

**MAYOR**

Jason Buelterman

**CITY COUNCIL**

Barry Brown, Mayor Pro Tem  
John Branigin  
Wanda Doyle  
Julie Livingston  
Monty Parks  
Shirley Sessions



**CITY MANAGER**

Dr. Shawn Gillen

**CLERK OF COUNCIL**

Jan LeViner

**CITY ATTORNEY**

Edward M. Hughes

**CITY OF TYBEE ISLAND**

**AGENDA**  
**REGULAR MEETING OF TYBEE ISLAND CITY COUNCIL**  
**May 23, 2019 at 6:30 PM**

*Please silence all cell phones during Council Meetings*

Consideration of Items for Consent Agenda 6:30PM

Executive Session

Opening Ceremonies

Call to Order  
Invocation  
Pledge of Allegiance

State of the City

Recognitions and Proclamations

1. Proclamation, National Poppy Day

Consideration of the approval of the minutes of the meetings of the Tybee island City Council

2. Minutes, Special City Council Meeting, May 7, 2019
3. Minutes, City Council Meeting, May 9, 2019
4. Minutes, Special City Council Meeting, May 14, 2019

Consideration of Boards, Commissions and Committee Appointments

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

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

5. Mack Kitchens - Dune Restoration Project

Consideration of Approval of Consent Agenda

**P.O. Box 2749 – 403 Butler Avenue, Tybee Island, Georgia 31328-2749**  
**(866) 786-4573 – FAX (866) 786-5737**  
**www.cityoftybee.org**



Public Hearings

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

- 6. Alcohol License Request: Drift Tybee LLC dba Drift  
Beer and Wine-Sale by Drink for Consumption on Premises Only; Sunday Sales-Sale by Drink for Consumption on Premises Only
- 7. Alcohol License Request: Retail Beer and Wine-Package Sales Only, Consumption on Premises Prohibited;  
Sunday Sales-Package Sales Only

Consideration of Bids, Contracts, Agreements and Expenditures

- 8. Water/Sewer Department is requesting approval for purchase of two new Ford pickup trucks from JC Lewis. Budget Line Items: 505-4310-54-2200 and 505-4410-54-2200. Total amount: \$22,928.44
- 9. The purpose of this agenda item is seek the City Council's approval to amendment the General Fund fiscal year 2018-2019 operating and capital budget of \$13,968,968, by \$158,402 to \$14,127,370.
- 10. Council Action Requested Authorization to Purchase the Following Equipment:
  - Hydranalix Emergency Intergrated Lifesaving Lanyard (EMILY) x2 \$26,402
  - Club Car CarryAll \$14,698
  - Beach Vehicle Equipment (Lights, Sirens, Warning System) \$15,000
  - Patient Transport Insert x2 \$5000
  - Line Item: 100.351.54.2100

Consideration of Ordinances, Resolutions

- 11. Resolution - FY2019 Budget Amendment

Council, Officials and City Attorney Considerations and Comments

- 12. Bubba Hughes - Pretrial Diversion Program
- 13. Jason Buelterman - Recommendations from Finance Committee
- 14. John Branigin - Public Safety Compensation
- 15. John Branigin - Orange Crush Feedback

16. Wanda Doyle - Public Safety Committee Update

17. Wanda Doyle - Plastic Bag Recycling

18. Monty Parks - Recycle Proposal

#### Executive Session

Discuss litigation, personnel and real estate

Possible vote on litigation, personnel and real estate discussed in executive session

#### Adjournment

*Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities are required to contact Jan LeViner at 912.472.5080 promptly to allow the City to make reasonable accommodations for those persons.*

**\*PLEASE NOTE:** Citizens wishing to speak on items listed on the agenda, other than public hearings, should do so during the citizens to be heard section. Citizens wishing to place items on the council meeting agenda must submit an agenda request form to the City Clerk's office by Thursday at 5:00PM prior to the next scheduled meeting. Agenda request forms are available outside the Clerk's office at City Hall and at [www.cityoftybee.org](http://www.cityoftybee.org).



#### THE VISION OF THE CITY OF TYBEE ISLAND

*"is to make Tybee Island the premier beach community in which to live, work, and play."*



#### THE MISSION OF THE CITY OF TYBEE ISLAND

*"is to provide a safe, secure and sustainable environment by delivering superior services through responsible planning, preservation of our natural and historic resources, and partnership with our community to ensure economic opportunity, a vibrant quality of life, and a thriving future."*

**Item Attachment Documents:**

1. Proclamation, National Poppy Day



## CITY OF TYBEE ISLAND

### PROCLAMATION

Expressing support for the designation of May 24, 2019, as Notional Poppy Day on Tybee Island and recognizing the important of honoring those who have worn our nation's uniform; and

**WHEREAS**, poppies are worn and displayed as a symbolic tribute to our fallen and the future of living veterans and service members; and

**WHEREAS**, at the end of World War I, The American Legion adopted the poppy as a symbol of freedom and the blood sacrificed by troops in wartimes. The symbolic use of the poppy comes from the poem *In Flanders Fields*, which movingly begins, "In Flanders Fields the poppies blow, between the crosses, row on row, " referring to the poppies that sprang up in the churned-up earth of newly dug soldiers' graves over parts of Belgium and France; and

**WHEREAS**, The American Legion family has long utilized the red poppy as its official flower, symbolizing the blood shed by those who have served in our U.S. military and it is fitting that as The American Legion approaches its 100<sup>th</sup> anniversary, they expand the meaning and symbolism of the poppy, mirroring the manner in which the poppy is symbolically showcased in England and Canada in celebratory fashion on their Remembrance Day, also known as Armistice Day and Poppy Day; and

**WHEREAS**, wearing a poppy will unite citizens from across the country who decide to show their patriotism; and

**WHEREAS**, May 24, 2019 would be an appropriate date to designate as National Poppy Day;

**NOW THEREFORE**, I Jason Buelterman and City Council members of the City of Tybee Island do hereby proclaim May 24, 2019 as National Poppy Day and urge all citizens, residents and visitors on Tybee Island to join in observing this day of honor to every service member who has died in the name of liberty, freedom and democracy while also showing their support for living veterans, service members and their families.

**IN WITNESS THEREFORE**, I hereby set my hand and cause the Seal of the City of Tybee Island to affixed this 23<sup>th</sup> Day of May 2019.

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Jason Buelterman, Mayor  
City of Tybee Island

**Item Attachment Documents:**

2. Minutes, Special City Council Meeting, May 7, 2019

City Council Minutes, May 7, 2019

**Mayor Buelterman** called the Special City Council meeting to order at 4:00PM. Those in attendance were Julie Livingston, Monty Parks, John Branigin, Wanda Doyle and Shirley Sessions. Also in attendance were Bubba Hughes, City Attorney and Janet LeViner, City Clerk. Barry Brown joined the meeting during executive session.

**Julie Livingston** made a motion to adjourn to executive session to discuss real estate and personnel. **Monty Parks** seconded. Vote was unanimous, 5-0.

**Monty Parks** made a motion to return to regular session. **John Branigin** seconded. Vote was unanimous, 6-0.

**Monty Parks** made a motion to adjourn. **John Branigin** seconded. Vote was unanimous, 6-0.

Meeting adjourned at 5:00PM.

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Janet R. LeViner, CMC  
Clerk

**Item Attachment Documents:**

3. Minutes, City Council Meeting, May 9, 2019



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

Mayor Buelterman called the consent agenda to order at 6:30PM on May 9, 2019. Those present were Julie Livingston, Monty Parks, John Branigin, Wanda Doyle, and Barry Brown. Also attending were Dr. Shawn Gillen, City Manager; Bubba Hughes, City Attorney; George Shaw, Director, Community Development; Angela Hudson, Finance Director and Janet LeViner, Clerk of Council. Shirley Sessions was excused as she is on vacation.

