

City Council Minutes, March 14, 2024

Mayor West called the meeting to order at 6:30PM, March 14, 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: Rev. Sue Jackson, Trinity Methodist Church

Pledge of Allegiance

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

- Budget Amendment: Contract Services, Executive Search for City Manager

### **Recognitions and Proclamations**

**Master Chief Petty Officer Eric Risner**, US Coast Guard approached Mayor and Council. Mayor West read a Proclamation in Master Chief Risner's honor and presented him with the Key to the City. Master Chief Risner is retiring after 20 years of service.

Mayor West recognized the **Tybee Island Fire Department** for their hard work in the reduction of the City's ISO Rating.

### **Consideration of the approval of the minutes of the meetings of the Tybee Island City Council**

**Minutes: February 22, 2024.** **Tony Ploughe** made a motion to amend the minutes and add a disclaimer page to read "Public Comment Attachments". This is to clarify that comments/emails submitted by residents are not from City Council. **Bill Garbett** seconded. Vote was unanimous to approve, 6-0.

### **Reports from Staff**

**Jen Amerell** approached Mayor and Council to give an **Audit Recap**. **Ms. Amerell** gave several highlights from the 2023 Financial Audit and stated a formal presentation to Mayor and Council from the audit firm will be at a future council meeting. She continued, the City is required to have an audit performed on our financial statements each year which included governmental activities, each major fund and notes to financial statements. The auditor is to obtain reasonable assurance that those financial statements are free of material misstatements and this is done by testing account balances as well as internal control procedures. The conclusion was the City's Financial Statements were presented fairly in all materials inspected. The fund balance for all governmental funds was \$16.2M at the end of the last fiscal year. The unassigned fund balance was \$4.1M and the remaining \$12.1 in fund balance was restricted for specific uses. Ms. Amerell continued with balances from other funds as well as expenditures. Ms. Williams thanked Ms. Amerell for all the attention to the Audit. She then asked if there were any findings

this year. Ms. Amerell responded there were none as there was a clean audit. Mayor West thanked Ms. Amerell.

### **Citizens to Be Heard**

**Dawn Shay** approached Mayor and Council. Ms. Shay asked for Mayor and Council to move forward with economic survey. Mayor West thanked Ms. Shay.

**Libby Bacon** approached Mayor and Council. She shared her concerns with STR's. Mayor West thanked Ms. Bacon for her comments.

**Richard Faulkner** approached Mayor and Council. He spoke to STR's.

**Eric Pulcha** approached Mayor and Council. He introduced his family and stated he supports an economic study and asked Mayor and Council to move forward with the Study. Mayor West thanked Mr. Pulcha for his comments.

**Roger Huff** approached Mayor and Council. Mr. Huff shared his concerns with the proposed STR ordinance. Mayor West thanked Mr. Huff for his comments.

**Keith Gay** approached Mayor and Council. He asked Mayor and Council to delay moving forward with the proposed STR ordinance. Mayor West thanked Mr. Gay for his comments.

**David Roberts** approached Mayor and Council. Mr. Roberts expressed his concerns with STR's and their effect on the neighborhoods. Mayor West thanked Mr. Roberts.

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

### **Public Hearings**

**2024 Private Parking Lots – Renewals - All Requirements Met. Mayor pro tem Parks** asked Mr. Hughes if approval needed to be done individually or collectively. Mr. Hughes responded it is up to Council but if they had questions regarding one application, it would be done individually. Mayor West asked if anyone was opposed to doing individually. Mayor pro tem Parks asked Ms. Owens if there have been any complaints or violations on any of the parking lots. She responded no, none to include infractions in following the site plan. Mayor pro tem Parks asked for clarification of dates for operation. Ms. Owens responded it would be from Memorial Day through Labor Day and if 4<sup>th</sup> of July is on a week day, would be included. Mr. Hughes stated all the requirements have been met. Marianne Bramble approached Mayor and Council. She asked Mayor and Council to include a weekend in April due to Spring Break. Ms. Williams asked if Mayor and Council could adjust the hours of operation. Mr. Hughes confirmed that it could be done at this time. Will Jordan approached Mayor and Council. Mr. Jordan stated he works the commercial lot and does not feel he falls under the restrictions of residential lots. Russell Bridges approached Mayor and Council. Mr. Bridges stated the hours and dates of operation are not in the ordinance but what Mayor and Council have approved over the years. He appreciates consideration for an additional weekend. Roger Huff approached Mayor and Council. Mr. Huff stated he was confused over the public hearing portion of the meeting. He asked if Mayor and Council were trying to change the ordinance at this time. Mayor West thanked Mr. Huff for his comments. **Monty Parks** made a motion to approve as presented. **Spec Hosti** seconded. **DISCUSSION.** Mr. Sears stated they

