

## City Council Synopsis, June 18, 2020

Mayor Sessions called the Consent Agenda to order at 6:30PM, June 18, 2020. Those in attendance were Jay Burke, Monty Parks, John Branigin, Barry Brown, Spec Hosti and Nancy DeVetter. Also attending were Dr. Shawn Gillen, City Manager; Edward Hughes, City Attorney; Tracy O'Connell, EPR Law; George Shaw, Director, Community Development; and Jan LeViner, Clerk of Council.

Mayor Sessions added the following to the Consent Agenda:

- Minutes, City Council Meeting, May 28, 2020
- Cate Campbell, Appointment to Main Street Board of Directors
- County/Wide Canal Maintenance Program, Chatham County Department of Public Works
- Purchase of Diesel Bypass Pumps to the low bidder, Xylem Dewatering Solutions, for the amount of \$425,772.90.
- Budget Amendment: Funds needed to cover EOM and Korkat Invoices through year-end. Funds needed to cover invoices from Atlantic Waste for Main Yard Trash. Funds transferred from 100-4250-54-2100, Machinery and Equipment to Contract Labor; Site Improvements and main yard/dump in the amount of \$39,700.
- Water Rate Study and Adjustment of water/sewer fees to fund water projects. **DISCUSSION:** Sent to Finance Committee for their recommendation.

### Opening Ceremonies

Call to Order

Invocation: Susan Hill, All Saints Episcopal Church

Pledge of Allegiance

### Citizens to be Heard

- Pat Leiby: Future of the Old School and Old School Cafeteria
- Pamela Lossing: Traffic and dust problems on a portion of Solomon Avenue
- Deb Baber: TIMA and the YMCA
- Julie Livingston: Golf Carts
- Amy Gaster: STVR's
- Roger Huff: Better information in the packet
- Tonya Huff: STVR's
- Keith Gay: STVR's
- Eddie Matias: STVR and Pool moratorium
- Joel Clackum: Over taxing residents
- Jenny Rutherford: STVR's
- Henry Morgan: STVR's
- Julia Pearce: STVR's and zoning

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

### Public Hearings

**Consideration of Renee Bridges parking Lot in Residential Area.** **Jay Burke** made a motion to approve. **Monty Parks** seconded. Voting to approve were Jay Burke, Monty Parks, John Branigin and Spec Hosti. Voting against were Barry Brown and Nancy DeVetter. Motion to approve, 4-2.

**Variance: requesting to impact marshland to maintain right of way – Polk Street right of way and 318 Polk Street – Zone C2-EC-4-0025-01-005Y and 005Z – City of Tybee and Michael Leonard. Spec Hosti made a motion to approve. Monty Parks seconded. Vote was unanimous to approve, 6-0.**

**John Branigin** made a motion for the City to send a letter to the DNR to support the Leonard's and for the City to take all steps to assist the Leonard's to have complete access to their property. **Barry Brown** seconded. Vote was unanimous to approve, 6-0.

**First Reading, FY2021 Budget. Monty Parks** made a motion to approve as presented. **John Branigin** seconded. Voting in favor were Monty Parks, John Branigin, Barry Brown, Spec Hosti and Nancy DeVetter. Voting against was Jay Burke. Motion to approve, 5-1.

**First Reading, 2020-2021 Millage Rate. John Branigin** made a motion to approve. **Barry Brown** seconded. Voting in favor were Jay Burke, John Branigin, Barry Brown, Spec Hosti and Nancy DeVetter. Voting against was Monty Parks. Motion to approve 5-1.

**Consideration of Local Requests, Special Events, Alcohol License**

**Royal Palm Tybee LLC (existing business license/occupational tax certificate): Alcohol License Request Beer/Wine-Package Sales Only, Consumption of premises Prohibited, Sunday Sales. Sell in gift shop. Jay Burke recused. Monty Parks** made a motion to approve. **John Branigin** seconded. Voting in favor were Monty Parks, John Branigin, Spec Hosti and Nancy DeVetter. Voting against was Barry Brown. Motion to approve, 4-1.

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

**Barry Brown: STVR/Enforcement and Pool Moratorium. Bubba Hughes** to bring draft Resolution to July 9, 2020 City Council Meeting for discussion.

**Nancy DeVetter: Amendment to the Tree Ordinance. No Action Taken**

**Nancy DeVetter: Golf Carts: Annual fees, signage and parking permits. No Action Taken.**

**Spec Hosti: Contractor Camping, Lewis Avenue, Willis Larose. No Action Taken**

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

**Barry Brown** made a motion to return to regular session. **Monty Parks** seconded. Vote was unanimous to approve, 6-0.

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

Meeting adjourned at 10:45PM

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Janet LeViner, MMC  
Clerk of Council

## Jan LeViner

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**From:** Shirley Sessions  
**Sent:** Thursday, June 18, 2020 3:35 PM  
**To:** john paksoy  
**Cc:** Barry Brown; Nancy DeVetter; Jay Burke; John Branigin; Spec Hosti; Monty Parks; Jan LeViner  
**Subject:** Re: STVR testimonial

Thank you for sharing your experiences, thoughts and concerns. I am sharing your email with council.

Best,  
Shirley

Sent from my Verizon, Samsung Galaxy smartphone

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**From:** john paksoy <johnpaksoy@yahoo.com>  
**Sent:** Thursday, June 18, 2020 3:22:55 PM  
**To:** Shirley Sessions <ssessions@cityoftybee.org>  
**Subject:** STVR testimonial

Dear Honorable Shirley Sessions and Tybee City Council,

I want to share a short history of our roots in Savannah and Tybee Island. I used to visit the area as a teenager in the late 60's to visit family that had moved to your area from North Carolina. Needless to say I fell in love with the city and Savannah Beach.