### **Mayor Buelterman listed the following items on the consent agenda:**

- City Council Minutes, April 25, 2019, **As amended.**
- Council Approval for Special Events Application, Remembrance Parade on 6/16/19 from 7am to 11am along bike route from Alley 3 to the Pier. **Discussion:** Parade is approved and drums are allowed only if parade begins at 10:00AM.
- Out of State Travel, Melissa Freeman, St Augustine, FL, to attend Institute for Public Procurement Training, June 12 - 14, 2019. See attached for appropriate budget line item
- Contract, Expert Laser Services, Replacement of Copiers in City Hall
- Approval to amend the SPLOST 2014 Fund fiscal year 2018-19 Capital Budget of \$1,340,575.29 by transferring \$7,000 from the contingency fund line item to the Fire Department's budget for additional related equipment to the mobile commend unit vehicle. See attached for associated line items.
- Sprint Fiber Work, 111 Butler Avenue, Water Tower
- Bid approval for Portable Restrooms, South-end Beach
- Jason Buelterman - Use of State funds for additional Federal re-nourishment and dunes. **Discussion:** Mayor Buelterman stated the USCOE has a \$12M amount set aside for Tybee and the City has agreed to add \$2.6M to the \$5M the State provided and he suggests out of the remaining approximately \$2M from the State funds, \$1M more towards the USACOE. This would give them \$15.6M of State and Federal monies to purchase as much sand as possible for the future re-nourishment, dunes and beach.

**Mayor Buelterman** called the regular meeting to order at 7:00PM. All those present for the consent agenda were present.

### **Opening Ceremonies**

- Call to Order
- Invocation: Ken Douberly, St Michaels Parrish
- Presentation of Colors and Pledge of Allegiance

### **Citizens to be Heard.**

**Mack Kitchens** approached Mayor and Council to speak to **Dune Restoration Project and Beach Re-nourishment.** Mr. Kitchens read from a prepared document where he expressed his concerns with the Dune Restoration Project, Beach Re-nourishment and Alan Robertson (see attached). Mayor Buelterman explained the future beach re-nourishment, the placing of sand fencing in critical areas and vegetation. He continued, Alan Robertson was hired to manage the Dune Restoration Project with the assistance of Thomas and Hutton Engineers as the City needed to have these people in place as the project is time sensitive. Mr. Robertson possesses the credentials needed to manage the Project as well as a professional relationship with DNR staff. Mr. Kitchens presented numerous questions as to Mr. Robertson. Ms. Doyle recommended Mr. Kitchens submit an Open Records Requests to the Clerk which would answer his questions. Mayor Buelterman stated he disagrees with Mr. Kitchens as the dunes do protect

the City. If the dunes had been in place for Hurricane Matthew they would have assisted in keeping the flooding to a minimum. They are now providing critical protection for the Island. Mr. Kitchens disagreed. Mayor Buelterman thanked Mr. Kitchens for his comments.

**Wanda Doyle** stated after the 4<sup>th</sup> of July event the Concerned Citizens Group, DOJ, and Staff will meet to evaluate all public safety precautions that have been implemented. Mayor Buelterman thanked Ms. Doyle.

**Karen Gilbert, 113 Jones Avenue**, approached Mayor and Council to speak in support of the proposed ordinance, **Disorderly Household Ordinance**. Ms. Gilbert commended the Public Safety Committee and Council for demonstrating not just in their words but through their actions, your commitment to preserving the quality of life for Tybee residents.

**Amy Gaster** approached Mayor and Council to speak to the proposed ordinances, **Disorderly Household and STVR Ordinance**. Ms. Gaster agrees the City needs to have these ordinances as there are none. She made reference to changes from the stake holders which were not incorporated in to what is before Mayor and Council tonight. Ms. Gaster addressed penalties; transference and change of ownership; all properties governed alike; and an enforceable ordinance. She stated she does not feel the proposed ordinance is equitable. Ms. Gaster then addressed the STVR Ordinance in regards to trash. She outlined the different services that have been provided through the years for the STVR. Ms. Gaster would like that portion of the proposed ordinance to be revisited as changes would take effect on Memorial Day and that does not leave sufficient time for a solution to the trash issues and concerns. This will be a challenge. Ms. Gaster recommended an Island wide solution for the twelve weeks (Memorial Day to Labor Day) which would be twice a week pick-up and revisit for a long term solution. Mayor Buelterman thanked Ms. Gaster for her comments.

**Keith Gay** approached Mayor and Council to speak to the proposed ordinances, **Disorderly Household and STVR Ordinance**. Mr. Gay stated his main concern is if the proposed ordinance is passed in its current capacity, it sets the stage for an unequal level of enforcement which is unintended. He stated the only way the City can control a disorderly house in long term or short term is by penalizing the performance of the occupant. Mr. Gay also stated his concerns with the possibility the proposed ordinance could put him out of business if the "three strikes mechanism" go against the owner/management company and not to the occupants. He then moved to the STVR Ordinance. Mr. Gay recommended twice a week trash pick-up, Island wide, during the season. He feels it is more economical as the pick-up route would be the same as once a week pick-up. Mayor Buelterman thanked Mr. Gay.

**Barry Brown** made a motion to approve the consent agenda. **Julie Livingston** seconded. Vote was unanimous, 5-0.

### **Consideration of Ordinances**

**Second Reading, 2019-03, Graffiti, Sec 22-33-42.** **Wanda Doyle** made a motion to approve. **Monty Parks** seconded. Vote was unanimous to approve, 5-0.

**Second Reading, 2019-04, Disorderly Household.** Ms. Doyle asked Mr. Hughes if there is language in the proposed ordinance regarding whose responsibility it is for the bad behavior, occupant or home owner. She would like the penalty to be more equitable. Mr. Hughes stated there are two things: (1) occupant is most likely to get the citation when an event occurs and the court deals with them and (2) the owners receive the same citation and the court addresses them. The goal of the proposed ordinance is to encourage appropriate behavior by everyone.

The proposed ordinance gives the City additional leverage to a management company or owner whose property has received two citations to be more forcible regarding controlling the behavior of the occupant(s). He continued, the ordinance is based on convictions and feels it is as neutral as it can be. Mayor pro tem Brown asked what is the minimum fine associated with the proposed ordinance. Mr. Hughes stated there is no minimum fine and the maximum fine is \$1,000. Dr. Gillen explained the "three strikes you are out" proposal. He continued after three citations have been received in a 365 day period and are adjudicated, a meeting is scheduled to do an Abatement Agreement. Here they will be given guidelines for compliance for the remaining 365 day time period. Mayor pro tem Brown asked if the same applies to residents as to short and long term rentals. Dr. Gillen confirmed. Mr. Parks stated he is comfortable with the proposed ordinance as 99% of the properties on the Island are in compliance and the proposed ordinance is directed toward bad behavior. Ms. Livingston stated Council needs to reach a balance between what protects the citizens that live on the Island year round and tourists that visit and feels that the proposed ordinance has accomplished that. She encouraged Council to vote in the affirmative. Ms. Doyle made reference to the Abatement Agreement process as it goes through the City Manager. Mr. Hughes confirmed. Mr. Branigin stated the proposed ordinance is as equitable as possibly be and the only way it can be 100% equitable is to drop the provision that allows the revocation of the rental license which would take away the only tool over and above the court penalties currently in place. He stated the abatement process provides ample protection for management companies and property owners. **John Branigin** made a motion to approve. **Julie Livingston** second. Vote was unanimous to approve, 5-0.

