

Consideration of Items for Consent Agenda

Mayor Sessions called the consent agenda to order at 6:30PM on January 14, 2021. 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, City Attorney; George Shaw, Director, Community Development; and Janet LeViner, Clerk of Council. Jay Burke was not in attendance.

Mayor Sessions asked the Clerk of Council to distribute ballots for those who submitted applications for the Planning Commission and Ethics Commission. She continued to explain the proceedings for this evening regarding the voting. Ms. LeViner distributed the ballots and waited for Council to cast their votes. She then collected the ballots and Mayor Sessions adjourned the meeting for a ten-minute break to tabulate the votes.

Mayor Sessions called the meeting to order.

Mayor Sessions listed the following items on the consent agenda:

- Minutes: December 10, 2020
- Award for ITB 2020-757, Mechanical Bar Screen. Funding for this project was in the FY2021 Capital Improvement Program under Account Number 505-4350-54-1400. Total cost is \$236,874 from Southern Civil, LLC
- Contract: Basin Company, LLC, Providing and Installation of Storm Shutters
- Water Tank Maintenance – 78 Van Horn. Critical tank maintenance requires that ALL equipment be removed. Verizon has installed a temporary pole on site for their equipment. Chatham County ICS will be providing an additional temporary pole to transfer all remaining public safety radio equipment, with the exception of the microwave drum antenna connecting this site to the County network. Comcast will provide a temporary point-to-point circuit as a workaround. The cost is to establish a secure site just north of the tower, erect the temporary pole, transfer the equipment, provide temporary land-based communications and return all equipment to the tank when maintenance is complete.
- Budget Adjustment: Salt Meadows Project: Nutter and Associations, Hydrologic Analysis Re-assessment for Leonard property driveway maintenance project
- Resolution: 2021-1, Superintendent of Elections
- Resolution: 2021-02, Municipal Election
- Ante Litem Notice: Mark Douglas Deloach – To Reject Ante Litem Notice
- Authorization of 80hrs of COVID 19 Sick Leave for employees during calendar year 2021

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

Opening Ceremonies

- Call to Order
- Invocation: Susan Hill, All Saints Episcopal Church
- Pledge of Allegiance

Mayor Sessions asked everyone to direct their attention to the monitor where there would be a presentation, **In Memorial 2020.** She asked that we all remember those who have gone on.

Recognitions and Proclamations

2020 Retirees

Shawn Gillen asked **Janice G. Elliott** to approach the podium to be recognized for 20 years of service with the City of Tybee. Dr. Gillen gave accolades for her tenure with the City and performance as Human Resources Director. He then presented her with a Certificate of Appreciation and a City watch.

Shawn Gillen stated the other retirees to be recognized were **Phyllis George** and **Melanie Smith**. Dr. Gillen stated Ms. George has been with the Tybee Island Police Department for 15 years and her duties included Supervisor/Administrative Assistant. He expressed his appreciation for all she has done during her tenure. Dr. Gillen then recognized Melanie Smith. Ms. Smith has been with the Tybee Island Police Department for 25 years as a Dispatcher in the 911 Department. He thanked Ms. Smith for her dedication and hard work. Neither Ms. George nor Ms. Smith were able to attend the meeting.

Julia Pearce approached Mayor and Council to speak to the virtual MLK Parade for 2021. Ms. Pearce then introduced Nancy Wineriter and presented her with the Humanitarian of the Year Award, 2021. Ms. Wineriter thanked Ms. Pearce, Mayor, and Council for this honor.

Consideration of Boards, Commissions and Committee Appointments

- ▯ Planning Commission: Marie Gooding
- ▯ Planning Commission: Susan Hill
- ▯ Planning Commission: Charles "Bud" Matlock (Incumbent)
- ▯ Planning Commission: E. Craig Meyer
- ▯ Planning Commission: David McNaughton (Incumbent)

- ▯ Ethics Commission: Lee Cheek
- ▯ Ethics Commission: Trey Conners
- ▯ Ethics Commission: Nancy Frankenhauser
- ▯ Ethics Commission: Michael Pappas (Incumbent)
- ▯ Ethics Commission: Mark Reed (Incumbent)
- ▯ Ethics Commission: Marie Rodriguez
- ▯ Ethics Commission: Frances Kaye Strickland (Incumbent)

Jan LeViner announced the results of Councils votes (attached). New members for the Planning and Ethics Commissions were as follows:

- ▯ Planning Commission
 - Marie Gooding
 - Susan Hill
 - David McNaughton
- ▯ Ethics Commission
 - Trey Conners
 - Nancy Frankenhauser
 - Michael Pappas
 - Mark Reed
 - Marie Rodriguez

Mayor Sessions thanked everyone for submitting their names and congratulated the winners.

