

Consideration of Items for Consent Agenda

Mayor Sessions called the Consent Agenda to order at 6:30PM. Those present were Monty Parks, Brian West, 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; George Shaw, Director, Community Development; and Janet LeViner, Clerk of Council.

Mayor Sessions listed the following items on the consent agenda:

- Minutes: April 26, 2022, City Council Meeting
- Out of State Travel, Lt. Randolph, will attend the Public Information Officer Conference Training in Stuart, FL. from October 7th until October 12th. 100-3210-52-3500 and the cost is approx. \$2,176.
- Debris Removal Monitoring - Award to Rostan Solutions, LLC. **Motion to authorize the Mayor sign once all documents have been received and approved by the attorneys.**

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

Opening Ceremonies

- Call to Order
- Invocation: Jan LeViner, Clerk of Council
- Pledge of Allegiance

Recognitions and Proclamations

Jaime Spear approached Mayor and Council to introduce the **Employee of 1st Quarter - Lisa Schaaf**. Mayor Sessions thanked Ms. Schaaf for all her dedication to the City.

Janice Elliott approached Mayor and Council to invite everyone to the National Poppy Day celebration, Friday, May 27, 2022. Mayor Sessions then read a **Proclamation: Poppy Day** and presented to Ms. Elliott.

Master Chief Petty Officer Eric Risner approached Mayor and Council to receive a **Proclamation: National Safe Boating Week**. Master Chief Risner thanked Mayor and Council for recognizing National Safe Boating Week as well as Coast Guard Station Tybee. Mayor Sessions thanked Master Chief Risner for his dedication not only to the Coast Guard but also to the citizens of Tybee Island.

Jan LeViner approached Mayor and Council to announce the winners of the **Georgia Cities Week Winners**

Coloring Contest

- | | |
|----------------------|------------------|
| ▪ Karoline Kozlowski | ▪ Mercer Filgate |
| ▪ Liliana Colvin | ▪ Obelia Michael |
| ▪ Drae'onnah Stanley | ▪ Ruby Pair |
| ▪ Lindy Walker | ▪ Emma Smith |

Scavenger Hunt On-Line

- Entire Student Body

If I Were Mayor

- | | |
|-------------------|-------------------|
| ▪ Troup Thomas | ▪ Arden Fleishman |
| ▪ Maximus Harrell | ▪ Samantha Faxon |
| ▪ Shelby Thompson | ▪ Bella Cannady |
| ▪ Pierson Booth | |

Mayor and Council thanked all the students and presented them with Certificates and gifts.

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

Tybee Post Theater, Evan Goetz, Director and Virginia Ward, Board Chair. Rescheduled for May 26, 2022

Citizens to be Heard

Mack Kitchens approached Mayor and Council to speak to the topic of swings and benches on the beach. Mayor Sessions thanked Mr. Kitchens.

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

Public Hearings

Site Plan approval: 923 Bay Street – Water & Sewer new modular lab building – City of Tybee. George Shaw approached Mayor and Council. Mr. Shaw stated the Water/Sewer Department has a testing lab and it is collapsing. It is recommended the City use a modular building which will be 30 – 50 feet away from the current building and will meet all the setback requirements. Planning Commission voted unanimously to approve. Staff also recommended approval. **Monty Parks** made motion to approve. **Spec Hosti** seconded. Vote was unanimous, 6-0.

Planning and Zoning Consideration

Appeal: Tree Ordinance – 2 Horsepen Point Drive. 40015 02001 – Zone R-2, Terry. George Shaw approached Mayor and Council. Mr. Shaw stated Mr. Timmons has many trees on his property and has applied for a permit to remove four (4) palms that are next to the live oaks. The current ordinance does not allow you to cut down a significant tree unless it is doing damage to a structure. Planning Commission tabled the item for discussion and then came to a potential solution, not in ordinance form, the Arborist would use his best judgement in such a case, and in this case, the Arborist decided all the palms could be removed as they are damaging the live oaks. Staff recommended approval and Planning Commission unanimously recommended approval for the removal of the trees. Mr. Timmons approached Mayor and Council. He stated the method of removal will be up to Harrington Tree Service. Mayor pro tem Brown expressed his concerns with the removal of the palms so they do not harm the live oaks. Mr. Hosti recommended Mayor and Council revisit the Tree Ordinance. **Barry Brown** made a motion to approve. **Monty Parks** seconded. Vote was unanimous to approve, 6-0.