**Second Reading, STVR, 2019-09, Sec 34-261.** Monty Parks stated he had serious issues with the proposed ordinance especially in Section 2 as it relates to trash pick-up. Mr. Parks stated he has questions regarding billing, enforceability, and logistics and recommended the proposed second reading not pass. Mr. Parks stated he would like to continue to bill in-house. Mr. Hughes stated it is his understanding Atlantic Waste bills the STVR directly. Mayor Buelterman confirmed there is logistical huddles to overcome as well as operational issues. He also stated his concerns with the lack of twice a week pick-up for STVR as the receptacles overflow and are a health risk. Mr. Parks stated this is a problem that has plagued Tybee for a long time. Ms. Hudson confirmed there will be logistical issues with twice a week pick-up which would include a complete list of all STVR. A short discussion ensued regarding the upcoming contract with Atlantic Waste. **Wanda Doyle** made a motion to approve Sec 1, strike Sec 2 and continue to look at the logistics issue. **Monty Parks** seconded. **Discussion:** Mr. Parks stated at the end of the month he will have a proposal for a recycling program. Mayor Buelterman asked Dr. Gillen to check with staff as to what a resident can do in regards to a neighbor who continually overflows their trash or refused to get second pick-up or second cart should do. Dr. Gillen confirmed. Ms. Hudson recommended twice a week pick-up during the season for all residents and STVR that have Atlanta Waste service. Ms. Doyle confirmed. Vote was unanimous to approve as amended, 5-0.

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

**Bubba Hughes** stated he has spoken with Mr. Robertson regarding the Beach Management Plan from 2014 and DNR's position in respect to paths and dune vegetation. DNR's preference is to have public crossovers as frequently as possible as they are frequently maintained and the private crossovers are not. Paths are permitted under the Rules and his recommendation with regards to the current problem on 18<sup>th</sup> Place to let them continue to access the beach through existing paths. Mr. Hughes recommended staff communicate with the Life Guards, City Marshal, and Beach Patrol to let the neighborhoods know foot paths are permitted

**George Shaw** stated Mr. Crammer requested Mayor and Council hear his **Request to amend the C-2 District Zoning**. Mr. Shaw explained Mr. Crammer would like to have multi-family in C-2. He would recommend, if approved, it would be long term rental only. Mayor pro tem Brown stated he does not feel it would be affordable. Mr. Shaw stated Mr. Crammer did not mention affordable in his documentation only long term. Ms. Livingston confirmed it is Mr. Crammer's position this would only be for C-2. Mayor Buelterman recommended the Planning Commission hear the request, make recommendations, and forward to Mayor and Council. Mr. Hughes stated he will work with Mr. Shaw for recommendations as to a text amendment. Mayor Buelterman confirmed. Ms. Livingston expressed her concerns with downgrading districts. Ms. Doyle recommended Mayor and Council provide the Planning Commission with clear direction on how they are to move forward.

**Barry Brown** made a motion to adjourn. **John Branigin** seconded. Vote was unanimous, 5-0.

Meeting adjourned at 8:35PM.

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Janet R. LeViner, CMC  
Clerk

My name is Mack Kitchens I was born Nov. 5 1957 (2) in the old TetFair Hospital downtown Savannah and grew up tybee from the mid 60s staying with my aunt and Uncle Sarah and Herbert Butler. They owned the old Amiteo Club at the very end of Butler Ave. After buying it they used the Apartments to house young adults that would stay clean and keep a job. My uncle was also great with finances and would help these people manage their money. We stayed in the main House which was on the south end of the building. My best memories as a child are right there and I can still remember the smell of the shower House where Willie Fields House is now built on top of.

At 20 I left to go see the world, working and traveling returning back to tybee in 94 where I started a construction co. East Coast Pacific Cont. and since have resided and worked in conjunction with the cities utility depts, codes, and ordinances.

I currently hold a contractors lic in the state of California where I tested in Pasadena along with 10000 some applicants during the amnesty period. It was an 8hr. test 50% law 50% trade. The test had a 70% fail rate and a 4 month wait to retake it. I passed with a 76 score. I think I was 28 at the time. ~~The entire~~ The lic. I hold allows me the privi to bid and build High rise commecil buildings. The only lic. Above in the building an there is a structural Engineers.

I also have a lic. in the state of North Dakota ② and of course Cal. where I was grandfathered in due to the many certificates of Occupancies already given.

1st thing I would like to say is that if you think that the dunes are protecting this Island I would say that you have a real false sense of security, however there is something that is and has stood the test of time and that is a seawall that has been there long before pumping the beach started going on. There are some here that would hold you hostage in the belief that those sand dunes will save this Island from destruction from mother nature and the simple fact that we all know is that they won't. We have seen even in the cycle of weather patterns the sand comes and the sand goes but I put my money on the wall.

I do however love the beauty of the dunes and would agree that ~~the~~ the contour and vegetation is pleasing to the Beach goer! It just feels good!

I've gotta tell you what we have between the Pier and 19<sup>th</sup> St ~~is~~ looks outrageous! no contour in the dirt, no highs, no lows, nothing ~~at all~~ <sup>resembling</sup> anything natural. The mobby Matt at 18<sup>th</sup> St looks like an evil Kenivil moto ramp. Winds and tides have already undermined 5' of it making it even more steep than it originally was.

~~the bottom of the mall thus making the ramp steeper  
and making the ramp steeper.~~

The residents at 18th ~~st.~~ have been cut off from their  
access to the Beach <sup>place</sup> entirely.

Then there is the fencing! The fencing on the parking  
lot side is disgustingly ugly! It looks like a scene  
out of Jurassic Park! ~~where you used to be able  
to see vegetation and the ocean visible by valleys  
in the dunes, you now see a ~~mass~~ <sup>wall</sup> of dirt resembling  
an interstate construction project.~~

The snow fencing on the Beach side was installed  
improperly and DPW was called back out and the  
fencing was removed and reinstalled a second  
time. Orders of DNR

The dunes look to be too high as well. I would say  
this was an easy mistake to make since there  
was not an engineer on this project. I never  
once saw ~~any~~ anyone there with any kind of  
instrument shooting any elevations what so ever. Unless  
it was electronically graded by the contractor itself.

Before the commencement of Piling dirt on top of  
the dunes you could actually see the ocean  
through the valleys in and throughout the dunes  
from the Pier to 18th St. Now the site looks more  
like an Interstate construction ~~project~~  
over pass project

and where is the toe of the dune? Is it in the 14  
right place? Has a top been done before and  
after grading by a Registered Engineer.

So the 5 million dollar question again is how did a  
man with no credentials other than being on  
the beach task force acquire this position? Who  
does he report to? How much money does he make?  
Does he have Liability Ins. to cover the mistakes  
made by his LLC which BTW was registered with  
the Georgia Secretary of State back in July 18?  
What materials, labor, transportation is he provided  
with by the city of Tybee?  
What is the time limits on his contract? How long  
How was the decision made to reinstall the snow fence  
a 2nd time?

Just 2 months before the contract  
was to be heard and voted on by  
City Council, I would say that someone  
had already given Mr. Roberts the green  
light as to the security of this deal.