It's taken me 30 years to get back.

We started visiting with my teenagers in 2013, and we rented through Tybee Vacation Rentals.

After 3 years, and many visits, and being impressed with the way TVR expressed the sentiments of the neighborhoods surrounding the rental homes we tried, and their overall attention to details with each home, we decided to purchase a home with the dream of retiring there.

We currently pay \$7400. annually in property taxes. We also employ several vendors from LandScapers, to tree trimming services, building contractors for improvements, and plumbers.

We enjoy and love the people we have met there that are full time citizens.

Renting our home was 50% of the decision to buy there. It's been a huge investment in your great historic city, that we love and respect.

Please be reasonable and prudent concerning your decision on fees and caps.

Without rental possibilities and without TVR, many would not invest so much with possibly so few years left in living your retirement.

Please enter this into your minutes to be read out loud or shared at tonight's meeting.

Have a Good Day,  
John Paksoy  
704-466-8048

## Jan LeViner

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**From:** Jenny Rutherford <jenny@jennyrutherford.com>  
**Sent:** Thursday, June 18, 2020 4:50 PM  
**To:** Barry Brown; Bubba Hughs (bhughes@cbrhlaw.com); Jan LeViner; Jay Burke; John Branigin; Monty Parks; Nancy DeVetter; Shawn Gillen; Shirley Sessions (shirleysessions@gmail.com); Spec Hosti  
**Cc:** Linda Hawk; Steve Candler  
**Subject:** STVR Regulations & Proposals at City Council Meeting Tonight

Hello City Council,

Regarding the city council meeting tonight: I am very concerned as Tybee city council leadership is proposing increasing registration of vacation rentals to \$1000 each year. This is in addition to requiring business licenses... first off; the registration is the same information as the business license. What is the purpose to collect this information twice? Not to mention this practice is already illegal and prohibited in the State of Ga. ✪ but the city of Tybee is Ignoring the State law that doesn't allow this as it seems to only create a revenue stream.

As you should all be aware: Governments cannot charge more than it costs to process the paperwork for a registration fee either. ☹️ It seems you're considering hiring a really expensive company to do this but passing the expense to the property owner. This also seems that you're choosing to consider this as a way to discourage people from renting their homes!? This is entirely so wrong and what Tybee property owners have been doing since the 1800s. We have been a vacation destination since the 1800s and many choose to rent out 2nd home properties until they are able to retire here. The average length of rental is less than 5 years before the owner decides to move in.

I find it highly ironic after the city has made multiple statements about how they are "here to help business owners on Tybee" after the financial crisis that has occurred from the coronavirus shut down. Increasing fees for vacation rentals affects EVERYONE on the island, our future visitors, and the business owners. Many homeowners depend on the income to pay their mortgages here on Tybee are falling into deferment situations. I've had many phone calls from clients, neighbors and friends that have had to go into deferred payments on their mortgages due to lack of income whether that be through the primary job or the ability to rent it out.

The city actually prohibited homeowners from being able to rent out their property for quite some time during the pandemic shut down ... And have since said \*multiple times\* how they're \*here to help in anyway they can\* with \*waiving fees\* and offering incentives. This seems a bit backward to suggest 10x the fees. Also, no help has been offered to any individual owners in the vacation rental business as said funds are not available for property owners of single family vacation rentals.

It is the hotel motel tax that funds a LOT of the island's ~~social~~ expenses.... there were two months of almost \$0 paid in hotel motel taxes on tybee by property owners and now the leadership wants to make it cost prohibitive for property owners moving forward.

In addition, DOUBLING the parking cost deters local day trippers from visiting the island and supporting local businesses on the island. Small business owners are suffering. Restaurants and shops are shutting down. It used to cost \$24 per day to park and now it is \$42 per day to park! ☹️ This is a poor tax and prohibits people from visiting our island and supporting our local businesses if they can't afford to come to this public beach. SSI has free parking. HHI has

The city should hire an economist to provide suggestions rather than stirring the pot for popularity contest for future votes. Think about how this impacts property owners. It has been requested of the city multiple times: How many calls to the Police have been made and how many charges have been issued for violations of local ordinances on those calls? We need facts to make informed decisions.

It seems we just keep shooting ourselves in the foot over and over and over and then leadership asks "how can we help you?" Increasing Parking Expense and Vacation Rental Fees is NOT helping local businesses or the island's economy in anyway. [REDACTED]

There is also mention of CAPPING the number of rentals And PROHIBITING and future pools ♀ on any other homes..... someone actually said "yeah we already have enough pools on tybee". What in the world: So Just because someone thinks that there are *too* many pools on Tybee that we shouldn't allow all private property owners to be able to install them at their homes and enjoy their property in the future. What type of thinking is this?! [REDACTED]

It has been suggested that this money would be used to hire a 3rd party company to monitor complaints and up to 9 code enforcement officers but this is to enforce laws we already have on the books. This is a poor use of money just to pay a 3rd party company... we don't need to line someone else's pockets at the expense of property owners who took the risk to invest in our island with their hard earned money.

Enforce the laws we have on the books before creating more. Consider all the families you will be affecting, visitors, homeowners and small business owners. This is not increasing the quality of anyone's life here on the Island. You're creating more work that is unnecessary - which is just is another expense for the taxpayers. We have not been provided with numbers to back up any suggestions that STVR would require *more* monitoring and that there are excessive violations occurring per the reports provided thus far.

