

City Council Minutes, February 8, 2024

Mayor West called the meeting to order at 6:30PM, February 11, 2024. Those in attendance were, Nick Sears, Monty Parks, Spec Hosti, Kathryn Williams, Tony Ploughe and Bill Garbett. Also attending were Michelle Owens, Interim City Manager; Bubba Hughes, City Attorney; Tracy O'Connell, City Attorney; and Jan LeViner, Clerk of Council.

### **Opening Ceremonies**

Call to Order

Invocation: Sheron Burgess, Chaplain, American Legion Auxiliary Unit 154  
Pledge of Allegiance

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

- City Council Meeting, January 11, 2024
- Special Meeting, January 24, 2024
- Statewide Mutual Aid Agreement - GEMA
- Resolution 2024-02: Support for Legislation on Promoters
- Ante Litem: Amy Spell Cribbs: To deny
- Anti Litem: Jenny Rutherford: To deny

### **Recognitions and Proclamations**

**Mayor West** recognized **Miss Tybee Haley Raymond** and asked she come to the podium. Ms. Raymond approached and gave a brief history of the pageant. She continued to explain her platform called Stop Sex Trafficking Operation Prevention. Mayor West thanked Ms. Raymond for her participation in the program and for representing Tybee Island.

**Mayor West** recognized **Monty Parks**, as he is now a **Graduate of Robert Knox Municipal Leadership Institute and recipient of the Certificate of Excellence which requires 120 of training hours**. Mr. Parks thanked Mayor West.

**Jaime Spear** introduced Antar Khaalis as **Employee of the Year**. Mr. Khaalis works at the Department of Public Works as the Crew Forman in the Fleet Maintenance Department. Mr. Khaalis thanked everyone for their support especially Mr. Gulbranson and Brent Levy. Mayor West congratulated Mr. Khaalis for his dedication and hard work.

**Mayor West** read a statement regarding Orange Crush preparations. He stated:

*"the City is making preparations for events advertised by promoters on social media for the weekends of April 19, 2024 and April 27, 2024. Several different unassociated out of state promoters are advertising separate events on the same weekends. You will see a large police presence on the Island for those weekends. Highway 80 and Butler Avenue will be one lane in both directions with the center two lanes for emergency vehicles only. To protect the safety of our residents and to keep Highway 80 passable for emergencies I am working with our fellow representatives, the Department of Transportation, and Georgia State Police to keep Highway 80 open and if necessary to redirect traffic at the Bull River Bridge should the road become impassable or too congested. Please expect delays coming on and off the Island those two weekends. We will provide more information as the date approaches."*

Mayor West continued, "*the safety and security of our residents and work force, the reputation of our Island as a destination for families is of paramount importance to himself and Council, and it is his goal to make it happen.*"