**Item Attachment Documents:**

4. Minutes, Special City Council Meeting, May 14, 2019

Special City Council Minutes, May 14, 2019

**Mayor Buelterman** called the Special City Council meeting to order at 3:30 PM. Those in attendance were Julie Livingston, John Branigin, and Wanda Doyle. Also in attendance were George Shaw, Director, Community Development and Janet LeViner, City Clerk. Barry Brown, Monty Parks and Shirley Sessions were excused.

**Agreements**

**Memo of Understanding – Funding Agreement, \$11,156.00 to purchase Four Fir Thermal Imaging Monoculars, Four Push-to-talk Adapters and Four Tactical Communications Headsets.** **Julie Livingston** made a motion to approve. **John Branigin** second. Vote was unanimous, 3-0 to approve.

Mayor adjourned the Special City Council meeting and opened the Budget Workshop.

**Wanda Doyle** made a motion to adjourn. **John Branigin** seconded. Vote was unanimous, 3-0.

Meeting adjourned at 5:30PM.

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Janet R. LeViner, CMC  
Clerk

**Item Attachment Documents:**

6. Alcohol License Request: Drift Tybee LLC dba Drift

Beer and Wine-Sale by Drink for Consumption on Premises Only; Sunday Sales-Sale by Drink for Consumption on Premises Only

**MAYOR**  
Jason Buelterman

**CITY COUNCIL**  
Barry Brown, Mayor Pro Tem  
John Branigin  
Wanda Doyle  
Julie Livingston  
Monty Parks  
Shirley Sessions



**CITY MANAGER**  
Shawn Gillen

**CLERK OF COUNCIL**  
Janet LeViner

**CITY ATTORNEY**  
Edward M. Hughes

**CITY OF TYBEE ISLAND**

Council Meeting Date for Request: May 23, 2019

Item: Alcohol License Request: Beer and Wine – Sale by Drink for Consumption on Premises Only;

Sunday Sales-Sale by Drink for Consumption on Premises Only

Explanation: Drift Tybee LLC dba Drift

1315 Butler Ave (Old Blimpie location)

Budget Line Item Number (if applicable): \_\_\_\_\_

Paper Work:  X  Attached\*

Audio/Video Presentation\*\*

\* **Electronic submissions are requested but not required. Please email to [jleviner@cityoftybee.org](mailto:jleviner@cityoftybee.org).**

\*\* **Audio/video presentations *must* be submitted to the IT department at City Hall by 4:00PM on the Thursday prior to the scheduled meeting.**

Submitted by: Sharon S. Shaver

Phone / Email: 472-5072 / sshaver@cityoftybee.org

Comments: \_\_\_\_\_

Date given to Clerk of Council May 16, 2019

## CITY OF TYBEE ISLAND ALCOHOL LICENSE APPLICATION



Application is hereby made for a license to do business within the City of Tybee Island as a dealer in alcoholic beverages as indicated below:

LICENSE CLASSIFICATION	FEE	CHECK
Retail Beer/Wine – Package Sales Only, Consumption on Premises Prohibited	\$ 350	
Retail Beer/Wine – Sale by Drink for Consumption on Premises Only	575	✓
Retail Liquor – Sale by Package Only, Consumption on Premises Prohibited	850	
Retail Liquor – Sale by Drink for Consumption on Premises Only	1,250	
Retail Liquor – Sale by Package & Drink both in One Building under One Ownership	2,000	
Sunday Sales – Sale by Drink for Consumption on Premises Only	150	✓
Sunday Sales – Package Sales Only	50	
Wholesale Beer	765	
Wholesale Liquor	1,500	
Wholesale Wine	150	
Distiller, Brewer, or Manufacturer of Alcoholic Beverages	300	
Special Event – Public or Private Property - Beer, Wine (no current license) per event	50	
Special Event – Public or Private Property - Beer, Wine (no current license) 3 days	100	
Special Event – Public or Private Property - Beer, Wine (holding current license) per event	10	
Special Event – Business Property – Beer, Wine, Liquor (no current license) per event	50	
Special Event – Business Property – Beer, Wine, Liquor (no current license) 3 days	100	
Special Event – Business Property – Beer, Wine, Liquor (holding current license) per event	10	

Notice: The applicant for a license shall be a citizen of the United States, a resident of Chatham County, and owner of the business or if a corporation, partnership or other legal entity is the owner, a substantial and major stockholder or the applicant may be the manager of the business charged with the regular operation of said business on the premises for which the license is issued.

**DRIIFT TYBEE LLC DBA - DRIIFT**

Location 1315 Botter Avenue Tybee Island, GA 31328  
 Mailing Address 734 E 48th St Savannah, GA 31405  
 Phone 404-918-3553 Email jmgomes@pontofinal.ca

Names and Home Addresses of Owners, Partners or Corporate Officers with Ten Percent (10%) Interest in Business

Names (attach additional pages if necessary)	Date of Birth	Home Addresses	City, State, Zip	Social Security #
<u>Jean Manuel GOMEZ</u>		<u>734 E 48th St</u>	<u>Savannah, GA 31405</u>	

If special event, date(s) of event \_\_\_\_\_ Name of event: \_\_\_\_\_

Is business incorporated? Yes State of Incorporation GA Date Incorporated 04-26-2016

Names of landlord of the business location PARASHA, LLC Address 1315 Botter Avenue Tybee Island 31328 Phone \_\_\_\_\_

What other business is conducted at this location? \_\_\_\_\_

Has application been made for required State and Federal Licenses? N/A

Has applicant, any person connected with, or any person having an interest in this business:

- o ever been convicted of any violation of law other than for a traffic violation? NO
- o ever served time in prison or other correctional institution? NO
- o ever had an alcohol beverage license suspended or revoked at any time in any location? NO

(if answer is yes, give details) \_\_\_\_\_

If this application is for RENEWAL of an existing license, enter License Number of existing license N/A

If business is an eating establishment, are SUNDAY sales of alcoholic beverages contemplated? YES If yes, submit additional affidavit.

ALL OF THE FOREGOING INFORMATION IS HEREBY GIVEN AND ALL OF THE FOREGOING STATEMENTS ARE HEREBY MADE ON OATH WILLFULLY, KNOWINGLY, AND ABSOLUTELY, AND THE SAME IS AND ARE HEREBY SWORN TO ME TO BE TRUE UNDER PENALTY OF LAW.

Applicant Signature [Signature] Date 05-03-19

Sworn to and subscribed before me this 3 day of May 2019

Notary Public [Signature]

Approval	Signature	Date
City Manager		
Zoning		
Police		
City Council		

**Item Attachment Documents:**

7. Alcohol License Request: Retail Beer and Wine-Package Sales Only, Consumption on Premises Prohibited;

Sunday Sales-Package Sales Only

**MAYOR**  
Jason Buelterman

**CITY COUNCIL**  
Barry Brown, Mayor Pro Tem  
John Branigin  
Wanda Doyle  
Julie Livingston  
Monty Parks  
Shirley Sessions



**CITY MANAGER**  
Shawn Gillen

**CLERK OF COUNCIL**  
Janet LeViner

**CITY ATTORNEY**  
Edward M. Hughes

## CITY OF TYBEE ISLAND

Council Meeting Date for Request: May 23, 2019

Item: Alcohol License Request: Retail Beer and Wine – Package Sales Only, Consumption on Premises Prohibited; Sunday Sales-Package Sales Only

Explanation: BG's Seafood Market,  
4 Old Tybee Road, Hwy 80 East

Budget Line Item Number (if applicable): \_\_\_\_\_

Paper Work:  X  Attached\*  
      Audio/Video Presentation\*\*

\* **Electronic submissions are requested but not required. Please email to [jleviner@cityoftybee.org](mailto:jleviner@cityoftybee.org).**