Best Regards,

Jenny Rutherford

**Jan LeViner**

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**From:** Jeri Bettencourt <jeribett@gmail.com>  
**Sent:** Thursday, June 18, 2020 5:53 PM  
**To:** Shirley Sessions; branigin@cityoftybee.org; Barry Brown; Nancy DeVetter; Jay Burke; Spec Hosti; Monty Parks  
**Cc:** Jan LeViner; Shawn Gillen; Edward Hughes  
**Subject:** STVR discussion / meeting June 18, 2020

**Honorable Mayor and Tybee City Council Members:**

**I am writing to ask for no increase in the STVR fee and to maintain property rights of rental homeowners.**

**My father, Jerome Bettencourt, was on the Tybee Council and Mayor Pro Tem back in the 1970's. He always said his Council tried to be responsive to ALL the people; therefore, I ask you to consider the rental homeowners. Before my parents moved to Tybee from Savannah, my family would gather here every summer at a rental house. Now, I have my own rental house that I adore, and try very hard to keep it in tip-top condition. I hope to live in that house one day; however, until then, I need to be able to keep and maintain the house via rentals. As you know, so many homes are empty at Tybee many months of the year. When these houses are occupied, there is money flowing into the community. We can all agree on that.**

**I have not had any complaints or police calls to my rental house. My rental guests are often family reunions, like our family many years ago. I wonder if any of the Council members have ever rented a home for their extended family gathering? Tybee houses are a lovely way to allow families to create memories.**

**I ask you to stop any action that would limit my rights as a homeowner here at Tybee. I ask you to allow the businesses here to reap the revenue that STVR's provide for our island.**

**I ask the Clerk of Council to please enter my letter into the records. And, if possible, please add this letter into the minutes of your meeting.**

**Respectfully,  
Jeri Bettencourt  
770-315-6041**

**14 7th Street**  
**Tybee Island, GA 31328**

## Jan LeViner

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**From:** Edward Matias <scmins@gmail.com>  
**Sent:** Thursday, June 18, 2020 5:58 PM  
**To:** Shirley Sessions; John Branigin; Barry Brown; Nancy DeVetter; Jay Burke; Spec Hosti; Monty Parks; Shawn Gillen; Jan LeViner; Edward Hughes; gshaw@cityotybee.org  
**Cc:** amy@tybeevacationrentals.com; ownerservices@tybeevacationrentals.com  
**Subject:** Concerns for STVR

Honorable Mayor and City Council members,

After vacationing in Tybee Island many times with my wife and children, I recently purchased a house on 615 2nd Avenue. We love spending time on this island and have a two year plan to move here permanently. In the meantime, I plan to rent my house out as a STVR, as other property owners have done during their transition to becoming permanent residents of Tybee Island. I have several concerns regarding the proposals being considered by City Council that I would like to discuss.

First, dramatically increasing the registration fee for STVR seems unreasonable considering that we already pay higher property taxes due to no homestead exemption or Stephen's Day benefits. STVR bring money to the city in taxes as well as contribute to local businesses. STVR guests are estimated to spend \$66 per person per day. STVR contribute to over 1200 jobs on the island due to tourism and over 2 million dollars per year in hotel tax. Dramatically increasing fees seem unreasonable when the numbers are taken into consideration.

My second concern is the proposed pool moratorium. Water usage is being discussed as a reason for considering the moratorium. I currently have a swimming pool as well as a sprinkler system at my other home in north georgia. I know from first hand experience that my sprinkler system consumes much more water than my swimming pool. As a property owner, I should have the right to have a swimming pool if I choose.

I also find it very inappropriate that a City Council member who is not a property owner and does not pay property taxes in Tybee Island is attempting to adamantly push these unreasonable changes to STVR which seem to infringe on some of my rights as an actual property owner on this island.

In closing, I would like to ask that the Mayor and City Council to please stop any action that would harm homeowners, limit my use of my property, or restrict my property rights on Tyee Island. I would like to request that the comments included in this letter be added to the minutes of the city council meeting.

Thank you for your time,  
Edward Matias  
706-254-8397  
615 2nd Avenue  
Tybee Island, GA 31328



## Jan LeViner

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**From:** Roberta Muehlhaus <muehlhaus@sbcglobal.net>  
**Sent:** Thursday, June 18, 2020 9:44 AM  
**To:** Shirley Sessions  
**Cc:** Monty Parks; Barry Brown; bhughes@chrhlaw.com; Nancy DeVetter; Jay Burke; Spec Hosti; John Branigin; Jan LeViner; Shawn Gillen; ownerservices@tybeevacationrentals.com; Amy Gaster  
**Subject:** Short Term Vacation Rental Proposals

Dear Mayor Sessions and Members of the City Council,

We are owners of two properties on Tybee Island since 2006 and wish to speak to what we have been hearing regarding STVRs and new proposals to regulate them.

We are retired snowbirds who love coming to Tybee for 8 to 10 weeks out of each year, and we so enjoy and appreciate the small town atmosphere, the history, culture and friendliness of the island. We have taken part in community activities, fundraisers, and special events which allows us to feel a part of a wonderful community of caring people. We have always listened to and advocated for full time residents and their concerns during the busy peak rental season. We rent our properties so that we can pay our bills and be a part of the Tybee community during our Tybee time. Our Property Managers, Tybee Vacation Rentals, have been diligent in making certain that our renters are following the neighborhood rules. Our neighborhood watch in Captain's Row also keeps us informed of any infringements.