need to specify the hours of operation. **Monty Parks** amended his motion to include the hours of operation being 10:00AM to dusk or one hour after dusk for special events. The 4<sup>th</sup> of July is also included if it falls other than a weekend is also included. **Nick Sears** seconded. Vote was unanimous 6-0 to approve.

**Site Plan Review: Right of Way Upgrades: Corner of 17th Street and Inlet Avenue, Walt Freeman. George Shaw** approached Mayor and Council. Mr. Shaw stated Mr. Freeman owns the lot at 17<sup>th</sup> and Inlet and previously had Site Plan Approval for four (4) town homes on the property. Mr. Freeman, at his own expense, would like to improve the wide grassy corner of that is public property. This would not only be an amenity for the City but also improve his property. Mr. Shaw stated he is proposing a paver sidewalk, five (5) designated parking spaces and will have landscaping and a rolled curb. Staff has recommended approval and the Planning Commission unanimously approved. Ms. Williams stated she has questions regarding the parking on 17<sup>th</sup> Street as she feels using parallel parking the City would lose a number of spaces. She would like this Site Plan Review to come back to Mayor and Council using angled parking. Mr. Shaw confirmed this is all public parking, City right-of-way. There was a discussion regarding parallel and angled parking and the number of spaces available. Ms. Williams complimented Mr. Freeman and the work he has done around the Island. She recommended the Site Plan come back before Mayor and Council showing angled parking. **Walt Freeman** approached Mayor and Council. He stated he appreciates the opportunity to do this project and there are other commercial properties around this area as it is a transitional part of the Island, commercial to residential. He is asking Mayor and Council to approve the site plan as presented. Mr. Garbett stated he wants to ensure there will be no trespassing or no parking signs in the area. This will be a pay to park area. Mr. Freeman confirmed as it is a City property. He continued the property will be heavily landscaped and his intent is to put in an irrigation system. Ms. Williams asked Ms. Owens if she has spoken with the Georgia Department of Transportation (GDOT) regarding their need in the future for that area. Ms. Owens responded their plans for the future stop at the Park of Seven Flags. Mr. Freeman stated he will cooperate with GDOT and their plans for that area. **Marianne Bramble** approached Mayor and Council. Ms. Bramble stated she is in favor of angled parking and parking means everything on Tybee in the summer. Mayor West thanked Ms. Bramble for her comments. **Patricia Leiby** approached Mayor and Council. Ms. Leiby stated this looks like a great plan that would improve Tybee Island. She is in favor of this project. Mayor West thanked Ms. Leiby. **David Roberts** approached Mayor and Council. Mr. Roberts stated the Planning Commission did not consider the angled parking. He explained the standard for parking spaces and the dimensions do not support angled parking. The Planning Commission liked the Plan as it was presented. **Bill Garbett** made a motion to approve. **Nick Sears** seconded. Voting in favor were Bill Garbett, Nick Sears and Spec Hosti. Voting against were Tony Ploughe, Kathryn Williams and Monty Parks. Mayor West voting in the affirmative. Motion to approve, 4-3.

**Special Review for a Residential Bed and Breakfast: 1206 Venetian Drive: Judith Compton. George Shaw** approached Mayor and Council. Mr. Shaw stated the house has a small one bedroom apartment above the main house. This property has been a B&B in the past which includes parking in front of the residence.