\*\* **Audio/video presentations *must* be submitted to the IT department at City Hall by 4:00PM on the Thursday prior to the scheduled meeting.**

Submitted by: Sharon S. Shaver

Phone / Email: 472-5072 / sshaver@cityoftybee.org

Comments: \_\_\_\_\_

Date given to Clerk of Council May 16, 2019



## CITY OF TYBEE ISLAND ALCOHOL LICENSE APPLICATION



Application is hereby made for a license to do business within the City of Tybee Island as a dealer in alcoholic beverages as indicated below:

LICENSE CLASSIFICATION	FEE	CHECK
Retail Beer/Wine – Package Sales Only, Consumption on Premises Prohibited	\$ 350	<input checked="" type="checkbox"/>
Retail Beer/Wine – Sale by Drink for Consumption on Premises Only	575	
Retail Liquor – Sale by Package Only, Consumption on Premises Prohibited	850	
Retail Liquor – Sale by Drink for Consumption on Premises Only	1,250	
Retail Liquor – Sale by Package & Drink both in One Building under One Ownership	2,000	
Sunday Sales – Sale by Drink for Consumption on Premises Only	150	<input checked="" type="checkbox"/>
Sunday Sales – Package Sales Only	50	
Wholesale Beer	765	
Wholesale Liquor	1,500	
Wholesale Wine	150	
Distiller, Brewer, or Manufacturer of Alcoholic Beverages	300	
Special Event – Public or Private Property - Beer, Wine (no current license) per event	50	
Special Event – Public or Private Property - Beer, Wine (no current license) 3 days	100	
Special Event – Public or Private Property - Beer, Wine (holding current license) per event	10	
Special Event – Business Property – Beer, Wine, Liquor (no current license) per event	50	
Special Event – Business Property – Beer, Wine, Liquor (no current license) 3 days	100	
Special Event – Business Property – Beer, Wine, Liquor (holding current license) per event	10	

Notice: The applicant for a license shall be a citizen of the United States, a resident of Chatham County, and owner of the business or if a corporation, partnership or other legal entity is the owner, a substantial and major stockholder or the applicant may be the manager of the business charged with the regular operation of said business on the premises for which the license is issued.

Business Name BG's Seaboard Market  
 Location 4 old Tybee Road Hwy 80 east  
 Mailing Address 107 Stone bridge lane Savannah Ga 31410  
 Phone 912-373-3543 Email Caitlyn Burns Caitlynburns@gmail.com/gordon.card@jgm

Names and Home Addresses of Owners, Partners or Corporate Officers with Ten Percent (10%) Interest in Business

Names (attach additional pages if necessary)	Date of Birth	Home Addresses	City, State, Zip	Social Security #
<u>Paul Burns</u>		<u>215 e 75th Street</u>	<u>Savannah Ga 31405</u>	
<u>Gordon Card</u>		<u>107 Stone bridge lane</u>	<u>Sav, Ga 31410</u>	
<u>Caitlyn Burns</u>			<u>Sav Ga 31410</u>	

If special event, date(s) of event \_\_\_\_\_ Name of event: \_\_\_\_\_  
 Is business incorporated? \_\_\_\_\_ State of Incorporation \_\_\_\_\_ Date Incorporated \_\_\_\_\_  
 Names of landlord of the business location Paul Burns Address 215 e 75th Phone 912 441 5027  
 What other business is conducted at this location? Tybee Marina, Bubba Gumbos, Tybee Jetski  
 Has application been made for required State and Federal Licenses? yes  
 Has applicant, any person connected with, or any person having an interest in this business:  
 o ever been convicted of any violation of law other than for a traffic violation? \_\_\_\_\_  
 o ever served time in prison or other correctional institution? \_\_\_\_\_  
 o ever had an alcohol beverage license suspended or revoked at any time in any location? \_\_\_\_\_  
 (if answer is yes, give details) \_\_\_\_\_  
 If this application is for RENEWAL of an existing license, enter License Number of existing license \_\_\_\_\_  
 If business is an eating establishment, are SUNDAY sales of alcoholic beverages contemplated? \_\_\_\_\_ If yes, submit additional affidavit.

ALL OF THE FOREGOING INFORMATION IS HEREBY GIVEN AND ALL OF THE FOREGOING STATEMENTS ARE HEREBY MADE ON OATH WILLFULLY, KNOWINGLY, AND ABSOLUTELY, AND THE SAME IS AND ARE HEREBY SWORN TO ME TO BE TRUE UNDER PENALTY OF LAW.

Applicant Signature [Signature] Date 5/16/19  
 Sworn to and subscribed before me this 16 day of May 2019  
[Signature]  
 Notary Public

Approval	Signature	Date
City Manager		
Zoning		
Police		
City Council		

SHARON S. SHAVER  
 Notary Public, Chatham County, GA  
 My Commission Expires Dec. 5, 2019



**Item Attachment Documents:**

8. Water/Sewer Department is requesting approval for purchase of two new Ford pickup trucks from JC Lewis. Budget Line Items: 505-4310-54-2200 and 505-4410-54-2200. Total amount: \$22,928.44



J.C. Lewis Ford  
9505 Abercorn St, Savannah, Georgia, 314064595  
Office: 912-925-0234  
Fax: 912-921-1375

## Customer Proposal

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**Prepared for:**

Mr. Stan Bearden  
City of Tybee Island  
403 Butler Ave  
Tybee Island, GA 31328  
Mobile: 912-472-5053  
Email: sbearden@cityoftybee.org

**Prepared by:**

Ed Patterson, Commercial Account Manager  
Office: 912-629-9325  
Email: edpatterson@jclewisford.com

**Date:** 04/19/2019

**Vehicle:** 2019 F-150 XL  
4x2 Regular Cab Styleside 6.5' box 122"  
WB





## Selected Options

Description	MSRP
<b>Base Vehicle</b>	
Base Vehicle Price (F1C)	\$28,155.00
<b>Packages</b>	
Equipment Group 100A Base	N/C
<i>Includes:</i> - Engine: 3.3L V6 PDFI Includes auto start-stop technology and flex-fuel capability. - Transmission: Electronic 6-Speed Automatic Includes selectable drive modes: normal/tow-haul/sport. - 3.55 Axle Ratio - GVWR: 6,100 lbs Payload Package - Tires: P245/70R17 BSW A/S - Wheels: 17" Silver Steel - Radio: AM/FM Stereo w/4 Speakers Includes auxiliary audio input jack (not available with SYNC).	
<b>Powertrain</b>	
Engine: 3.3L V6 PDFI	Included
<i>Includes auto start-stop technology and flex-fuel capability.</i>	
Transmission: Electronic 6-Speed Automatic	Included
<i>Includes selectable drive modes: normal/tow-haul/sport.</i>	
3.55 Axle Ratio	Included
GVWR: 6,100 lbs Payload Package	Included
<b>Wheels &amp; Tires</b>	
Tires: P245/70R17 BSW A/S	Included
Wheels: 17" Silver Steel	Included
<b>Seats &amp; Seat Trim</b>	
Vinyl 40/20/40 Front Seat	N/C
<b>Other Options</b>	
122" Wheelbase	STD
Monotone Paint Application	STD
Radio: AM/FM Stereo w/4 Speakers	Included
<i>Includes auxiliary audio input jack (not available with SYNC).</i>	
Class IV Trailer Hitch Receiver	\$95.00

Ordering the Trailer Tow Package does not include Integrated Brake Controller (67T). Integrated Brake Controller (67T) is a standalone option and must be ordered separately.



