has not been an update for the public. Dr. Gillen stated there are five (5) items in the Resolution to memorialize the history of Tybee Island. Updates: as to the website, Staff is currently working to have a link on the City's website which is taking some time; Education has and continues to be available to Staff on-line; working with the Park Service for location of a monument; and Juneteenth is now an official holiday, which will be observed on June 18, 2021. Mr. Branigin stated action is required regarding the holiday as Chapter 46, Sec 43, states in ordinance form, the official City holidays and Juneteenth is not included. Mr. Hosti clarified the Park Service does not own the property for the proposed monument as it is owned privately. Mr. Hughes confirmed. Dr. Gillen stated he is awaiting the MLK Committee to submit their design for the monument.

**Monty Parks** made a motion to adjourn to Executive Session to discuss Litigation and Real Estate. Vote was unanimous, 5-0.

**Monty Parks** made a motion to adjourn to Regular Session. **Spec Hosti** seconded. Vote was unanimous, 5-0.

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

Meeting adjourned at 9:10PM.

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Janet R. LeViner, MMC  
Clerk