

Mayor Sessions called the meeting to order at 6:30PM, August 10, 2023. Those in attendance were Brian West, Monty Parks, Nancy DeVetter, Barry Brown, Jay Burke and Spec Hosti. Also attending were Michelle Owens, Acting City Manager; Bubba Hughes, City Attorney; Tracy O'Connell, City Attorney, and Jan LeViner, Clerk of Council. Dr. Gillen was not present.

### **Opening Ceremonies**

Call to Order

Invocation: Jan LeViner, Clerk

Pledge of Allegiance

**Jan LeViner**, Clerk, approached Mayor and Council to give an update on the upcoming **Municipal Election** on November 7, 2023. Ms. LeViner reported qualifying will be held in her office, August 22<sup>nd</sup> – 24<sup>th</sup>. Mayor Sessions thanked Ms. LeViner.

**Alan Robertson** approached Mayor and Council to give a report on the recent permit submission to the Department of Natural Resources (DNR) regarding replacing the **swings and benches** on the Island. This permit was approved unanimously. This provides benches on crosswalks at Chatham, 13<sup>th</sup>, 12<sup>th</sup>, 11<sup>th</sup>, 10<sup>th</sup>, 9<sup>th</sup>, 8<sup>th</sup> and 6<sup>th</sup> Streets and one at East Gate, which is ADA. Current swings will be removed and after Turtle Season ends, November 1<sup>st</sup> new swings will be installed. The permit which covers all structures on the beach has also been approved. Mr. Robertson thanked the DNR Staff for their hard work to allow the proper amount of amenities for the right reasons yet protect the beach and dunes. Mayor Sessions thanked Mr. Robertson for all his hard work.

**Mayor Sessions** introduced **Mark Williams**, former **Commissioner, DNR**. Mayor Sessions expressed her gratitude for all Mr. Williams has done for Tybee Island during recent pop-up events and especially for the ongoing support and partnership, he has provided to Tybee Island. Mr. Williams has taken a position with the Jekyll Island Authority and will be missed. Mayor Sessions recognized Mr. Williams with the Key to the City and a Certificate of Appreciation.

**Mayor Sessions** introduced **Bert Brantley, CEO and President of the Savannah Chamber**. Mayor Sessions thanked Mr. Brantley for his partnership with Tybee Island.

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

- Minutes: City Council Meeting, July 13, 2023
- Skidaway Institute Dune Monitoring Agreement
- Symbioscity: Consulting Services Agreement
- Third Amendment Fort and Van Horne Water Tower Temporary for Verizon Mobile
- Out-of-State Travel San Diego: Tiffany Hayes, International Association of Chiefs of Police Conference, October 13 - 18, 2023. Line Item 100-3210-52-3500, \$1,760.00
- Joel Fobes Settlement
- William Moseley Settlement

**Citizens to be Heard: Please limit comments to 3 minutes. Maximum allowable times of 5 minutes.**

**Kelly O'Brien**, approached Mayor and Council to give an update on **Community Events, Forever Tybee**. Mayor Sessions thanked Ms. O'Brien.

**Monty Parks** made a motion to approve the consent agenda. **Barry Brown** seconded. Vote was unanimous to approve, 6-0.

**Public Hearings**

**Site Plan Approval: Requesting site plan approval to operate a business located at 103 Butler Avenue, Zone C2.** **George Shaw** approached Mayor and Council. Mr. Shaw stated the petitioner is interested in rehabbing the duplex at 103 Butler. The intent is to add a storage building in the back with a drive through. Staff recommended approval, as did the Planning Commission with a vote of 4-3. Mr. Parks stated it is his understand Planning Commission had a condition with their approval. Mr. Shaw confirmed, as they are concerned with the height of the building, 15' maximum. The applicant has submitted a drawing showing the height of the middle of the building would be 15'. Ms. DeVetter asked Mr. Shaw regarding the Drainage Plan, if it has been submitted. Mr. Shaw responded the petitioner is still waiting on the survey and if approved tonight, Staff would insure it was in place prior to construction. He continued, the small building will be an office and the steel building will be a warehouse/storage for materials and equipment. Tony Lord, owner, Step Above Construction, approached Mayor and Council. Mr. Lord stated his company has been on the Island for several years working the Mr. Shaw and the residents. He continued, it is their intent to beautify Tybee and serve the community. Mr. Lord is asking Mayor and Council approve his request. **Barry Brown** made a motion to approve with a 15' height limit for the ridge of the storage building. **Spec Hosti** seconded. Vote was unanimous to approve.