**J.C. Lewis Ford**  
 9505 Abercorn St, Savannah, Georgia, 314064595  
 Office: 912-925-0234  
 Fax: 912-921-1375

**2019 F-150, Regular Cab Styleside**  
 4x2 Regular Cab Styleside 6.5' box 122" WB  
 XL(F1C)  
 Price Level: 950

## Selected Options (cont'd)

Description	MSRP
<i>Includes towing capability up to TBD on 3.3L V6 PFDI engine (99B) and 2.7L EcoBoost engine (99P) or up to TBD on 3.5L EcoBoost engine (994), 3.5L EcoBoost High Output engine (99G) and 5.0L V8 engine (995), smart trailer tow connector and 4-pin/7-pin wiring harness.</i>	
Front License Plate Bracket	N/C
<i>Standard in states requiring 2 license plates, optional to all others.</i>	
<b>Interior Colors</b>	
Medium Earth Gray	N/C
<b>Primary Colors</b>	
Oxford White	N/C
SUBTOTAL	\$28,250.00
Destination Charge	\$1,595.00
TOTAL	\$29,845.00

Prices and content availability as shown are subject to change and should be treated as estimates only. Actual base vehicle, package and option pricing may vary from this estimate because of special local pricing, availability or pricing adjustments not reflected in the dealer's computer system. Consult your salesperson for the most current information.



J.C. Lewis Ford  
 9505 Abercorn St, Savannah, Georgia, 314064595  
 Office: 912-925-0234  
 Fax: 912-921-1375

**2019 F-150, Regular Cab Styleside**  
 4x2 Regular Cab Styleside 6.5' box 122" WB  
 XL(F1C)  
 Price Level: 950

## Pricing - Single Vehicle

		<b>MSRP</b>
<i>Vehicle Pricing</i>		
Base Vehicle Price		\$28,155.00
Options & Colors		\$95.00
Upfitting		\$0.00
Destination Charge		\$1,595.00
<b>Subtotal</b>		<b>\$29,845.00</b>
<i>Pre-Tax Adjustments</i>		
<b>Code</b>	<b>Description</b>	
DD-GPC	Dealership Discount and Government Price Concession	-\$9,208.56
<b>Subtotal</b>		<b>\$20,636.44</b>
<i>Post-Tax Adjustments</i>		
<b>Code</b>	<b>Description</b>	
GA LLF	Georgia Lemon Law Fee	\$3.00
<b>Total</b>		<b>\$20,639.44</b>

Customer Signature

Acceptance Date

Prices and content availability as shown are subject to change and should be treated as estimates only. Actual base vehicle, package and option pricing may vary from this estimate because of special local pricing, availability or pricing adjustments not reflected in the dealer's computer system. See salesperson for the most current information.

Prepared for: Mr. Stan Bearden, City of Tybee Island  
 By: Ed Patterson, Commercial Account Manager Date: 04/19/2019



J.C. Lewis Ford  
9505 Abercorn St, Savannah, Georgia, 314064595  
Office: 912-925-0234  
Fax: 912-921-1375

## Customer Proposal

---

**Prepared for:**

Mr. Stan Bearden  
City of Tybee Island  
403 Butler Ave  
Tybee Island, GA 31328  
Mobile: 912-472-5053  
Email: sbearden@cityoftybee.org

**Prepared by:**

Ed Patterson, Commercial Account Manager  
Office: 912-629-9325/Cell9127133874  
Email: edpatterson@jclewisford.com

**Date:** 05/14/2019

**Vehicle:** 2019 F-250 XL

4x2 SD Regular Cab 8' box 142" WB SRW





## Selected Options

Description	MSRP
<b>Base Vehicle</b>	
Base Vehicle Price (F2A)	\$33,150.00
<b>Packages</b>	
Order Code 600A	N/C
<i>Includes:</i> - Engine: 6.2L 2-Valve SOHC EFI NA V8 Flex-Fuel <i>Flex-Fuel badge on fleet orders only.</i> - Transmission: TorqShift-G 6-Spd Auto w/SelectShift - 3.73 Axle Ratio - GVWR: 10,000 lb Payload Package - Tires: LT245/75Rx17E BSW A/S (4) - Wheels: 17" Argent Painted Steel <i>Includes painted hub covers/center ornaments.</i> - HD Vinyl 40/20/40 Split Bench Seat <i>Includes center armrest, cupholder, storage and driver's side manual lumbar.</i> - Radio: AM/FM Stereo <i>Includes digital clock and 4 speakers.</i>	
<b>Powertrain</b>	
Engine: 6.2L 2-Valve SOHC EFI NA V8 Flex-Fuel	Included
<i>Flex-Fuel badge on fleet orders only.</i>	
Transmission: TorqShift-G 6-Spd Auto w/SelectShift	Included
3.73 Axle Ratio	Included
GVWR: 10,000 lb Payload Package	Included
<b>Wheels &amp; Tires</b>	
Tires: LT245/75Rx17E BSW A/S (4)	Included
Wheels: 17" Argent Painted Steel	Included
<i>Includes painted hub covers/center ornaments.</i>	
<b>Seats &amp; Seat Trim</b>	
HD Vinyl 40/20/40 Split Bench Seat	Included
<i>Includes center armrest, cupholder, storage and driver's side manual lumbar.</i>	
<b>Other Options</b>	
142" Wheelbase	STD
Monotone Paint Application	STD
Radio: AM/FM Stereo	Included
<i>Includes digital clock and 4 speakers.</i>	
<b>Emissions</b>	

Prices and content availability as shown are subject to change and should be treated as estimates only. Actual base vehicle, package and option pricing may vary from this estimate because of special local pricing, availability or pricing adjustments not reflected in the dealer's computer system. Please contact your salesperson for the most current information.



**J.C. Lewis Ford**  
 9505 Abercorn St, Savannah, Georgia, 314064595  
 Office: 912-925-0234  
 Fax: 912-921-1375

**2019 F-250, SD Regular Cab**  
 4x2 SD Regular Cab 8' box 142" WB SRW  
 XL(F2A)  
 Price Level: 950

## Selected Options (cont'd)

Description	MSRP
50-State Emissions System	STD
<b>Interior Colors</b>	
Medium Earth Gray	N/C
<b>Primary Colors</b>	
Oxford White	N/C
<b>SUBTOTAL</b>	<b>\$33,150.00</b>
Destination Charge	\$1,595.00
<b>TOTAL</b>	<b>\$34,745.00</b>

Prices and content availability as shown are subject to change and should be treated as estimates only. Actual base vehicle, package and option pricing may vary from this estimate because of special local pricing, availability or pricing adjustments not reflected in the dealer's computer system. Consult your salesperson for the most current information.





**J.C. Lewis Ford**  
 9505 Abercorn St, Savannah, Georgia, 314064595  
 Office: 912-925-0234  
 Fax: 912-921-1375

**2019 F-250, SD Regular Cab**  
 4x2 SD Regular Cab 8' box 142" WB SRW  
 XL(F2A)  
 Price Level: 950

## Pricing - Single Vehicle

		<b>MSRP</b>
<i>Vehicle Pricing</i>		
Base Vehicle Price		\$33,150.00
Options & Colors		\$0.00
Upfitting		\$0.00
Destination Charge		\$1,595.00
<b>Subtotal</b>		<b>\$34,745.00</b>
<i>Pre-Tax Adjustments</i>		
<b>Code</b>	<b>Description</b>	
DD-GPC	Dealership Discount and Government Price Concession	-\$12,459.00
<b>Subtotal</b>		<b>\$22,286.00</b>
<i>Post-Tax Adjustments</i>		
<b>Code</b>	<b>Description</b>	
GA LLF	Georgia Lemon Law Fee	\$3.00
<b>Total</b>		<b>\$22,289.00</b>

Customer Signature

Acceptance Date

Prices and content availability as shown are subject to change and should be treated as estimates only. Actual base vehicle, package and option pricing may vary from this estimate because of special local pricing, availability or pricing adjustments not reflected in the dealer's computer system. See salesperson for the most current information.