- Tybee Island Development Authority/Main Street Board of Directors: Beth Martin
- Tybee Island Development Authority/Main Street Board of Directors: Michael Flores

Monty Parks made a motion to approve the nominations for the Development Authority/Main Street Board of Directors. **John Branigin** seconded. Vote was unanimous to approve, 5-0.

Reports of Staff, Boards, Standing Committees and/or Invited Guest. Limit reports to 10 minutes.

Eric Landon approached Mayor and Council to give an update on the **CRC Comp Plan Process**. Mr. Landon thanked Mayor Sessions. He explained the Coastal Regional Commission (CRC) represents ten (10) coastal counties and 35 cities in Georgia. Mr. Landon stated he is going to work on the City's Comprehensive Plan, which is required by DCA every five (5) years. The first step is to have a public announcement, which is what is happening tonight. In this way, the public will be aware of upcoming stakeholder meetings. The goal is to do community building and have shared visions and goals for the next five years. Mr. Landon stated the due date is October 31, 2021 and they hope to have it completed during the summer. Mayor Sessions asked Mr. Landon what the City could do to assist. Mr. Landon responded he would need a list of stakeholders that can be invited to a series of public meetings in order to receive feedback. There was a brief discussion regarding the format of the meetings, whether zoom or in person. If in person, they will be held at the Public Safety Building. Mr. Landon continued the first meeting is to develop a community vision and goals; second meeting, do an analysis; and third meeting, a land use map. After that meeting with the administrative staff to discuss Short Term Work Program. Mayor Sessions stated all this information will be on the website. Mr. Shaw confirmed. Mayor Sessions thanked Mr. Landon for working with Staff to complete this project.

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

Public Hearings

Variance: Requesting to go over required 35 foot height ordinance - 1801 Chatham Avenue, 40009 13006, Zone R-2, Walt Freeman. Mr. Hughes stated this variance request was advertised for a public hearing but the petitioner has withdrawn and not anticipated to be refiled. **WITHDRAWN BY PETITIONER**

Roger Huff approached Mayor and Council to speak to the proposed first reading, 2021-01, Short Term Rental Properties. Mr. Huff read from a prepared statement (attached) expressing his concerns with the proposed ordinance. Mayor Sessions thanked Mr. Huff for his comments.

Consideration of Bids, Contracts, Agreements and Expenditures

Budget amendment to move funds from Fund Balance to Capital Building Improvements for renovation of old Marine Science Center building. Dr. Gillen stated Marine Science Center currently is moving to their new building and the plan is to create the following in the building: (1) a sub-station for the Tybee Island Police Department; (2) Code Enforcement Monitoring Area; (3) Parking Department; and (4) Ocean Rescue/Beach Safety. In order to accommodate, there is remodeling to be done. It is his intent to "spruce up" the exterior as well as the restrooms. Also on the agenda is the approval of Greenline coming in for an analysis of the exterior of the building. Mr. Hosti asked Dr. Gillen if there is an associated cost for the renovations. Dr. Gillen stated he is asking for \$200,000, which is included in the packet before

