

City Council Minutes, July 13, 2023

Mayor Sessions called the meeting to order at 6:30PM, July 13, 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 excused.

Opening Ceremonies

Call to Order

Invocation: Jan LeViner, Clerk

Pledge of Allegiance

Consideration of Items for Consent Agenda

- Minutes, Second Reading Millage, June 22, 2023
- Minutes, Council Meeting, June 22, 2023
- Award Symbioscity RFP, Review of the Land Development Code
- Tybee Island Maritime Academy Police Officer MOU

Reports of Staff, Boards, Standing Committees and/or Invited Guest.

Jan LeViner, City Clerk, approached Mayor and Council. Ms. LeViner read the Call to Election, November 7, 2023. She outlined qualifying dates and stated Qualifying Packets would be available in her office beginning August 1, 2023. Mayor Sessions thanked Ms. LeViner.

Keith Howington, approached Mayor and Council to give an Update on **City Hall renovation**. Mr. Howington stated the renovation is still on schedule for completion, October 2023. Mayor Sessions thanked Mr. Howington for his hard work not only with overseeing the project but also with maintaining the historical integrity of the building.

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

Kathryn Williams, Forever Tybee, approached Mayor and Council. Ms. Williams encouraged everyone to reach out to the Department of Natural Resources (DNR) in support of the **Beach Benches and Swings**. Mayor Sessions thanked Ms. Williams and encouraged everyone to reach out to DNR as well.

Julia Pearce approached Mayor and Council to give a presentation on her **Pilgrimage from Tybee Lazaretto to Ghana: Door of No Return**. Ms. Pearce thanked everyone for their financial support to make this trip happen.

Dee Matkowski approached Mayor and Council. Ms. Matkowski announced she is **Declaring to run for City Council**.

Holly Lawe approached Mayor and Council to thank Pete Gulbranson and Keith Howington for coordinating the tour of City Hall for the Historic Preservation Commission. They took the time to highlight the many steps that have been taken to retain and honor the historical features of the City Hall building. Mayor Sessions thanked Ms. Lawe.

Dawn Shay approached Mayor and Council to speak in favor of proposed **Resolution for Local Emergency in Connection with Certain Events that would overwhelm the capacity of City Resources**. Mayor Sessions thanked Ms. Shay.

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

Public Hearings

Special Review: Sec 3-100 Beach, 708 Butler Avenue, CFK Properties, LLC.

George Shaw approached Mayor and Council. Mr. Shaw stated this was before Mayor and Council last year and was approved. It has since expired and is before Mayor and Council for approval. This is a request for a crossover for the future neighborhood at 708 Butler Avenue. Planning Commission voted 4-3 to approve and Staff recommended approval. Ms. DeVetter asked for clarification as why it is back before Mayor and Council. Mr. Shaw stated the builder was not able to start construction when it was originally approved. **Spec Hosti** made a motion to approve. **Jay Burke** seconded. Those voting in favor were Brian West, Monty Parks, Barry Brown, Jay Burke and Spec Hosti. Voting against was Nancy DeVetter. Motion to approve, 5-1.

Consideration of Ordinances, Resolutions

Resolution: Declare Local Emergency in Connection with Certain Events that would overwhelm the capacity of City Resources.

Mayor Sessions gave a quick review of the events that led to this Resolution. This included reaching out to the State Legislators to request their support for the Resolution. The State Attorney and our legal team will work together to draft State Legislation. Ms. DeVetter stated she has concerns regarding the proposal being too broad and we are not asking for something specific that Tybee needs. She shared her concerns with the City having overreach regarding a proposed law and would ask for a meeting with the Chief to ask for the specific changes. Mayor Sessions asked if the meetings has taken place. Ms. DeVetter stated no, as there is not an urgency. Mayor Sessions disagreed. Mr. Parks asked if there is a change with the Resolution in the packet before them tonight. Mr. Hughes stated no, it is the same as previously presented. Mayor pro tem Brown recommended approval and moving forward. Dr. West shared his concerns but recommended the attorneys work with the State for a final Resolution. Mr. Hughes explained the process going forward and stated it is important that we be authorized to have communication with legislative counsel as nothing happens without their input and preparation. **Spec Hosti** made a motion to approve. **Barry Brown** seconded. Those voting in favor were Brian West, Monty Parks, Barry Brown, Jay Burke and Spec Hosti. Voting against was Nancy DeVetter. Motion to approve, 5-1.

First Reading: Sec 2-36 Compensation Change - Mayor and Council FOR

DISCUSSION AND INTRODUCTION ONLY. **Mr. Hosti** stated he brought this before Mayor and Council and is now formally bringing before them for action. He continued, with the added responsibilities due to work on the STR's and Orange Crush for example, it has taken Council members away from their livelihood. Mr. Hosti stated if passed, it would not become effective until January 1, 2024. Mr. Parks recommended approval and if the salary compensation increase is passed, there needs to be more accountability from each council member. There was a discussion regarding the accountability to include reading the packet and voting and attendance records. Ms. O'Connell reminded Mayor and Council a vote is needed to authorize the City Clerk run the proper notification in the legal organ. **Spec Hosti** so moved. **Jay Burke** seconded. Vote was unanimous. **Spec Hosti** made a motion to move forward with First and Second reading on August 10, 2023. **Barry Brown** seconded. Vote was unanimous to approve, 6-0.

Council, Officials and City Attorney Considerations and Comments **Jay Burke recused**

Mr. Hughes stated at the last council meeting, Council passed on second reading the ordinance that provides for locations that had secured building permits for single family homes with the intention to operate STR at that location, to submit evidence of the intent to the City and to complete and application for a STR. The one before them tonight is, **Shields Investment, Application for STR, 916 Miller**. The ordinance that was approved leaves the ultimate decision up to Mayor and Council based on the evidence staff has developed. Mr. Hughes confirmed that there are several instances such as this and they will not go through Planning Commission for consideration but directly to Mayor and Council. **Monty Parks** made a motion to approve. **Spec Hosti** seconded. Those voting in favor were Brian West, Monty Parks and Spec Hosti. Voting against was Nancy DeVetter and Barry Brown. Motion to approve 3-2.

Jay Burke returned to the meeting

Dr. West stated Staff is creating a Resolution regarding **Land Bank** for a future date and he would like to request a meeting with the Acting City Manager, Michelle Owens, and the representative from the Land Bank in Savannah. He then invited council members to attend a future meeting that could be a workshop.

Dr. West asked Mayor and Council if they have any interest in moving forward with **Removal of Dump Fees for Residents**. Mayor pro tem Brown stated the previous hurdles were to determine who residents were and who were visitors/builders/handyman. Mr. Parks stated this was discussed several years ago during the budget cycle and he would like to see recommendations from Staff and he would like to see the budgetary impact. Ms. DeVetter is in agreement with giving back to the residents and would like to explore other options. Mayor Sessions asked Council to send their questions to Staff to see what is doable and realistic.

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

Janet LeViner, MMC
Clerk of Council