

Consideration of Items for Consent Agenda

Mayor Sessions called the consent agenda to order at 6:30PM on May 26, 2022. Those present were Brian West, Monty Parks, 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; and Lisa Schaaf. Nancy DeVetter, Barry Brown, Jay Burke and Jan LeViner were excused.

Mayor Sessions listed the following items on the consent agenda:

- Minutes, May 12, 2022
- Info Hut Use Agreement with City of Tybee and Visit Tybee
- Second Amendment, Verizon Wireless, License. **Mr. Hughes** asked the Mayor have authorization to sign an extension agreement that will be like the First and Second Amendments which are included in the packet before them tonight.

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

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

Allen Lewis and Pat Leiby approached Mayor and Council to give an **Update on upcoming Events under the Resolution Promoting Justice and Equality**. Ms. Leiby reminded everyone Juneteenth event is coming up, June 18th and 19th and will be held on the south-end near the Pier. Mr. Lewis thanked the City for co-sponsoring a Georgia Historical Marker which will be erected on August 17, 2022 between Parking Services and the Pier. Ms. Leiby gave an update on the Black Trail on Tybee. She stated they have identified 15 sites for markers. It is their hope to have a walking trail and brochure to give a brief description of the site. Mayor Sessions thanked Ms. Leiby and Mr. Lewis for their hard work.

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

Clark Alexander, Director, Skidaway Institute of Oceanography approached Mayor and Council to give an update on the **Dune Monitoring Project**. Mr. Robertson stated Mr. Alexander has been working with the City for the past two (2) years and has agreed for another year in working with the Dune Monitoring Project. Mr. Alexander stated he would like to give updates on research and monitoring that he has been doing for the past two (2) years in an attempt to provide Mayor and Council with information that can be used in an actionable way to make better decisions regarding how to preserve the beach so there can be a community for the long term to be able to host activities. Mr. Alexander would like to report back to Mayor and Council after each quarterly survey. Mayor Sessions discussed funding for future beach re-nourishments and thanked Mr. Alexander for his presentation.

Alan Robertson approached Mayor and Council to give an **Update on Benches/Crossovers**. Mr. Robertson stated an application was submitted to the Department of Natural Resources (DNR)

to have benches on crosswalks. He was notified in February the decision was made by the DNR that the benches were associated with the crosswalks and crosswalks are minor issues, the request did not have to go to the SPA Committee, and it is under consideration by Staff to make a recommendation to the SPA Committee. He continued, the benches are under consideration at this point. The subject of swings was addressed. The recommendation is the City redo the SPA Application for benches and incorporate all the things the City would like to see on the beach. The proposal is that the City use this opportunity to resolve the outstanding issues. Mayor Sessions thanked Mr. Robertson for his continued hard work with the DNR to get "what we want" on the beach.

Representatives from the **Tybee Arts Association** gave a brief **Update on their 2022 growth**. The Ballet Theater also gave a short program. Mayor Sessions thanked everyone for their beautiful program.

Virginia Ward, Board Chair, Tybee Post Theater and **Alan Robertson** approached Mayor and Council to give an update on the Post Theater. Mayor Sessions reminded everyone the Theater is a community treasure, the Miracle of Van Horne, and she thanked Ms. Ward and Mr. Robertson for their hard work in promoting the Theater.

Jamey Rabun, River's End Campground approached Mayor and Council to give an update. Mr. Rabun outlined the amenities of the campground and since 2021 the net revenues have exceeded expenses and for the upcoming fiscal year, continue to trend higher. Mayor Sessions thanked Mr. Rabun for his hard work and leadership.

Monty Parks made a motion to approve the consent agenda. **Spec Hosti** seconded. Vote was unanimous to approve, 3-0.

Public Hearings

Prescott Private Parking-214 2nd Ave. **Mr. Hughes** stated this is a petition to permit a private parking lot that has been at a location as one of the original recognized locations and have been referred to in the actual ordinance in Sec 3-250 in residential zones. There are four (4) or five (5) of them which were originally allowed and then over the years, the council at the time, decided not to permit any more but to allow those that were properly renewed on an annual basis continue as long as there have not been any infractions. The person that held the permit would reapply by December 15th for the ensuing year. This was done by public hearing as it is being done tonight. Mr. Hughes continued, as he understands, no application was made on Ms. Prescott's parking lot. In January 2022, the Prescott Parking Lot was on the list but no timely application had been received and there was no motion on that lot. Soon after that, Ms. Prescott's son approached Mayor and Council and asked the issue be revisited as the majority of council would have to act to allow the application. The application as currently submitted is under the name of Ms. Prescott's son. The ordinance requires that each application, even for a renewal, contain the survey and the insurance requirements. Dr. Gillen confirmed Mr. Hughes description of events. Mr. Hosti stated he brought this back to Mayor and Council and his understanding is that Ms. Prescott was ill at the time and it was an oversight the application was not filed when due. Mr. Parks stated there is now a business license under the name of Palmer Prescott, not Ms. Prescott, and there is no site plan attached. He feels there should be a provision in the ordinance for late applications, missed applications, and for changing names. Mayor Sessions asked for direction from Mr. Hughes. Mr. Hughes stated this is a unique situation, as the ordinance is unique and feels there are short comings with the application. Mr. Hughes continued, Mayor and Council need to determine whether the application should be entertained as it was not submitted on time. He expressed his concerns for the future as to the passing of the permit

within the family as this could set a precedence and the ordinance sets a specific time for the application to be made which has not been met. Mr. Parks stated the application is in someone else's name, no site plan, no affidavit, and no notary as to the operator of the lot. He will vote in favor of this application but also will reserve his right for reconsideration. **Palmer Prescott** approached Mayor and Council and confirmed his mother is ill and did submit the application incomplete. He stated the site plan is on file and nothing has changed. He is not aware of the need for an affidavit but will provide to Staff. Dr. West stated he will vote in favor of this request but also feels the ordinance needs to be modified so this does not happen again. **Spec Hosti** made a motion to approve. **Brian West** seconded. Vote was unanimous to approve, 3-0.

Council, Officials and City Attorney Considerations and Comments

Bubba Hughes: Introduction: GMA Retirement Plan Amendments. Mr. Hughes stated this is an ordinance that was prepared at the request of Council to change the retirement plan: (1) increasing the benefit by \$5.00 for each month, after you are vested (for elected officials) and (2) for employees, recommending a change in the vesting schedule from graduated ten (10) years to a minimum of five (5) years for full vesting, not a graduated program. This is for introduction only which allows Mayor and Council to have first and second reading as it is supposed to be effective July 1, 2022. Mayor Sessions asked Council to send their recommendations to Mr. Hughes, Dr. Gillen and Jaime Spear. **Discussion only, no action taken.**

Monty Parks stated traffic backs up from Johnny Mercer back to Whitemarsh area. One reason for the backup is the traffic lights do not recognize the traffic. He is asking the City Manager to reach out to Chatham County to have them have staff direct traffic to have a more even flow so there is no backup on Highway 80. **Discussion only, no action taken.**

Monty Parks made a motion to adjourn to Executive Session to discuss ligation. **Spec Hosti** seconded. Vote was unanimous to approve, 3-0.

Monty Parks made a motion to return to regular session. **Spec Hosti** seconded. Vote was unanimous to approve, 3-0.

Monty Parks made a motion to adjourn. **Brian West** seconded. Vote was unanimous to approve, 3-0.

Meeting adjourned at 9:15PM.

Janet R. LeViner, MMC
Clerk of Council