

## City Council Minutes, January 26, 2023

Mayor Sessions called the meeting to order at 6:30PM, January 12, 2023. Those in attendance were Brian West, Monty Parks, Nancy DeVetter, Barry Brown, Jay Burke and Spec Hosti. Also attending were Dr. Shawn Gillen, City Manager; Michelle Owens, Assistant City Manager; Bubba Hughes, City Attorney; Tracy O'Connell, City Attorney; and Jan LeViner, Clerk of Council.

### **Opening Ceremonies**

Call to Order

Invocation: Jan LeViner, City Clerk

Pledge of Allegiance

### **Recognitions and Proclamations**

Mayor Sessions ask Chief Tiffany Hayes to come to the podium to introduce her staff. Chief Hayes introduced Officer Garrett Goatley and congratulated him for being voted Officer of the Year.

Chief Hayes introduced Erin Martinez and congratulated her for being voted Civilian Employee of the Year.

Mayor Sessions added the following to the Consent Agenda:

- Contract for the Public Defender, Jennifer Ozer: Budget Amendment transfer \$2750 from General Fund to line item 100-2650-52-1211.
- Motorola Cyber Security Service

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

**Alan Robertson** approached to introduce **Jared M. Lopes**, Planning Branch, Savannah District, and **Richard Styles**, Engineering Research and Development Center, US Army Corps of Engineers give a presentation on the Ship Wake Study. Colonel Geary, Commander, Savannah District could not attend. Jared Lopes approached Mayor and Council to give a presentation regarding Tybee Island Vessel Study (attached). Mr. Lopes continued with the Vessel Wake Study, the City is concerned about the ongoing risk of beachgoers posed by vessel-generated wake on Tybee Island's northern shore. The goal of the Study is to develop a better understanding of vessel traffic patterns and associated boat wake generated by large commercial vessels. The cost of the Study was a cost-shared (50%) by USACE and the City of Tybee Island. Dr. Styles then approached Mayor and Council to discuss the findings and next steps. He stated the container ships and vehicle carriers generate the largest wake/surge. Dr. Styles continued, the next steps include measuring waves and currents at North Beach to determine appropriate breakwater size and extending and strengthening the jetty in that area. Mayor Sessions stated the report is online and you can google Tybee Island Ship Wake Study. She then thanked the gentlemen for their dedication to this project.

### **Citizens to be Heard**

**Mindy Hartley** approached Mayor and Council to speak to the **Proposed STR Ordinance** (attached). Mayor Sessions thanked Ms. Hartley for her comments.

**Elizabeth Reed** approached Mayor and Council to speak against **Wagging Wednesday's** as there would be enforcement issues. Mayor Sessions thanked Ms. Reed for her comments.

**Don Hartley** approached Mayor and Council to speak to the **Cap on STR** per the ordinance. He questioned if there was a cap or not. Mayor Sessions thanked Mr. Hartley for his comments.

**Dee Matkowski** approached Mayor and Council to thank them for rethinking the Wagging Wednesday. Mayor Sessions thanked Ms. Matkowski for her comments.