Prepared for: Mr. Stan Bearden, City of Tybee Island  
 By: Ed Patterson, Commercial Account Manager Date: 05/14/2019

**Item Attachment Documents:**

9. The purpose of this agenda item is seek the City Council's approval to amendment the General Fund fiscal year 2018-2019 operating and capital budget of \$13,968,968, by \$158,402 to \$14,127,370.

**MAYOR**  
Jason Buelterman

**CITY COUNCIL**  
Barry Brown Mayor Pro Tem  
Wanda Doyle  
Julie Livingston  
Jackson Butler  
Monty Parks  
John Branigin



**CITY OF TYBEE ISLAND**

**CITY MANAGER**  
Shawn Gillen

**CLERK OF COUNCIL**  
Janet LeViner

**CITY ATTORNEY**  
Edward M. Hughes

## **City Council Agenda Item Request**

**Council Meeting Date for Request: May 23, 2019**

**Item:** The purpose of this agenda item is seek the City Council's approval to amend the General Fund fiscal year 2018-2019 operating and capital budget of \$13,968,968, by \$158,402 to \$14,127,370.

**Explanation:** The purpose of this agenda item is seek the City Council's approval to amend the General Fund's fiscal year 2018-2019 operating and capital budget by \$158,402 from \$13,968,968 to \$14,127,370 to purchase fire department equipment. The Fire Department wants to purchase a two 2019 Club Car for \$25,000 each and an Emily Platform rescue equipment for \$26,402. The details for the Fire Department equipment will be presented by the Fire Chief in another agenda item. The Parking Service Division is \$82,000 short within several line items.

**Budget:** The detailed budget amendment is included as Attachment A.

Paper Work:  Attached\*  
 Already Distributed

Submitted by: Angela Hudson, Director of Finance and General Administration

Phone / Email: (912) 472-5021/ahudson@cityof tybee.org

May 14, 2019

Date given to Clerk of Council

**ATTACHMENT A  
CITY OF TYBEE ISLAND, GEORGIA  
BUDGET LINE ITEM AMENDMENT REQUEST FORM**



Department Submitted By:

Date Received by Finance:

Date Submitted:

FINANCE USE ONLY:  
 Packet No.   
 BA Ref No.   
 Date Processed:

Purpose:

Department	Account Description	Account Number	Current Budget	(Expenditures)	Budget Balance	Requested		Adjusted Budget Balance
						Budget Adjustment Increase	Decrease	
<b>REVENUE LINE ITEM INCREASES</b>								
N/A	Police Fines	100.00.35.1170	500,000.00	(604,475.36)	(104,475.36)	100,000.00	0.00	(4,475.36)
		100.00.35.1174	134700	(218,644.06)	(83,944.06)	58,402.00		(25,542.06)
					0.00			0.00
					0.00			0.00
					0.00			0.00
					0.00			0.00
<b>SUBTOTAL LINE ITEM INCREASES:</b>						<b>\$ 158,402.00</b>	<b>\$ -</b>	<b>\$ (30,017.42)</b>
General Fund Current Budget:						<b>13,968,968.00</b>		
General Fund May 23, 2019 Amended Budget:						<b>\$ 14,127,370.00</b>		

<b>EXPENDITURE LINE ITEM INCREASES</b>								
Fire Department	Machinery and Equipment	100.3510.54.2100	51,201.00	(37,639.00)	13,562.00	76,402.00	0.00	89,964.00
Parking Service	Credit Card Fees	100.7564.52.3901	142,000.00	(139,861.25)	2,138.75	64,453.00		66,591.75
Parking Service	Computer service contract	100.7564.52.1300	60,000.00	(52,880.00)	7,120.00	4,730.00	0.00	11,850.00
Parking Service	Contract Services - collection	100.7564.52.1325	6,534.00	(6,190.25)	343.75	4,817.00	0.00	5,160.75
Parking Service	Supplies & materials	100.7564.53.1100	15,000.00	(10,479.15)	4,520.85	8,000.00		12,520.85
<b>SUBTOTAL LINE ITEM DECREASES:</b>						<b>\$ 158,402.00</b>	<b>\$ -</b>	<b>\$ 186,087.35</b>
<b>Net Change</b>						<b>\$ 100,000.00</b>	<b>\$ -</b>	<b>\$ 156,069.93</b>
General Fund Current Budget:						<b>13,968,968.00</b>		
General Fund May 23, 2019 Amended Budget:						<b>\$ 14,127,370.00</b>		

1.) Signature of Department Director: \_\_\_\_\_ Date: \_\_\_\_\_

General Fund Current Budget: **13,968,968.00**  
 General Fund May 23, 2019 Amended Budget: **\$ 14,127,370.00**

2.) Was the Budget Amendment Request approved by the City Council?  YES  NO  N/A

4.) Signature of Finance Employee who Processed the Request: \_\_\_\_\_

If yes, please indicate the date approval was given: \_\_\_\_\_  
 Attach Copy of Agenda Item and minutes from the City Council Meeting

Date: \_\_\_\_\_

3.) Signature of Finance Director: \_\_\_\_\_ Date: \_\_\_\_\_

Department Submitted By:

**Item Attachment Documents:**

11. Resolution - FY2019 Budget Amendment

**RESOLUTION**

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF TYBEE ISLAND:

WHEREAS, the City of Tybee Island is an authorized municipality organized and existing under the laws of the State of Georgia; and

WHEREAS, as a qualified municipality, the City of Tybee Island is entitled to provide certain services and is required to comply with certain obligations; and

WHEREAS, as part of the accounting and budgeting process, the City of Tybee Island is to comply with Governmental Accounting Standards, Board Requirements and Statements; and

WHEREAS, the City of Tybee Island is to maintain its accounts in an appropriate manner so as to comply with auditing requirements and accounting standards and may designate certain funds as enterprise funds or other funds with different status including general funds, special revenue funds, capital project funds, debt service funds, permanent funds, etc.; and

WHEREAS, the City of Tybee Island wishes to clarify certain funds and to establish the authority for the transfer to and from certain funds as may be necessary and appropriate and to restrict transfers from certain funds.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council, in open meeting duly assembled, as follows:

1. To provide for the raising of revenues and appropriations of funds to support the City of Tybee Island, Georgia for fiscal year beginning July 1, 2018 and ending June 30, 2019 in order to provide for the operations of government departments; elected officials, other governmental activities; and to provide for the level of personnel authorized for the various departments the City of Tybee Island hereby amends and adopts the Fiscal Year 2018-2019 Revenue and Expenditure Operating and Capital Budget for the following funds:

General Fund-100	\$14,127,370.00
------------------	-----------------

2. Tybee Island has previously designated certain funds for debt service to be specifically reserved to account for and are restricted to, committed or assigned funds for the expenditure for principle and interest obligations.

3. There is an established special revenue fund used to account and report the proceeds of specific revenue sources that are restricted or committed to expenditure for specific purposes other than debt service or capital projects.

4. Capital project funds currently assigned are to include funds set aside by the mayor and council for greenspace, beach renourishment, and capital projects on the city's capital improvement plan as established by the mayor and council.