As property owners, we too suffered damage during the two recent hurricanes and our rental income helped us restore and rebuild our second homes. Our rental income also assists with the annual services that a small island community must provide. The tourism industry allows Tybee to pay its bills and be the special place that it is.

Because Tybee is a unique destination, its history has always included tourists and guests eating, sleeping and playing. The Short Term Rental Policy which entailed numerous hours of consultation and meetings addressed many resident concerns, and we pay a yearly fee to help enforce that policy. To increase that fee tenfold seems extreme and to restrict our use in so many ways seems unreasonable and unjust.

All of this is meant to relay that we care about Tybee, we want to continue being part time residents of the community.

Please stop any action that would limit our use or ability to resell our property by restricting our property rights on Tybee.

Regards, Skip and Roberta Muehlhaus

4951 North Muirfield Dr.  
Bloomington, Indiana 47404  
812 300 0192

Sent from my iPad

## Jan LeViner

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**From:** sherry oxendine <sherry.oxendine7@gmail.com>  
**Sent:** Thursday, June 18, 2020 9:37 AM  
**To:** Shirley Sessions; jbranigan@cityoftybee.org; Barry Brown; Nancy DeVetter; Jay Burke; Spec Hostj; Monty Parks  
**Cc:** Jan LeViner  
**Subject:** STVR's

Dear Honorable Mayor and Tybee City Council Members,

I am Sherry Oxendine, a proud homeowner on Tybee Island. My house is located at 1514 2nd Ave, I use it as a 2nd home and also as an STVR. Being able to short term rent my house is what enables me to keep it up to the high standards that my property management office requires and for me to be a good neighbor. It also provides me with a small amount of much needed income. I will soon be 64 years old and made this investment so I could spend time on Tybee Island with my family and my granddaughter that lives in Savannah. I still live and work full time in Atlanta where I pay taxes that include homestead exemption, I do not receive a homestead exemption break on my cottage on Tybee. My cottage is one of the smallest houses located on the island and my assessment for next year is \$2947.66, along with insurance and flood insurance these expenses are close to \$10,000.00. I am sure that the larger houses are paying much more than I am in property taxes which benefit all of Tybee Island.

Without being able to rent my house during the summer months I would not be able to afford to keep it. I was on Tybee in May of 2020 and was shocked at the amount of property that had For Sale signs in the yards, as a realtor, I know that the more houses for sale the less friendly the market is for sellers and it also drives the prices down. It would not be a good time to sell and with that many homes available the time on the market is very long. Not being able to rent would be cost prohibitive and would cause me much financial damage. I have met lots of wonderful people during my stays on Tybee and look forward to being able to know more of you.

My management company is Tybee Vacation Rentals. I have been with them for almost 2 years now and they are the most professional and thoughtful group of people I have worked with. I always trust them to vet the guests that come into my home thoroughly and carefully. My guests have never torn anything up inside my house, so I feel like they are conscientious people both in my house and on the island.

In 2019 I had over 50 arrivals and all of those spent money at the shops and restaurants on the island while they were there. In my opinion this creates jobs on Tybee and brings money in to help keep the beaches, roads and parks well maintained. My research shows that 515 jobs are created by the lodging industry and 1225 jobs are supported by the tourism industry. It seems like STVR's create a lot of income on Tybee,

Having been a homeowner in different places, I am sympathetic to bad neighbors because I have had a few. I am 100% sure that if a rowdy guest was in my property that the neighbors would notify TVR and that the management would take care of that immediately. It is my hope that we can all work together for the long range and not be shortsighted. I am always available to listen to your comments and concerns, as I want to be a good neighbor even though I am only on Tybee for part of the year.

Regards,

Sherry Oxendine (404-695-2600)  
1514 2nd Ave  
Tybee Island, Ga. 31328

or : 993 Violet Ave SE  
Atlanta, Ga. 30315

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Sherry Oxendine  
Keller Knapp Realty  
Cell: (404) 695-2600



6/17/2020

Honorable Mayor – Shirley Sessions

I am writing to express my concerns over the calls by some on the Tybee Island City Council who want to dramatically increase fees and add additional restrictions on Short Term Vacation Rentals.

I have owned a short term vacation rental on Tybee since 2006 and have enjoyed visits to the beach since I was a youngster. My family and I look forward to spending time on Tybee whenever we can.

I feel the proposed considerations will harm and even limit and restrict my ability to use my property both for my personal use as well as a Short Term Vacation Rental.

I would like to point out several facts that need to be kept in mind when discussions are held on the matter.

1. Property taxes for STVR properties have a much higher rate due to no homestead exemption or Stephen's Day benefits being available.
2. These properties provide much needed jobs that add to the economy on the island. Some estimates are they account for 42 % of jobs.
3. These properties add to the tourism on the island and indirectly add to additional spending on the island bringing in added revenues.
4. These properties typically have little impact on water, sewer or trash resources for on average 50% of the year.
5. The City passed a Disorderly House Ordinance in May of 2019, where homeowners and managers can receive citations and fines for complaints of nuisance behaviors and other code violations. If the property is a vacation rental, those owners can lose their STVR license if there are 3 convictions in one year. The City Marshall previously reported there were NO citations or convictions in 2019.
6. The City added 1% to the hotel tax for Tourism Product Development that will fund the new Marine Science Center, the Post Theater, beach improvements and other authorized projected estimated at \$600.000 per year.

Please enter my comments into the record.

Sincerely,

Cynthia W Herold  
(912) 234-7494  
[cynthia.herold@comcast.net](mailto:cynthia.herold@comcast.net)  
3 17<sup>th</sup> Street Unit #4

CC Jan Leviner, Clerk of Council  
Bubba Hughes, City Attorney  
Shawn Gillen, City Manager

## THE FUTURE OF THE OLD SCHOOL

My name is Patricia Leiby. I live at 812 Butler Avenue.

