

Consideration of Items for Consent Agenda

Mayor Sessions called the Consent Agenda to order at 6:30PM. Those present were Nancy DeVetter (via Zoom), Monty Parks, Brian West, Barry Brown, Jay Burke and Spec Hosti. Also attending were Dr. Shawn Gillen, City Manager; Michelle Owens, Assistant City Manager; Tracy O'Connell, City Attorney; Dana Braun, City Attorney; George Shaw, Director, Community Development; and Janet LeViner, Clerk of Council. Bubba Hughes was excused.

Mayor Sessions listed the following items on the consent agenda:

- Minutes: March 10, 2022
- Out of State Travel for Captain Tiffany Hayes, TIPD, to attend National Association of Women Law Enforcement Executives on Scholarship

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

Opening Ceremonies

- Call to Order
- Invocation: Rev. Sue Jackson, Trinity Methodist Church
- Pledge of Allegiance

Recognitions and Proclamations

Mayor Sessions asked representatives from the **Tybee Island Maritime Academy** to come forward to be recognized for the recent designation, **STEAM Award**. **Peter Ulrich** and educators approached Mayor and Council. Mr. Ulrich stated the process took three (3) years to complete and their biggest goal is to have the students love learning and understand how important it is to stay excited about learning. Mayor Sessions presented a Certificate of Appreciation for representing Tybee in such a positive and progressive manner.

Mayor Sessions asked Kathryn Williams, **North Beach Grill**, and Ricardo Ochoa, **Sea-Wolf**, to come forward to be recognized for being a **Tybee Turtle Friendly Restaurant**. **Ms. Williams** thanked Mayor Sessions and stated it was and continues to be her goal to make North Beach Grill greener than it was. She thanked Mayor and Council for the recognition and presented Mr. Arnold with a check from their recycling efforts. **Mr. Ochoa** thanked Mr. Arnold for the program and is asking other establishments join in the "Fight Dirty Tybee" Program.

Michelle Owens approached Mayor and Council to share the **Visionary Award** from Georgia Municipal Association. Mayor Sessions stated this is the second year Tybee has received this award and it is in honor of the City's recognition of the Equality Resolution. The City continues to recognize the diversity and importance of every area of diversity and equality. Ms. Owens stated with the help of citizens the City was given the award which recognized the City's work around justice, equality, equity, and diversity. She asked the members of the **Tybee MLK Human Rights Organization and the Lazaretto Creek Coalition** to be recognized. Ms. Owens then presented Certificates of Appreciation to the Tybee MLK Human Rights Organization and Lazaretto Creek Coalition. Rev. June Johnson presented the Founder's Award to Pat Leiby in recognition of her service and dedication. Mayor Sessions thanked everyone for everything they do.

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

Tim Arnold approached Mayor and Council to give a presentation and update on **Fight Dirty Tybee** (included in the packet before Mayor and Council). Mr. Arnold stated every Sunday evening from March until mid-October they have a stand to collect butts which is one of their main focuses. Other programs include education and awareness. The current project includes making Tybee restaurants Turtle-Friendly Restaurants. Mayor Sessions thanked Mr. Arnold for his hard work with keeping Tybee clean.

Maria Procopio approached Mayor and Council to give an update on the **Marine Science Center**. **Ms. Procopio** gave a presentation which detailed their revenue and participation as well the Center's challenges. She continued, they will be redesigning their website and continuing with Sidewalks to the Sea. Mayor Sessions thanked Ms. Procopio for her hard work with the Marine Science Center.

Citizens to be Heard: Please limit comments to 3 minutes.

Mayor Sessions asked **David McNaughton** and **Ann Purcell** to give an update on the **Tybee Road Scenic Byway**. Ms. Purcell is currently on the Board with GaDOT and is the representative for the Congressional District 1 in Southeast Georgia. She also served eighteen years in the George House of Representatives. Mayor Sessions stated Mr. McNaughton has worked on this project for five plus years and it not an easy accomplishment. Mr. McNaughton stated the State Transportation Board approved the Tybee Road Scenic Byway. This will prohibit new billboards being built along the road. Ms. Purcell thanked Mr. McNaughton as he was and continues to be the driving force behind this designation. Mayor Sessions presented a Key to the City to Ms. Purcell in gratitude for her service not only to Tybee but to the State.

Kathryn Williams approached Mayor and Council to speak to 708 Butler Avenue. Ms. Williams presented minutes from June 2006 City Council Meeting. She stated there are concerns as there was in the past with no answers. Ms. Williams urged Mayor and Council not to take any action on the project until all questions have been thoroughly answered. Mayor Sessions thanked Ms. Williams for her comments.

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

Consideration of Local Requests & Applications – Funding, Special Events, Alcohol License

Agenda Request: Back River Brewery LLC: Brew Pub License add to existing alcohol and entertainment license 402 First St. **Spec Hosti** recused. **Monty Parks** made a motion to approve. **Barry Brown** seconded. Vote was unanimous to approve, 5-0.