### **Citizens to Be Heard**

- Jim Kluttz: Mr. Kluttz approached Mayor and Council to express his concerns with the Audit 2023FY. Mayor West thanked Mr. Kluttz for his concerns.
- Shirley Wright approached Mayor and Council to speak to Open and Transparent Government (attached). Mayor West thanked Ms. Wright.
- Devon Forsyth approached Mayor and Council to speak to his STR Permit. Mayor West thanked Mr. Forsyth.
- Michelle Nooney approached Mayor and Council to speak to the process for selecting a Mayor pro tem. Mayor West thanked Ms. Nooney.
- Diane Kessler approached Mayor and Council to speak to the proposed STR ordinance. Ms. Kessler is opposed to the proposed STR Ordinance and outlined her concerns. Mayor West thanked Ms. Kessler.
- Roger Huff approached Mayor and Council. Mr. Huff stated he is opposed to the proposed STR Ordinance before Mayor and Council. Mayor West thanked Mr. Huff for his comments.
- Julia Pearce approached Mayor and Council to speak to the Mayor pro tem process and the selection process for the City Manager. She stated her support for Michelle Owens current Interim City Manager. Mayor West thanked Ms. Pearce.
- Tanya Huff approached Mayor and Council. Ms. Huff is opposed to the proposed STR Ordinance. Mayor West thanked Ms. Huff.
- Cory Jones approached Mayor and Council. Mr. Jones stated he is opposed to the proposed STR Ordinance before Mayor and Council. Mayor West thanked Mr. Jones for his comments.
- Bill Anderson approached Mayor and Council. Mr. Anderson stated he is opposed to the proposed STR Ordinance before Mayor and Council. Mayor West thanked Mr. Anderson for his comments.
- Keith Gay approached Mayor and Council. Mr. Gay spoke to the proposed STR Ordinance and to affordable workforce housing. Mayor West thanked Mr. Gay for his comments.
- Eric Pulcha approached Mayor and Council. Mr. Pulcha spoke to the proposed STR Ordinance before Mayor and Council. Mayor West thanked Mr. Pulcha for his comments.
- James Hall approached Mayor and Council to speak to the pending lawsuit regarding the current STR Policy. Mayor West thanked Mr. Hall for his comments.
- LeAnne Marsh approached Mayor and Council. Ms. Marsh spoke to Property Rights and the proposed STR Ordinance. Mayor West thanked Ms. Marsh for her comments.
- Nicolas Hale approached Mayor and Council to speak to the proposed STR Ordinance. Mr. Hale stated he is opposed to the proposed ordinance and asked Mayor and Council to vote in opposition. Mayor West thanked Mr. Hale for his comments.
- Arthur Mortel approached Mayor and Council. He stated he is opposed to the proposed STR Ordinance. Mayor West thanked Mr. Mortel for his comments.
- Julia Pearce approached Mayor and Council. She spoke to possible spot zoning. Mayor West thanked Ms. Pearce.
- Becky West approached Mayor and Council. Ms. West reminded everyone to respect your neighbors even though they may be visitors to the Island. Mayor West thanked Ms. West for her comments.

**Spec Hosti** made a motion to approve the consent agenda. **Kathryn Williams** seconded. Vote was unanimous to approve, 6-0.

### **Public Hearings**

**Site Plan Review: 1401 Strand Avenue, Petitioner FB Marino, LLC dba Hydrotech, Linchris Tybee Report.** **George Shaw** approached Mayor and Council. Mr. Shaw stated 1401 Strand is Hotel Tybee and they are proposing to install a splash pad, a water feature without standing water. The Planning Commission recommended approval, 4-1, and Staff is recommending in favor. Mr. Loehr approached Mayor and Council to answer questions. Mayor pro tem Parks asked Mr. Loehr if he had researched a shallow well. Mr. Loehr confirmed and explained the shallow well will replace the current irrigation system and not the splash pad. **Spec Hosti** made a motion to approve. **Bill Garbett** seconded. Vote was unanimous to approve, 6-0.

### **Consideration of Ordinances, Resolutions**

**First Reading 2024-01, Sec 22-192, Times and Process for Collection of Trash and Other Refuse from Commercial Properties including from Dumpsters and other Receptacles and Address Noise from Idling Commercial Vehicles.** **Tracy O'Connell** stated Code Enforcement is trying to streamline the process as well as to cut down on noise and disturbance to property owners on the Island. There are two proposals: (1) Collections with any type of trash Island wide and time limit for disturbance and (2) commercial vehicles when deliveries can be made. Code Enforcement is asking for guidance and clarification. Mayor West confirmed it was discussed at the workshop and there are recommended changes to the proposed ordinance. Ms. O'Connell stated there are recommended changes to Section 2. She continued, there are two (2) items. One being collection of trash from dumpsters and then the discussion went to delivery trucks, which is different from collecting trash from dumpsters. Ms. Williams referred to the word "commercial" which is in the heading. Ms. O'Connell confirmed. Ms. Williams stated it would be less confusing if the word was removed from the title. Ms. Williams stated she has concerns with the exceptions as stated in the proposed ordinance such as if an emergency should arise it would be included. Ms. O'Connell referred to Section 1b which refers to locations, as there could be an issue with Code compliance. She recommended changes in the wording to include times of trash pickup on the weekends. Mayor pro tem Parks agreed with Ms. Williams to an 8:00AM start time. **Kathryn Williams** made a motion to approve for Sec 1 only, deleting Sec 2, and amending by deleting the word commercial in the title and changing the wording in Sec 1 to read if in a unique situation that would be the exception and the time to 8:00AM. **Mayor pro tem Parks** seconded. Vote was unanimous to approve, 6-0.