My concern is the future use of the Old School Building, Old School Cafeteria, and the Community Garden (hereafter referred to as The Old School Campus). In the minutes from the Planning Commission meeting of February 10, 2020, under the topic of adding a modular building to City Hall, mention was made about using The Old School for City Hall. George Shaw stated that the City gave the rooms to The Maritime Academy. Dr. Gillen confirmed this. The complete minutes from that meeting, with comments highlighted on page three, are attached to copies of my remarks that each of you will receive.

Many Tybee voters, or their children, use the Old School for recreation, learning, and exercise. Examples include: many exercise classes serving over 100 senior citizens; three card groups averaging 55 senior citizens; groups like Pirates & Mermaids, Happy Helpers, Spanish lessons for pre-schoolers, and Tiny Tots. The Old School Cafeteria hosts line dancing; VIP lunches hosted by TIPD; Active Older Adults; Rising Tyde Food Pantry serving on average 100 families; Forever Tybee serves close to 100 citizens at each of its six meetings per year. The Community Garden has 30 raised beds available to citizens. Every bed is spoken for. Other groups use The Old School Campus for activities like Red Cross blood drives, voting, receptions, birthday parties and other meetings and events.

Tax-paying voters are concerned about losing their space to The Tybee Island Maritime Academy (hereafter referred to as TIMA). We are not against education, but would like the City to address the following concerns:

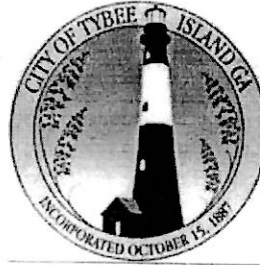
1. Has TIMA presented plans to the City for their expansion of the school by adding 6<sup>th</sup>, 7<sup>th</sup>, and 8<sup>th</sup> grades?
2. How is the City responding to the plans?
3. Has TIMA asked the City to provide space in The Old School, or funding for new buildings, and is the City providing any funds at all to TIMA?
4. How will these plans be made public?
5. Is a public forum planned so tax-paying voters will be informed, and add input, before any decision is made?
6. What is the City doing to dispel rumors that the Old School Campus, which is used for tax-paying voters, will now be lost to TIMA?
7. When can we voters learn the answers to these questions?

My hope is that these questions will be answered so we voters will know truth from rumor.

I have a copy of my remarks for Ms. LeViner to go in the minutes, and copies for the mayor, each council member, Mr. Shaw, Dr. Gillen, and Mr. Hughes. Thank you.

**PLANNING COMMISSION**

Demery Bishop  
Ron Bossick  
Charles Matlock  
Elaine T. McGruder  
David McNaughton  
J. Whitley Reynolds  
Alan Robertson



**CITY MANAGER**  
Shawn Gillen

**COMMUNITY DEVELOPMENT DIRECTOR**  
George Shaw

**CITY ATTORNEY**  
Edward M. Hughes

**Planning Commission Meeting  
MINUTES  
February 10, 2020**

**Chair Bishop** called the February 10, 2020 Tybee Island Planning Commission meeting to order. Commissioners present were **David McNaughton, Charles Matlock, Elaine T. McGruder, Ron Bossick, J. Whitley Reynolds** and **Alan Robertson**.

**Consideration of Minutes:**

**Chair Bishop** asked for consideration of the January 13, 2020 minutes. **Commissioner Alan Robertson** made a motion to approve. **Vice Chair Ron Bossick** seconded. The vote to approve was unanimous.

**Disclosures/Recusals:**

**Chair Bishop** asked if there were any Disclosures or Recusals. **Commissioner J. Whitley Reynolds** asked to recuse himself from the Site Plan with Variance on Naylor Avenue. He stated he did the original survey on the property at Naylor Avenue.

**Old Business:**

**Commissioner McNaughton** asked about the progress of some recommendations on the Carrying Capacity study the Planning Commission came up with in a work shop to be looked at by City Council. **Commissioner Matlock** stated they should be resubmitted. **Commissioner McNaughton** stated maybe have another workshop to go over before submitting them again, **Commissioner McGruder** stated she would like to suggest a workshop so she as a new member could go over the comments. **George Shaw** stated he has not been given any information on the items since they were presented to Council. And he would come up with a date to have a workshop. **Chair Bishop** asked where the information is about the short term rental ordinance that was submitted to Planning Commission last year. That should be on the agenda soon.

**Information: Susan Kimbrell – 1008 Bay Street, Tybee Island Ga. Updates on property at Polk and Solomon.**

**Susan Westin** approached the Planning Commission and stated she is standing in for Susan Kimbrell tonight for the forty and growing Tybee citizens concerned about the development of the Polk and Solomon property. She has lived permanently on Tybee for two years now. She stated that they reached out to the River Keeper thinking that there might be some mutual interest and she is here today. **Tonya Bonitatibus** approached the Planning Commission and stated she has served as the Savannah River keeper for thirteen years. She stated on December sixteenth she visited the site in

question and stated this has been a chronic problem site for Tybee for ten years now. This property's characteristics show there are more wetlands on the site than the last delineation that was done. Also Storm water runoff could cause a problem with flooding. She also stated that the City's sewer treatment facility is already maxed out and she thinks this property should be used to expand that plant.