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

Tybee Post Music Festival, November 12, 2022. Evan Goetz approached Mayor and Council. Mr. Goetz explained the upcoming Music Festival which is an all day festival and will be held on the grounds of Hotel Tybee. The festival will feature 8 – 10 bands throughout the day with a headliner that evening. **Monty Parks** made a motion to approve. **Barry Brown** seconded. Vote was unanimous, 6-0.

Consideration of Ordinances, Resolutions

2022-06, Second Reading: Use of Tobacco or Related Products on the Beach and to Repeal Inconsistent or Conflicting Ordinance and to Establish an Effective Date. Ms. O’Connell stated this is in response to a great deal of study and was decided Mayor and Council wanted to ban smoking on all the beaches. Previously, there was a ban on a specific portion but

this expands to all beaches on the Island. Mr. Parks stated he would like to amend any motion made to be the ordinance to include the ordinance will be effective June 1, 2022 to allow staff to have time to get signage and for the first three (3) weeks only warnings are issued. Mayor Sessions asked Mr. Parks if he would like to make that a motion. **Monty Parks** made a motion to approve the ordinance with the amendment, effective date is June 1, 2022 and initially only warnings will be given for the first three weeks. **Nancy DeVetter** seconded. Voting in favor were Monty Parks, Nancy DeVetter and Jay Burke. Voting against were Brian West, Barry Brown and Spec Hosti. Shirley Session voting in the affirmative. Vote to approve, 4-3.

Council, Officials and City Attorney Considerations and Comments

Bubba Hughes approached Mayor and Council to give an update on the **Status of Deep Well Project**. **Mr. Hughes** stated the deep well was started many years ago and then due to the failure of the well, everything stopped and litigation began. After years of litigation the case has been resolved and the Georgia Environmental Finance Authority, whose director is still in place, Mr. Clark, is committed to still fund the deep well. He had conversations with Mr. Clark as well as Mr. Hill, his successor, and they have reconfirmed the commitment. They are awaiting a commitment from the City to move forward with the project. The location of the new well will need to be slightly different, 50' from the current shaft which was not completed. The new location will be in the same general area of the original site plan. Mr. Stovall, Thomas and Hutton, has agreed to schedule a meeting with Hilton Head and Mt. Pleasant which Tybee Island would most likely model their site plan. He recommended Mayor and Council hold a workshop to include Thomas and Hutton to discuss the project (water treatment facility). Dr. Gillen stated the estimated cost of the project is \$22M. Mr. Hughes explained the bidding process and recommended Mayor and Council schedule a workshop with Mr. Stovall to discuss. Mayor and Council concurred. Mr. Parks stated that as he is a member of the Regional Water Commission, he recommended having a meeting with them for their recommendations. Mr. Parks asked Mr. Hughes if there is a timeline. Mr. Hughes responded, not that he is aware of at this time.

Brian West discussed **Updating income levels for low income water bill grant fund**. Dr. West stated at the planning workshop, Mayor and Council discussed updated the income levels. He asked Dr. Gillen to ensure he is following the Federal Poverty Levels. Dr. Gillen responded, currently the levels are set in an ordinance. He made reference to the property being homesteaded, the owner be above the age of 65, make \$36,000 or less and then receive a small discount on your water bill. He confirmed Dr. West is recommending increasing that income level to whatever the % of the current poverty level as set by Department of Health and Human Services typically sets. Mr. Hughes stated the City does have an ordinance that permits the discounted rate and he recommends the rate be done other than in a grant. Dr. Gillen to follow-up.

Brian West made a motion to adjourn to Executive Session to discuss real estate and litigation. **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, 6-0.

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

Meeting adjourned at 9:30PM.

Janet R. LeViner, MMC
Clerk