There was a discussion regarding buffering. Mr. Shaw stated there are fences on the back of the property but no anticipation of the guest being in the back of the property. On the right side of the property is an empty lot which she leases so she can get to the back of the property. Planning Commission voted to approve this request, 5-1. Mr. Sears asked if a buffer is required to be six (6) feet tall. Mr. Shaw stated no as the buffer could be the empty lot (space). The neighbors have written letters stating a buffer/fence is not needed. Mr. Garbett confirmed this request is for special review. Mayor pro tem Parks recommended a heavily conditioned approval on this request would be appropriate. If there are complaints, a required six (6) foot fence or buffer would be required. Mr. Hosti stated he feels the ordinances need to be changed as there is not a need for a fence around a B&B. Ms. Williams reminded everyone, this was a B&B for several years without any issues. She does agree with Mr. Hosti the ordinance as the buffer needs to be in-line with the buffer definition and needs to be clear of the intent to prevent intrusion to the neighbors. If there are issues, in the future a buffer could be put in place. **Keith Gay** approached Mayor and Council. Mr. Gay stated he successfully operated a B&B for several years on 13<sup>th</sup> Street. He continued, a B&B is a unique commodity as the visitors come to enjoy the Island and he encourages approval. **Monty Parks** made a motion to accept with the condition that should any noise or disreputable behavior occur, Mayor and Council have the right to enforce a six (6) foot fence around the property. **Spec Hosti** seconded. Voting in favor were Monty Parks, Spec Hosti, Kathryn Williams, Tony Ploughe and Bill Garbett. Voting against was Nick Sears. Motion to approve, 5-1.

#### **Consideration of Bids, Contracts, Agreements and Expenditures**

**Main Street: Expand Scope of Work for Tybrisa St. Electrical Upgrade. NO ACTION TAKEN – REMOVED FROM AGENDA.**

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

**Bubba Hughes** stated he met with Mr. Forsyth regarding the status of his STR permit. This is a unique situation as the permit was revoked without notice or a hearing and it was determined as part of the hearing and other circumstances, the permit should be deemed reinstated. The Forsyth's are now on the same footing as would be anyone else that has a permit in the 2020 period. Mr. Hughes stated there does not need to be a vote.

**Brian West** discussed a **Request for an Economic Impact Study about the proposed STR Ordinance**. Ms. Owens recommended this be outsourced, as there is not sufficient Staff to perform the task. Ms. Williams asked Mayor West the scope of this Study. Mayor West confirmed he is looking to find the economic impact to the City of Tybee from the loss of rentals in residential neighborhoods. Mr. Garbett stated he is not in favor of outsourcing when the Finance Department could do the Study. Mayor West did not agree, as it would be a financial hardship on the budget and Staff. Mr. Sears recommend this be postponed for discussion until next workshop where the structure of the Study can be discussed. **TO BE DISCUSSED AT AN UPCOMING WORKSHOP.**

**Tony Ploughe recused.**

**Nick Sears: Consideration of sending proposed STR ordinance to the Planning Commission for its review and investigation and approval or disapproval.** **Nick Sears** made a motion that the proposed Ordinance 2024-02 in form set out at item 12 of the packet (but without the redlining) be sent to the Planning Commission for its review and approval or disapproval at a public hearing to be held at its April 15<sup>th</sup> regularly scheduled meeting and that the required advertisements for the public hearing be run within the required period prior to the hearing. **Bill Garbett** seconded. Voting in favor were Nick Sears, Monty Parks, Kathryn Williams, and Bill Garbett. Voting against was Spec Hosti. Vote to approve, 4-1.

**Kathryn Williams** recommended moving forward with a **Resident Sentiment Survey**. Ms. Williams stated a previous Study was done involving data from 4,000 visitors from July 2021 through September 2022. The Study provides information on the typical Tybee visitor as well as the tourism economic impact on Tybee Island. She asked that Mayor and Council direct Staff to prepare a request for proposal for a Study and honor the commitment that made to the citizens in 2021. Ms. Owens stated with that Study, Visit Tybee paid half the cost of the Study from Georgia Southern. She asked the direction of Mayor and Council. Ms. Williams stated Georgia Southern would be an option as they already have the parameters for the Study. Ms. Owens stated she will reach out to Georgia Southern. Mayor pro tem Parks is in favor of moving forward and would like it if the City Council had a liaison on this Study. He then recommended Ms. Williams as she could work with Ms. Owens going forward. Ms. Owens will reach out to Georgia Southern.

**Tony Ploughe returned to the Dias.**

**Michelle Owens** gave an updated on Spring Break functions.

**Monty Parks** made a motion to adjourn to executive session to discuss Litigation, Personnel and Property Acquisition. **Spec Hosti seconded**. Vote was unanimous, 6-0. **Spec Hosti** made a motion to adjourn and return to regular session. **Monty Parks** seconded. Vote was unanimous to approve, 6-0.

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

Meeting was adjourned at 9:45PM.

---

Janet LeViner, MMC  
Clerk of Council