**New Business:**

**Variance: consideration of request for setback variances of 4'9" on west side, 10'3" on north side, 2' on south side for primary structure and a variance of 12' for stairs on south side – 10 Robinson Ave. – Zone R-1 – Pin 40002 08005 – Joseph Mikielian.**

George Shaw approached the Planning Commission and stated the petitioner would like to ask for the same setbacks that has been asked for in the past on this property. Staff recommends approval. Mr. Mikielian, who lives at 7 Thrushwood Avenue, Tybee Island, approached the Planning Commission and stated he would like to use the variance that was granted in the past for this property and he would definitely build a home as soon as possible. Commissioner McNaughton asked if he was using the same design as the previous owners request since the drawing he submitted was the same one they used. Mr. Mikielian stated he does not have an exact design right now because he would like to get this approval first then design from that. Commissioner McGruder made a motion to continue until there is a more specific site plan in two months. No second, motion failed. Commissioner Robertson made a motion to approve. Commissioner Reynolds seconded. Vote to approve was four in favor to two opposed. Motion to approve carried.

**Site Plan with Variance: consideration of 2' setback and reduction of required square footage for a duplex on lot – Lot 325 Naylor Ave. – Zone R-T – 400020 05005 – Christa Rader.**

George Shaw approached the Planning Commission and stated this is currently an empty lot and has an easement on it that makes it an odd shape. It is still quite a large lot but not large enough for a duplex. Staff recommends denial. Chair Bishop stated he would like to read a letter he received from S.J. Carol dated Monday February 10, 2020. *"Dear Commission members, please read this letter into the record at this evening's meeting. We are homeowners at 5 Moore Avenue and want to formally object to any variance that would increase residential capacity and traffic in our neighborhood. Please follow the city code and the master plan and deny any further variances of this type. We are already overdeveloped in this neighborhood and the whole island for that matter! According to water capacity studies our infrastructure is at risk and our quality of life is jeopardized even further when officials pass variances allowing even more use and over-development. Thanks for your time, Sandra Carroll and Robert Sproul"* Mack Kitchens approached the Planning Commission and stated he lives on Tybee Island and he thinks this lot has a hardship because of the irregular shape and size. Margaret Lewin who lives on 26 Naylor Avenue, Tybee Island approached the planning commission and stated she has lived next to this property since 1996 and she has watched the neighborhood develop with a lot of support. She is very concerned about having a duplex next door that would increase traffic, parking and possibly disruptive behaviors. Commissioner McNaughton made a motion to deny. Commissioner McGruder seconded. The vote to deny was unanimous.

**Special review: adding a temporary modular building on south side of City Hall – 403 Butler Ave. -40004 21001 - Zone PC – City of Tybee Island.**

George Shaw approached the Planning Commission and stated that City Hall is in need of growth and the City would like to keep the auditorium the way it is. So now the plan is to add a modular building

that would sit between the City Hall and the Library. It would be approximately twenty four by fifty six. **Commissioner McNaughton** asked if this is in lieu of using space in the old school building. **George Shaw** stated yes the City gave those rooms to The Maritime Academy. **Commissioner Matlock** asked how long the building will be there. **George Shaw** stated he is not sure. **Shawn Gillen** approached the Planning Commission and stated a year ago the City formed an ad hoc committee on Memorial Park to identify the future expansion of government facilities on that campus. We looked specifically at the Fire station and City Hall, understanding the current needs of office space at City Hall and the needs of the Fire Department. The ad hoc committee made a recommendation to the City Council which they accepted that included an annex to City Hall that would be architecturally similar on the north side of City Hall. He also stated the old school will be used for the Maritime Academy to expand and the YMCA will be redone in the future also. **Anna Butler** who lives at 1212 Fifth Avenue approached the Planning Commission and asked if the City owned the Library building. **Shawn Gillen** stated that the City owns the land and the County owns the building. It would not be possible to use that building. **Commissioner Robertson** made a motion to approve. **Commissioner McGruder** seconded. The vote to approve was five in favor and one opposed. The motion to approve carried.

**Discussion:**

**On recent changes in the Shore Protection Act.**

Alan Robertson approached the Planning Commission and discussed the changes in the Shore Protection Act.

*Lisa L. Schaaf*

Meeting Adjourned 9:10pm



## Remarks Submitted to City Hall regarding the YMCA

Deb Baber 13 TS Chu Terrace

Before COVID 19 the Y classes consisted of around 20 classes per week with 15-20 people in each class.

In addition, the Chair Fitness class had 40-50 people in a class meeting twice a week. The room utilized for this was small for the number of people exercising in regular classes but was nearly impossible for the seniors in the chair fitness class.

The YMCA classes and fitness center benefits part time residents and visitors.

As well, the current Y facility is able to accommodate individuals who have a variety of physical limitations.

I understand that TIMA is a growing educational institution. Some have mentioned that TIMA's expansion will encompass some if not all of our current Y. If this is the case what happens to the Y which is critical to many of the residents on Tybee. I know some of you have said that a new Y would be built for the residents. I guess my questions then become who will fund a new Y, where would it be built, and wouldn't this need to be done before the city turns our current facility over to TIMA or any group?

This YMCA means a great deal to so many of us on the island. It is one of the few organizations and places where people can improve their physical health, their mental health and socialize with others in a spiritual environment.

## Remarks submitted to City Council regarding YMCA

People are living longer. The United States census estimates that in 12 years, older people are expected to outnumber children. On Tybee that has already happened. Right now, the City of Tybee should be addressing the health and social needs of their older residents.

I have lived on Tybee for 33 years and when I retired seven years ago, I knew a handful of people on Tybee. I joined the YMCA, and when they started offering group fitness classes, I found my community. Before the corona virus, I took six fitness classes a week at the Y. And I was able to get my 73-year-old husband to attend two chair fitness classes weekly.