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

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

**Jay Burke recused from the discussion.**

**Bubba Hughes** stated he added the proposed ordinance, **Equitable Consideration**, on the agenda is **for discussion only**. Mr. Hughes stated the ordinance that was approved by Mayor and Council in October 2022 provides a clause that indicated a cap maybe set in the future but the issue has not really been discussed. This will be a topic for Mayor and Council to initiate at some point if they choose to do so. No caps have been established to date. At this time there is a limit to the permits that are in existence and do not fit in the exceptions. What is before them tonight for discussion, is the proposed ordinance, Equitable Distribution to address concerns of people who were in the process of building a home and secured the permit to do so. There has been previous discussions regarding those who secured a building permit prior to the Moratorium and after the Moratorium was in place. Mr. Hughes is asking Mayor and Council for direction as whether or not it is to be required that a permit be secured prior to the Moratorium or whether it would include people that applied for a building permit during the Moratorium. The proposed ordinance is prepared as if it is only applicable to people with building permits in place as of the date of the Moratorium, August 26, 2021. Mr. Hosti stated the intention of the proposed ordinance to assist individuals whose houses were under construction when the Moratorium as they have invested their money in the property and residence. He would like the proposed ordinance to give those people consideration for a STR license. Mr. Hughes stated for those individuals whose house was under construction and had a permit prior to the Moratorium; for those who had a permit after the Moratorium; and for those who purchased property after the Moratorium, he needs direction what Mayor and Council as to the cutoff date. Mr. Parks stated the way the proposed ordinance is written, he agrees. If a person bought property prior to the Moratorium, permit to build, then the intent of the proposed ordinance is applicable. If someone bought property after the Moratorium, you may not have a STR license. Mr. Shaw stated he ran a report for August 1, 2020 to October 10, 2022. Prior to the Moratorium, there were 21 new house permits, 5 of which had STR permits, and of the 16 that applied prior to the Moratorium that did not get an STR permit. Between August 2021 when the Moratorium was in place, another 21 homes were started and none of those have STR permits. Mayor pro tem Brown asked Mr. Shaw if all these homes were

in the R-zone. Mr. Shaw said no but the majority are. Ms. DeVetter asked Mr. Shaw to bring back to Mayor and Council a report showing the date the Certificate of Occupancy was given to the 16 properties as stated above. Mr. Parks confirmed the next step the proposed ordinance will be sent to the Planning Commission for their recommendation. Mr. Hughes confirmed. Mr. Hughes stated he needs direction and will circulate a draft to Mayor and Council for their comments and recommendations and then send to the Planning Commission for their recommendations.

**Mr. Burke returned to the meeting.**

**Mr. Hughes** gave an update on **708 Butler Avenue**. He stated the concerns are with the plans that are to be submitted to the City for the infrastructure. Mr. Shaw stated the Engineer is not in agreement with the plans and he has not signed off on the Infrastructure Plans. A revision was submitted and the City Engineer have reviewed and has questions which seem minor. Mr. Hughes stated the approval of the plans need to be signed off on prior to the infrastructure permit being issued. He continued the trees are still marked as well as the access point to get to the property as approved by DOT.

**Brian West stated Wagging Winter Wednesday's** discussion would come back at a future meeting. **NO ACTION TAKEN.**

**Brian West** asked to have a discussion regarding **Workforce Housing**. Dr. West stated there is a group that is interested in doing a feasibility study for housing for the workforce on Tybee Island. Most importantly, services need to be in place prior to the housing as there are limited services for young families and the workforce. Ms. Owens stated the City has applied for a grant to do the Study but it was not granted. She is working for more information so the City can reapply. Mr. Parks expressed his concerns regarding he lack of services on Tybee as there is no health care or child care services for example on the Island. Mr. Hughes recommended the Economic Development Committee move forward with working with Ms. Owens, Cassidy Kendrick and himself. Mayor Sessions recommended Dr. Gillen add a line item to the budget for this. Dr. Gillen confirmed.

**Shawn Gillen** gave a **Mid-year update to the Strategic Plan FY 2023**. Dr. Gillen showed a presentation (attached) of the goals and objectives as set by Mayor and Council. There were 18 specific goals and objectives of these they are all on track for completion by the end of the fiscal year. Dr. Gillen gave a Strategy Snapshot from each department within the City. He stated he meets with each department head to get status on their Key Performance Indicators each quarter. Mayor Sessions asked Dr. Gillen the process for staff performance ratings. Dr. Gillen responded he evaluates the department heads and they in turn evaluate their staff. He continued, Ms. Spear, HR Director, is developing an evaluation plan as well as revamping the personnel policies. Mayor Sessions thanked Dr. Gillen for his presentation.

**Monty Parks** made a motion to adjourn to executive session to discuss personnel, litigation and real estate. **Brian West** 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.

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

Meeting adjourned at 9:15PM

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Janet LeViner, MMC  
Clerk of Council