

City Council Synopsis, September 22, 2022

Mayor Sessions called the meeting to order at 6:30PM, September 22, 2022. Those in attendance were Brian West, Monty Parks, Nancy DeVetter, Barry Brown, Jay Burke and Spec Hosti. Also attending were Dr. Shawn Gillen, City Manager; Bubba Hughes, City Attorney; Tracy O'Connell, City Attorney; Jake Saas, Ellis Painter; George Shaw, Director, Community Development; and Jan LeViner, Clerk of Council.

Opening Ceremonies

Call to Order

Pledge of Allegiance

Invocation: Jan LeViner, Clerk

Mayor Sessions added the following to the Consent Agenda:

- Minutes, September 8, 2022
- Tybee Post Theater - One Day Special Event: Alcohol License Liquor, Beer and Wine
- The Grandview-Hotel Tybee 1401 Strand Ave
- Agenda Request: Alcohol License- Special Event: Beer and Wine Only-Tybee Festival Association/Tybee Pirate Fest
- Resolution 2022-07, Ameris Bank. Basic housekeeping switching our credit card carrier from SunTrust to Ameris. Ameris holds our checking and investment accounts
- Public Service Commission Loaner Vehicle
- Info Hut - Extend Agreement through Pirates Fest

Recognitions and Proclamations

- Turtle Friendly Restaurant Recognition of Pier 16 and The Deck.

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

- Britt Bacon, Tybee Arts Association
- Cassidi Kendrick - Main Street Program Update/ Holiday Events

If there is anyone wishing to speak to anything on the agenda other than the Public Hearings, please come forward. Please limit comments to no more than 5 minutes.

- Roger Huff: Ordinance 2022-10
- Matt Campbell: Against STR ordinance
- Mark Conway: Economic impact on the Island, STR's
- Brook Mackey: Concerns with changes, STR's
- Keith Gay: Permitted STR's
- Tony Lescak: STR compromise
- Jean Bowen: Financial impact of STR's
- Corey Jones: Find a balance, STR's
- Marsha Marks: Parking, STR's
- Russell Gross: Favor of STR ordinance
- John Mauro: Financial impact, STR's
- George Calvert: Common interest in the community, STR's
- Bill Anderson: Against STR ordinance
- Brian Shields: Against potential STR ordinance
- Laurie Gulbranson: STR ordinance will not benefit residents

- Shirley Wright: In support of STR ordinance
- Julia Pearce: STR's should not be in residential neighborhoods
- Patrick Connell: STR ordinance unconstitutional
- Joshua Morris: STR ordinance
- Larry Phillips: STR ordinance
- Cody Jones: Need economic study of STR's
- Lisa Dean: Lift Moratorium and deny ordinance
- Jenny Rutherford: Concerns with registration of STR's

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

Public Hearings

Text Amendment: Land Development Code Sec 4-050(A) R-1, Section 1; Section II, Sec 4-050(B) R-1-B; Section III: Selection 5-020(A); Section IV, 5-040(B); and Section V (Z-1). Withdrawn. No Action Taken.

Text Amendment: Land Development: Article 4, Section I, 4-050(A)(B) and (C); Section II, Definitions; Sec III, Notice of and Abandonment of Nonconforming Use; Section IV, Allowances; Section V, Caps in Certain Zoning Districts; and Section VI, New Permits Prohibited Exception for Owner Occupied Locations (Z-2). Monty Parks made a motion to approve with the following changes: (1) consistent definition of a Short Term Rental (STR); (2) addressing multi-units on a parcel; and (3) long-term lease language would not trigger abandonment **Nancy DeVetter** seconded. Voting in favor were Monty Parks, Nancy DeVetter, and Barry Brown. Voting against were Spec Hosti and Brian West. Motion to approve with changes, 3-2. Jay Burke recused.

Spec Hosti made a motion for Mr. Hughes to craft language to protect individuals who had building permits prior to the moratorium and wanted to apply for STR licenses. **Monty Parks** seconded. Vote was unanimous to approve, 5-0.

Text Amendment, Land Development Code, Parking in Short Term Rental locations (Z-3). Brian West made a motion to remove the language "the lawns or" and "there shall be one parking place for each identified bedroom on the application or other submittal to the City for the Short-Term Rental operation plus one additional parking place". **Spec Hosti** seconded. Voting in favor were Spec Hosti, Brian West and Monty Parks. Those voting against were Nancy DeVetter and Barry Brown. Motion to approve with the changes 3-2. Jay Burke recused.

Consideration of Ordinances, Resolutions

First Reading, 2022-10, STR Ordinance, to amend Sec 34-260, 34-261, 34-262, and 34-265. To add Sec 34-267, 34-268 and 34-270. Monty Parks made a motion to include the following exceptions: (1) to address a grammatical error and add language from the moratorium regarding transferability in Sec 34-267; (2) everything related to disorderly house ordinance is deleted and only STR's, specific, such as non-payment of taxes, etc. as stated in Sec 34-268; (3) change the "refusal to participate" to a verification process in Sec 34-268(c); and (4) 34-270, to limit to the permit application package and refer to as verifying submitted documents. To add Sec 34-271, to add language from the moratorium for re-permitting of existing STR's. **Nancy DeVetter** seconded. Voting in favor were Monty Parks, Nancy DeVetter, and Barry

Brown. Voting against were Spec Hosti and Brian West. Motion to approve 3-2. Jay Burke recused.

Second Reading, 2022-09, Regulation of Motorized Carts within the City of Tybee Island. Sec 66-8. Tabled.

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

Meeting adjourned at 12:45AM

Janet LeViner, MMC
Clerk of Council