Tybee's median age is 53 which is far above the state and national median age of 37. On Tybee, just 24% of families have kids under 18 which is far below the local and national level of 44%.

What has the city of Tybee done to assess and help their largest population, the elderly, in their community? What policies has the city of Tybee adopted to create an age-friendly community? An age-friendly community helps people stay healthy and active even at the oldest ages. An age-friendly community invests in health education and prevention strategies for older adults.

The YMCA has several programs for older people; however, the space is inadequate and unsafe due to overcrowding. Although there are other areas at the Y that could be utilized for the extremely popular fitness and chair fitness classes, they are not available. If the city wants to do more for this community, our government needs to study and invest in the health and social needs of the older residents of Tybee Island. And they can start first by providing safe, adequate, and unshared activity spaces for their largest and most vulnerable population, senior citizens.

Submitted by Sally Chandler, Resident 6<sup>th</sup> avenue.

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## Jan LeViner

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**From:** Bobbie Orr <cborr@bellsouth.net>  
**Sent:** Tuesday, June 16, 2020 2:58 PM  
**To:** Jan LeViner  
**Subject:** Letter re Room 6

Jan, below is the letter I would like read at the meeting into the minutes. Thank you so much for doing this.

Bobbie

I am currently a member of the Monday Card Club that has been using Room 6 in the old school every Monday for many years. Actually, it is an offshoot of the YEEPIES who originally met in that room as far back as 1997. We use Room 6 because of its proximity to the handicapped parking spaces and the ability of our members to access the room with walkers. Cards provides our seniors with an activity to keep their minds active. During the summer our group averages 12 to 14 players and in winter it can average 24 to 28 players.

Bridge is also a seniors group who uses the room every Tuesday and has been playing there as long as we have been playing cards on Monday.

I hope the Council recognizes the need to keep Room 6 as a room for seniors to play cards, meet, and engage in conversation and games.

Respectfully yours,

Bobbie Orr

## Jan LeViner

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**From:** Fidelia Fowler <fideliafowler@gmail.com>  
**Sent:** Tuesday, June 16, 2020 12:53 PM  
**To:** Jan LeViner  
**Subject:** Fwd: Thursday Council meeting

Sent from my iPhone

Begin forwarded message:

**From:** Fidelia Fowler <fideliafowler@gmail.com>  
**Date:** June 12, 2020 at 3:14:46 PM EDT  
**To:** mayor@cityoftybee.org  
**Subject:** Thursday Council meeting

Shirley,

I am unable to attend the council meeting due to being out of town. I ask that you will read this email aloud at the meeting and have it entered into the minutes.

I am writing to express my concerns concerning the old school/YMCA building. I have heard several rumors about the building being given or sold for the expansion of TIMA. I am a supporter of the school but do not feel that the city or the citizens should loose the use of the building and grounds.

There are many people that use this area for different activities but I will only address one group. I have an adult son with Down Syndrome. He is a member of the Coastal Mermaid and Pirate Club. The Club meets every Thursday in room 6. This club is a social club for adults with disabilities. There are approximately 15 members with 4-6 volunteers weekly. Most of the members come from off of the island. They use this time, not only to connect with their peers, but to make crafts which they sale at the Farmer's Market once a month. They have lunch and visit before the "work" begins. Working on their crafts helps these young people with a variety of different skills.

Every month they have a birthday party. The Tybee Island Police sends a couple of Officers to spend time and present them with a hat or tee shirt. The Fire Department has shown up a time or two.

If the YMCA is closed, it would make it difficult for this many adults to get together.

If you want to see for yourself what this "room" means to them, stop by some Thursday from 11-2 and see for yourself. Who knows, you may catch them singing karaoke or dancing.

Thank you,

My name is Mary McLemore and I live at 3 Alley 3. I had hoped to attend tonight's city council meeting, but Don and I are out celebrating our wedding anniversary this evening. I would request that my comments be read and made a part of the permanent record of the meeting.

Let me start by saying that I think TIMA adds value to Tybee, but the old school building, YMCA, and Memorial Park serve a much wider swath of Tybee residents than does TIMA. There are numerous groups who use those facilities on a regular basis. In particular, I am part of a group of Tybee residents who gather at the old school building every month to play euchre, a card game that seems to be most popular among those of us who once lived in the Midwest. The euchre group may not be as large as some other groups that meet in the old school building, but it is larger than the number of Tybee children who would attend additional grades should TIMA expand beyond its current footprint and displace those of us who use the existing facilities.

In addition, there are aspects of using the YMCA/old school building/Memorial Park property for the expansion of TIMA that need to be taken into consideration. These may have already been considered, but the City's deliberations about the expansion of TIMA are far from transparent, so residents like me have insufficient information to go on.

My primary concern focuses on safety, both for the children who attend TIMA and for older residents who rely on the YMCA for recreational/physical activity purposes. While the YMCA allows tourists/nonresidents to access its facilities on an ad hoc basis, it often has no information about the people to whom access is being granted. Given the layout of the YMCA/old school premises, there is no way to segregate school-aged children from the unfamiliar adults who are accessing the gym facilities offered by the YMCA. That is potentially problematic.

Parking presents another safety concern. Even without children in onsite classrooms, there are occasions when parking is insufficient. If you add parents, school busses, teachers and staff to the existing parking issues, you are eliminating parking spaces for residents to use when going to the YMCA or old school building for physical or social activities. Older members of our community may be forced to walk significant distances if parking spaces in close proximity to the buildings are filled with vehicles related to TIMA. You are also increasing the likelihood of an incident in which a child or someone else will be injured in an accident in a parking lot.