Planning and Zoning Consideration

Subdivision of Land: Requesting New Subdivision - 708 Butler Avenue, Chris Koncul. **Monty Parks** asked for information and for Mark Boswell, Engineer, to come forward. Mr. Parks asked Mr. Boswell to confirm if new sewer lines were going to be installed on the property. Mr. Boswell confirmed that they will install 8" or 10" or even 12" pipe and remove the existing. Mr. Parks then asked Mr. Braun if all the documentation to support the requirements Mayor and Council asked the petitioner's attorney to provide have been received. Mr. Braun stated he has spoken with the petitioner's attorney and he is in the process of drafting the documents. The Conservation Easement which will be granted to the City has not been prepared as well. **Monty Parks** made a motion to table the request until April 14, 2022 City Council Meeting. **Brian West** seconded. Vote was unanimous to approve, 6-0.

Variance: Requesting Hammer head in lieu of cul-de-sac- 708 Butler Avenue, Chris Koncul. George Shaw approached Mayor and Council to clarify the City does require for all dead-end streets, a cul-de-sac. There are other requirements which are lesser if a private street. Currently, all dead-end streets must have to have a cul-de-sac. **Monty Parks** made a motion to table the request until April 14, 2022 City Council Meeting. **Brian West** seconded. Vote was unanimous to approve, 6-0.

Consideration of Bids, Contracts, Agreements and Expenditures

YMCA Fitness Center Expansion Project Proposal. Dr. Gillen stated several months ago, Council directed him to research the expansion of the YMCA Fitness Center. He met with YMCA staff, YMCA Board members, City Engineer, and Greenline Architecture to discuss the expansion. They looked at a one story expansion of just the current building and also a tear down and rebuild. The conclusion was to do a tear down due to cost savings. He then showed an artist rendering of the proposed Fitness Center. Dr. Gillen stated it is his intention to begin working with the YMCA Administration and Board to have an arrangement that they would assist in paying for the building, if not some then most of the building. He recommended the YMCA conduct a capital campaign to raise the funds. For them to do this, they need to own the building. The City currently owns the building and the land. The arrangement would be a land lease. The City would lease the YMCA the land, they would own the building, and after a certain term, the building ownership would revert back to the City. Dr. Gillen stated he is seeking a general approval of the concept and permission to pursue that arrangement with the YMCA. It was confirmed there would be public meetings for input. Mr. Hosti asked Dr. Gillen if there will be City funding. Dr. Gillen responded not at this point. Dr. West confirmed the City would lease the land to the YMCA and they pay for their own building. Dr. Gillen confirmed. **Monty Parks** made a motion for the City Manager to move forward. **Barry Brown** seconded. Voting in favor were Brian West, Monty Parks, Barry Brown, Jay Burke and Spec Hosti. **Nancy DeVetter** was not available for the vote. Vote was unanimous to approve, 5-0.

Award of ITB 2022-764: Asphaltic Road Raving. Accepted bid: \$564,228 Account Number 322-3510-54-2200 and 322-4210-54-1400. Dr. Gillen stated Mayor and Council approved a budget to move \$500,000 to the Capital Fund to fund additional paving. An ITB went out and he is seeking approval. Mr. Hosti expressed his concerns as there is a wide range of bids, \$1.6M to \$564,000 with the middle bid of \$941,000. He is concerned there will be Change Orders which will increase the cost of the project. Dr. Gillen stated Change Orders would need to come before Mayor and Council for approval and he feels their recommendation of the bidder is a good one. **Monty Parks** made a motion to approve. **Barry Brown** seconded. Voting in favor were Brian West, Monty Parks, Barry Brown and Jay Burke. Voting against was Spec Hosti. **Nancy DeVetter** was not available for the vote. Vote was 4-1 to approve.

Consideration of Ordinances, Resolutions

First and Second Reading: 2022-02, Brewpub Ordinance. Dana Braun approached Mayor and Council and stated he drafted the proposed ordinance which will authorize brewpubs. The State Law allows the brewing on the premises and allows patrons to take the product off premises and this ordinance complies with the State Law. **Spec Hosti** recused. **Monty Parks** made a motion to approve. **Barry Brown** seconded. Vote was unanimous to approve, 4-0. **Nancy DeVetter** was not available for the vote.

First Reading: 2022-03, Sec 58-82 Excise tax on malt beverages produced by brewpubs. Dana Braun approached Mayor and Council and stated the proposed ordinance is what the State requires as the State Law mandates that the excise tax be imposed by local

governments on Brewpubs for product that is brewed on premises. **Spec Hosti** recused. **Barry Brown** made a motion to approve as with the language changed from the "City Clerk" to "appropriate personnel". **Monty Parks** seconded. Vote was unanimous to approve, 5-0.

Council, Officials and City Attorney Considerations and Comments

Shawn Gillen: Action Item List. No action taken.

Michelle Owens approached Mayor and Council to give an update on the 30 Day Comment Period. She stated it will officially end on April 6, 2022. Ms. Owens explained there have been meeting, Zoom meeting, and a survey for the public. She gave a brief synopsis of the results. Mayor Sessions thanked Ms. Owens.

Brian West made a motion to adjourn to Executive Session to discuss personnel. **Monty Parks** 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, 5-0. **Nancy DeVetter** was not in attendance.

Barry Brown made a motion to adjourn. **Monty Parks** seconded. Vote was unanimous to approve, 5-0. **Nancy DeVetter** was not in attendance.

Meeting adjourned at 8:30PM.

Janet R. LeViner, MMC
Clerk