**Zoning Variance, 1514 Lovell Avenue, 40008-07001, to build a fence two to four feet above the eight-foot limit and extend the rear deck to the new fence line, Zone C-1.** **George Shaw** approached Mayor and Council. Mr. Shaw stated the petitioner owns a home directly behind Nickie's and the parcel goes up to the existing deck. They would like to make the fence higher, 10', and Planning Commission recommended approval as long as it did not exceed the side yard fence, which is a 10' fence. Staff recommended approval, as did the Planning Commission 4-3. Mr. Hosti stated there have been numerous noise complaints from Nicki's and he is in favor of a 10' fence. Mr. Shaw explained the uniqueness of this request due to the height of Nickie's as the topography drops significantly to the petitioners residence. Mr. Parks confirmed the properties are C-1. Mr. Shaw confirmed. Robert Matkowski approached Mayor and Council. Mr. Matkowski explained the vote of the Planning Commission was based upon the existence of the other 10' fence that was already in place. If the fence had not been there, he believes the decision of the Planning Commission would have been different. Mayor Sessions thanked Mr. Matkowski. **Monty Parks** made a motion to approve. **Brian West** seconded. Voting in favor were Brian West, Monty Parks, Nancy DeVetter, Jay Burke and Spec Hosti. Voting against was Barry Brown. Motion to approve, 5-1.

**Consideration of Ordinances, Resolutions**

**First and Second Reading: 2023-26, Sec 2-36 Compensation Change, Mayor and Council.** **Mr. Hughes** stated this is the ordinance that was drafted and introduced

at the meeting on July 13, 2023 in order to meet the time required by State Law. Deadlines have been met in consideration of the compensation increase. Tonight there will be first and second readings of the proposed ordinance. Mr. Hosti stated City Council members have not had a raise in nine (9) years and recommended approval. Mr. Parks asked there be an attendance and voting record kept for accountability. **Monty Parks** made a motion to approve First Reading of 2023-26. **Spec Hosti** seconded. Vote was unanimous to approve, 6-0. **Monty Parks** made a motion to approve Second Reading. **Spec Hosti** seconded. Vote was unanimous to approve, 6-0.

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

**Thomas Harmon, 43 Van Horne Avenue, STR Permit, Jay Burke recused. Tracy O'Connell** approached Mayor and Council. Ms. O'Connell stated this is one of the applications under the Ordinance, 2023-15A, which allows residents that had a building permit prior to the moratorium but were not eligible for a Certificate of Occupancy get their STR Permit. **Spec Hosti** made a motion to approve. **Brian West** seconded. Voting in favor were Brian West, Monty Parks, and Spec Hosti. Voting against were Nancy DeVetter and Barry Brown. Motion to approve, 3-2.

### **Jay Burke returned to the meeting,**

**Monty Parks** encouraged everyone to participate in the YMCA survey regarding the need for childcare on the Island. He would like to **form a working group to explore childcare on Tybee Island**. The Board of the YMCA have agreed to be Chairman of the group and it is the intent to gather information. It there is an interest, before or after school, during school, and/or day care. Mr. Hosti stated there are a great deal of young families on the Island and the demand is there. Dr. West thanked Mr. Parks for being this to the forefront as there is a need. Ms. DeVetter offered her assistance where needed. Mayor Sessions thanked everyone for their support.

**Brian West: Dump fees for residents. Dr. West** stated at the previous meeting there was a discussion regarding complimentary dump services for the residents of Tybee. Mr. Gulbranson was task with bringing recommendations/procedures to Mayor and Council. Dump fees generate approximately \$34,000 per year and his suggestion is to have the resident provide a utility bill or driver's license to prove their residency in order to receive complimentary services. Contractors would still be required to pay 5 cents a pound for their dumps. Mayor Sessions thanked everyone for the information provided. Mr. Hosti is in support of this as it is a way to give something back to the residents. **Brian West** made a motion to allow complimentary fees for the dump. **Barry Brown** seconded. Vote was 6-0 to approve. **DISCUSSION:** Pete Gulbranson to bring back procedures for implementation at the August 24, 2023 City Council meeting.

**Michelle Owens** gave an update on the **Emergency Medical Services**. Ms. Owens stated there was a recent workshop where this topic was discussed and Staff has been working toward viable options. Ms. Owens stated she has had numerous conversations with the County and they have expressed they would like to address our concerns. Mayor Sessions thanked Ms. Owens for her work with the County to get better ambulance response times and in building a relationship with them. Mr. Hosti thanked Ms. Owens.

**Spec Hosti** made a motion to adjourn to executive session to discuss real estate, personnel and litigation. **Nancy DeVetter** seconded. Vote was unanimous to approve, 6-0.

**Spec Hosti** made a motion to return to regular session. **Monty Parks** seconded. Vote was unanimous to approve 6-0.

**Spec Hosti** made a motion to adjourn. **Monty Parks** seconded. Vote was unanimous to approve, 6-0.

Meeting adjourned at 9:50PM

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Janet LeViner, MMC  
Clerk of Council