In addition, our EMTs and ambulance currently use the old school building as a base of operations when not on an emergency call. If TIMA puts classrooms on the property that now houses the YMCA and the old school building, what will become of the EMS service? Is there a plan for this?

The lack of transparency regarding the deliberative process seems to be a problem that pervades this entire discussion. Residents have been told that the expansion of TIMA was approved by both Chatham County and the State, but there is almost no additional information about what is being considered and who is being asked for input. It seems to be a foregone conclusion among City leadership that expansion must now occur given that TIMA sought and obtained permission to expand, and the City will provide the space needed for that expansion without meaningful input from residents.

I would suggest that allowing TIMA to use space at the old school/YMCA/Memorial Park is a decision that demands the input of Tybee residents based on more complete information than we have yet been provided. I fear the City will get so far down the road before seeking that input and residents will be presented with a fait accompli.

I would encourage city council to open a dialogue with residents now as to what is being considered relative to TIMA expansion and to provide a meaningful opportunity for residents to give their input into the decision-making process. The existing facilities are used by a whole host of Tybee residents who deserve to know what impact, if any, TIMA's expansion will have on their continued ability to access the only available facilities that can be used for physical fitness and a variety of social gatherings.

Thank you for your consideration.

Mary McLemore



To: The Mayor and Tybee City Council Members

June 10, 2020

Subject: Dangerous traffic situation on Solomon Avenue

Location: From the intersection of Solomon Avenue and the east side of North Campbell Avenue east to the intersection of Solomon Avenue and the west side of 6<sup>th</sup> Street. (See attached map)

Background: The increase of Tybee tourism has caused a significant increase in vehicular traffic on Solomon Avenue. Trucks, buses automobiles and golf carts speed through our neighborhood threatening the safety of residents, guests and visitors. This traffic also stirs up clouds of choking dust that blankets our porches and yards, is hazardous to our health and often forces us to retreat inside our homes.

Request: We request the affected area of Solomon be closed to vehicular traffic by placing barriers at the two locations indicated on the enclosed map. Affected residents are in agreement. (See attached letters).

Discussion: Residents, service and emergency vehicles will retain access to our homes via the connector street between Van Horne St. and Solomon Avenue in front of 32 Van Horne. Residents and visitors will then be able to safely walk or cycle to the beach.

Other solutions have been tried in the past including making all or part of Solomon one way. **This approach did not work.** People continued to speed in both directions as they still used Solomon Ave. as a high speed alternative to HWY 80 East and Van Horne St.

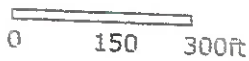
Sincerely,  
Pamela Lossing, 24 Solomon Avenue  
Tiffany and Lee O'Brien, 32 Van Horne



B = Barrier

C = Connector Street @ 32 Van Horne St.

RE: Solomon Avenue



**Solomon**

metroproperties7@att.net

**Tiffany O'Brien** <tiffany.obrien@metroprop.com>  
Tel: metroproperties7@att.net

Jun 2 at 10:42 AM

----- Forwarded message -----

From: Janet Womble <[redacted]>  
Date: Sat, May 30, 2020 at 4:48 PM  
Subject: Solomon  
To: <[redacted]>

To whom it may concern :

My husband and I own 30 Solomon Avenue and we are very concerned about the amount of traffic that is on the part of Solomon in front of our house. It's a dirt road and it's very dusty, so visibility is at a minimum, so it's a matter of time before someone gets hurt. The traffic is constant and it's always at a very high rate of speed. It's very unsafe. It's not just the tourists, it's just as many of the locals and we are absolutely in favor of part of Solomon being shut down to thru traffic.

Todd and Jan Womble  
30 Solomon Avenue

Sent from my iPhone

**Subject: Letter about closing portion of Solomon Ave**

From: Tiffany O'Brien <tiffanyobrien@gmail.com>  
To: metroproperties7@att.net

Jun 2 at 10:42 AM

----- Forwarded message -----

From: Kerry Rosen <...>  
Date: Sun, May 31, 2020 at 9:28 AM  
Subject: Letter about closing portion of Solomon Ave  
To: Tiffany O'Brien <...>, Lee O'Brien <...>, Phil Rosen <...>

**Letter about closing portion of Solomon Ave**

To: John Branigin, Barry Brown, Jay Burke, Nancy DeVetter, Spec Hosti, Monty Parks, Shirley Sessions, Shawn Gillen, and George Shaw

From: Kerry and Phil Rosen, full-time residents at 2 Rosewood Ave, Tybee Island, GA

Re: Support for closing Solomon Ave to vehicles between N Campbell and 6th Ave

Date: May 31, 2020

This letter is in support of the closure of Solomon between N Campbell and 6th Ave to all motorized vehicles. We have lived at this location full-time for more than 10 years. Our house faces - and our driveway comes off - this section of Solomon. Therefore, we have a huge stake in this action.

Since we've lived here, we have seen a significant increase in noise, speeding vehicles, drivers ignoring stop signs and irresponsible behavior in general. The traffic on Solomon has gotten to the point where it is dangerous, as pedestrians, bikers, golf carts, automobiles, and trucks share a very narrow unpaved roadway.

By closing this short portion of Solomon, people will have to find other routes to get to their destinations. This may be inconvenient but it is doable. And will result in increased safety and quality of life for all.

Please support the full-time residents who live on this portion of Solomon by closing it to vehicle traffic.

Thank you.