them tonight as a Budget Amendment. This is just an estimate for new flooring, paint, and the construction of new walls and doors. This does not include the design, as it will be done in Phase 2. Mr. Branigin expressed his concerns, as there is no plan for the result. Mr. Parks stated he is in favor of this move but with the move of four departments into the facility by Memorial Day as he is concerned. Dr. Gillen stated Beach Safety might not be able to move, as there are three turtles still in the building. Mr. Parks expressed his concerns with doing major construction while there are still turtles housed in the building. He would not recommend moving forward with construction while the turtles are in the building as they may die or some harm come to them. He asked Council be notified when the Marine Science Center has moved all the animals/creatures so there are not issues with their well-being. Mayor pro tem Brown stated he does not feel there will be danger to the animals/creatures that will remain in the building until such time they can be moved to the new Marine Science Building. Mayor Sessions agreed with Mr. Parks and Mr. Branigin concerns. She recommended a meeting with the Marine Science Center staff as to when the turtles will be moved. Dr. Gillen stated he would speak with the Marine Science Center. Mayor Sessions stated the Marine Science Center staff is scheduled for an update at the upcoming City Council meeting on January 28, 2021. At this time, we can get a time when the turtles can be moved. Dr. Gillen gave a short timeline of the construction. Ms. DeVetter asked Dr. Gillen if he had a date as to when the Marine Science Center staff would have everything moved. Dr. Gillen responded in the negative. Mr. Parks asked why the City could not get a commitment as to when the Marine Science Center will vacate the existing space. Mayor Sessions stated they did provide a date of the end of January 2021 but this has not happened. She then recommended Dr. Gillen and Staff meet with the Marine Science Center staff, Director and Board of Directors, and explain Mayor and Council are very concerned as the City needs to space as well as the well-being of the turtles so they are not harmed. Mayor Sessions asked Dr. Gillen to come back to Mayor and Council will updates regarding the move. Ms. DeVetter confirmed with Mayor Sessions. Dr. Gillen stated they could start on the minor work moving forward. Mr. Parks asked Dr. Gillen the amount of money it would take in order to assist the Marine Science Center to move. If they need funding, we need to assist. **Monty Parks** made a motion to approve. **Barry Brown** seconded. Vote was unanimous to approve, 5-0.

Award of ITB 2020-755, Memorial Park Pavilion and Budget Amendment, SPLOST Memorial Park Pavilion, to Savannah Construction and Preservation for \$112,950. WITHDRAWN DUE TO CONTRACT AMOUNT

Consideration of Ordinances, Resolutions

First Reading: 2021-01, Article VIII, Short Term Rental Properties. George Shaw approached Mayor and Council. He stated in the packet before them are redline and clean copy versions of the proposed ordinance. These recommendations were sent from the Committee that was set by Mayor and Council. The Committee did leave open the option of raising fees, which may come before Mayor and Council later. Mayor pro tem Brown asked if there was any reference to owner occupied STVR's. Mr. Shaw stated no. Mayor pro tem Brown asked Mr. Hughes to do away with Bed and Breakfast, as they are not owner occupied. Mr. Hughes stated there is not an ordinance which addresses a boarding house and he agrees with Mayor pro tem Brown. Mr. Hughes recommended Mayor, Council vote on what is before them, and he will revisit the B&B as well as Boarding Houses. Ms. DeVetter recommended moving forward with the proposed ordinance. Mayor pro tem Brown confirmed. Mr. Hughes stated he does not feel any occupied locations should be penalized or made more strict than STVR's. Mr. Branigin stated his concerns with Air B&B as to enforcement. The owners do not live on the Island or locally. He asked that possibly to add something on the application as to the owner's locations. **Spec Hosti** made a motion to approve as presented. **Monty Parks** seconded. Vote was unanimous to approve, 5-0.

Council, Officials and City Attorney Considerations and Comments

Shawn Gillen approached Mayor and Council to discuss the **Code Review Committee recommendations**. Dr. Gillen stated the Code Review Committee began their work by reviewing the Code excluding the Land Development Code and have made recommended changes. In the packet before them is a brief history of the process and summary of specific categories. Dr. Gillen recommended a public process to bring this back to Mayor and Council. He is proposing a public zoom meeting showing the proposed changes for transparency. Ms. DeVetter confirmed with changing of some laws and deleting others. Dr. Gillen will provide updates.

Shawn Gillen: Enter into a contract with Greenline Architecture for an assessment and design for the new use of the Old Marine Science Center Building. Dr. Gillen stated this is to authorize the Mayor to execute a contract once approved by Mr. Hughes. Mayor pro tem Brown asked Dr. Gillen to ensure Greenline Architecture has explicit directions on the remodel of the building. Dr. Gillen confirmed. **Monty Parks** made a motion to approve. **Nancy DeVetter** seconded. Vote was unanimous to approve, 5-0. **Discussion: Mayor pro tem Brown** stated he wanted to ensure the monies in the budget amendment, \$200,000, which will be returned to the fund balance within 2-3 years. Dr. Gillen confirmed.

Spec Hosti made a motion to adjourn to executive session to discuss real estate, litigation, and personnel. **Barry Brown** seconded. Vote was unanimous, 5-0.

Monty Parks made a motion to return to regular session. **John Branigin** seconded. Vote was unanimous, 5-0.

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

Meeting adjourned at 9:10PM.

Janet R. LeViner, MMC
Clerk of Council