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

**Brian West** stated Council has discussed in workshops how they would like to have a **City Manager Search** to ensure the City has the best-qualified person to take care of the City. This is our due diligence and the question is to whether to hire a firm to conduct the search. **Kathryn Williams** made a motion to direct the Human Resources Director, Jaime Spears to facilitate the City Manager search. **Nick Sears** seconded. **Discussion:** **Bill Garbett** stated he strongly disagrees, as the City needs to take advantage of a firm with expertise as this places Ms. Spears in a very uncomfortable situation in trying to replace her boss. Mr. Hosti stated he is satisfied with Ms. Owens. Mr. Ploughe stated he is happy with Ms. Owens but feels the City needs to do their due diligence of considering other candidates with experience. Voting in favor were Kathryn Williams and Nick Sears. Those voting against were Monty Parks, Bill Garbett, Tony Ploughe, and Spec Hosti. Motion failed 4-2. **Bill Garbett** made a motion to contract with **Baker Tilley** to conduct a search for City Manager. **Tony Ploughe** seconded. Voting in favor were Bill Garbett,

Tony Ploughe, and Monty Parks. Those voting against were Kathryn Williams, Spec Hosti and Nick Sears. Mayor West voting in favor of using Baker Tilly. Motions passed 4-3.

**Nick Sears** referred to the Memorandum in the packet, which lays out a relatively simple proposal at an estimated cost of a fraction of other proposals for a **Supplemental Water System**. He moves Thomas and Hutton Engineers be engaged to conduct a general initial feasibility study of this proposal and to report a general conclusion. **Monty Parks** seconded. **Discussion:** Mr. Ploughe stated he is very much in favor in getting a cost estimate and get more data to determine this. He would also like to put price limit on the research. Mr. Hosti stated he would like to ensure water is available prior to the onset on a study. Mayor pro tem Parks referred to the City's permit, which is due for renewal in 2025 or 2026 with the State regarding our withdrawal. He would like someone to check to see if anyone has had their withdrawal rate increased. Mr. Ploughe would like the motion amended. **Tony Ploughe** made a motion to include \$5,000 limit on the research and include an investigation on Savannah's capabilities to supply initial water to the City. **Nick Sears** seconded the amendment to the motion. Vote was unanimous to approve, 6-0.

**Nick Sears** expressed his concerns with the wording on the agenda "for discussion only". He does not think the technical approach is in the City's best interest although he would like to start the process and does not want to do so with the appearance of ignoring what is written on the agenda. Mr. Sears stated he suggests we adhere to the literal meaning of "for discussion only" and proceed with the discussion. He stated it will be on the agenda for the next City Council Meeting, February 22, 2024. Mr. Hosti asked if this could be moved to the City Attorney for action. Ms. O'Connell confirmed and stated Mayor and Council can direct Ms. Owens to take any sort of action. Mayor pro tem Parks stated he has one comment. He is not reading this as in any way limiting Staff's or stopping Staff's administrative duties currently in administering STR process. Mr. Hosti stated he has lived on the Island since 1956 and Tybee has always been a vacation destination and he feels there are more families here currently than in the past and is against the proposed ordinance. Mayor West spoke to the generational homes on the Island and the revenue generated by STR's. Ms. Williams stated this only applies to residential areas, R-1, R-1b, and R-2. Mr. Garbett expressed his concerns with allowing STR's in residential areas as this is a non-confirming use of the property. He is in favor of the proposed ordinance.

#### **City Manager Discussion and Actions Items**

**Michelle Owens** confirmed all data is stored in the Cloud currently. The City is in the process of switching to Infinity who will manage our IT Services.

**Monty Parks** made a motion to adjourn to executive session to discuss real estate, and litigation. **Bill Garbett** seconded. Vote was unanimous to approve, 6-0.

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

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

Meeting adjourned at 9:45PM.