5. Tybee Island receives Special Purpose Local Option Sales Tax Funds, which are to be separately maintained and segregated and only used for the expenditures for capital improvement projects authorized by county-wide referendum, intergovernmental agreement, and the agreed capital improvement plan of the City.

6. Tybee Island receives hotel/motel tax proceeds which are to be maintained and used as required by Georgia law and only in accordance therewith.

7. Tybee Island continuously accumulates funds for beach nourishment purposes and, further, seeks additional funding for beach nourishment projects including from federal sources, state, county and grant sources to acquire sufficient funds for such projects. All funds received from whatever source in connection with a beach nourishment project must be accounted for in a completely transparent manner and consistent with any restrictions imposed by the grantor of such funds. No transfers from any such restricted funds can be made except upon the express approval of the mayor and council.

8. There is hereby established a stabilization fund to be used to account for transfers from other funds when necessary, with all such transfers being reported to the mayor and council if made by other than the express approval of the mayor and council

9. WHEREAS, The Finance Director has presented for adoption and/or approval the matters addressed herein.

IT IS SO RESOLVED, this the \_\_\_\_ day of \_\_\_\_\_, 2019.

**CITY OF TYBEE ISLAND, GEORGIA**

By: \_\_\_\_\_  
Jason Buelterman, Mayor

ATTEST:

By: \_\_\_\_\_  
Clerk of Council

**Item Attachment Documents:**

12. Bubba Hughes - Pretrial Diversion Program





# City of Tybee Island Municipal Court

## Pre-Trial Diversion Program Guidelines

The Diversion program was created pursuant to O.C.G.A. § 15-18-80 as an alternative to the prosecution of offenders in the criminal justice system. The Diversion Program is designed for first offenders who have committed crimes that did not result in injury to a victim, are otherwise non-violent and non-aggressive in nature and do not involve driving under the influence charges, nor domestic violence; examples include but are not limited to Shoplifting, Underage Consumption, Possession of Marijuana. Therefore, because of the requirements set forth at O.C.G.A. §35-3-37, any case considered for acceptance in the Diversion Program must be accused or indicted prior to being accepted in the program. The Assistant Direct Attorney must approve any deviation from these published guidelines and may deviate from these guidelines.

Each individual accepted to participate in the Pretrial Diversion Program will be required to enter into a contractual agreement, and will be subject to an individualized program of supervision by the Municipal Court of Tybee Island, which may include counseling, education, drug screening, and community service work, for a specified period of time in lieu of traditional prosecution.

Participation in the Diversion Program will be voluntary and if there is counsel, with the advice of counsel, will occur prior to adjudication and if participants satisfactorily complete the Diversion Program, will result in dismissal or Nolle Prosequi of the charges. It is designed to benefit the individual program participant as well as the overall criminal justice system for the City of Tybee Island.

Acceptance into the Diversion Program will generally be based upon the following eligibility criteria;

1. The Victim's response to the Defendant's petition for Diversion.
2. Offenders with no criminal record will be eligible for program participation. Some exceptions may apply.
3. Offenders must be at least 17 years of age and voluntarily petition the Assistant District Attorney via the Municipal Court of Tybee Island requesting consideration for participation in the Diversion Program.
4. The case against the offender must be prosecutable.
5. As a rule, offenders must be gainfully employed or a full-time student. (An exception of this would be a homemaker who would not be required to obtain full-time employment.)
6. Offenders must be of stable mind and have a stable place of residence.
7. Offenders, as part of the application process, must agree to sign forms waiving the right to:
  - a. Certain Constitutional rights including the right to a speedy trial
  - b. Maintain confidential information such as juvenile records (such records are needed for the purpose of eligibility investigation) and the Offender does not have to admit guilt.
8. The offender must agree to pay all applicable monetary obligations, which may include an administrative fee, supervisory fees, restitution to victims, reimbursement for appointed attorney's fees, and/or drug screening fees.
9. The offender must be able and willing to travel to a designated laboratory for drug testing whenever instructed to do so if part of the program. In order to accomplish such testing, the offender must maintain a valid, current, state-issued form of identification.
10. The offender must agree to be supervised for a reasonable period of time which will be determined following an evaluation of the individual circumstances of his or her case.

11. The offender must agree to perform a specified amount of community service if applicable, and/or to complete reasonable counseling and/or education programs required by the Assistant District Attorney. The necessity and amount of such community service and/or counseling will be determined following an evaluation of the individual circumstances of the offender and his or her case.
12. The circumstances surrounding the defendant's arrest and subsequent conduct must reasonably lead to the conclusion that the defendant is amenable to correction and unlikely to offend again.

The following persons will **not qualify** for participation in the Diversion Program:

1. Persons with extensive juvenile records.
2. Persons who have previously been arrested or convicted, as an adult, of any criminal offense, unless unusual circumstance indicate that an exception should be made.
3. Persons who have escaped custody or willfully failed to appear in court while on bond.
4. Persons who have escaped from a mental hospital.
5. Persons with felony convictions.
6. Persons who have been arrested for Felony Violation of the Georgia Controlled Substance Act.
7. Persons who are currently dependent upon drugs and/or alcohol or have used illegal drugs subsequent to the arrest.
8. Currently affiliated gang members.
9. The charges are related to domestic violence.
10. Persons charged with a DUI.

In order to be considered for acceptance in the Pre-Trial Diversion program, the offender will be required to file application materials with the Municipal Court of Tybee Island. The Pre-Trial Diversion Coordinator will assess the eligibility of the individual offender based upon the criteria outlined above. If the offender is rejected the case will be returned to the assigned Judge and Assistant District Attorney for prosecution. If the offender is accepted, a contractual agreement outlining the conditions of participation will be prepared and executed.

The offender will be required to pay an administration fee which will not exceed \$1000.00, pursuant to O.C.G.A. § 15-18-80. The amount will be determined by the Assistant District Attorney.

Upon execution of the contractual agreement, the offender will be enrolled in the Pre-Trial Diversion Program for a specified period of time, and for the duration of the program the offender will be under the supervision and monitoring of the Municipal Court of Tybee Island. Upon successful completion, bond will be released and the charges dismissed or a Nolle Prosequi entered.

Upon successful completion, the participant may apply for a record restriction of the charges.

**Item Attachment Documents:**

13. Jason Buelterman - Recommendations from Finance Committee

Attendees: Jason Beulterman, John Branigin, Monty Parks, Shawn Gillen, Angela Hudson, Nalene Conway

Jason called the meeting to order.

**New Business:**

**Jason Beulterman** – Determine set amount or percentage of budget to maintain in fund balance

Jason asked Shawn and Angela for thoughts on this.

Shawn asked Angela what our annual general fund revenues are.

Angela replied that last year we took in \$11.3 million. She stated in doing the budget we are at \$7 million in terms of payroll and personnel. Payroll is at 65%

Shawn advised the committee that the number the study came up with was \$3.5 million needed to respond to a hurricane. He stated it is possible to get all or most of that back but it takes time. The question is what we need beyond that to have sufficient reserves for good bond readings or the ability to respond to another emergency within the same year. Shawn used \$9 million as an example. \$9 million is about 85% of revenues on an annual basis.

Jason asked Shawn if he was suggesting if we set \$9 million as the amount.

Angela suggested \$10 million and stated several debts that could occur if something happens to the island.

Monty stated that he thinks \$10 million is excessive. He stated that at some point we owe it to the tax payers to ease back a little. Monty stated we are adding parking spaces and increasing parking rates. He mentioned that hotel/motel only goes up as those rates increase.

Angela stated as of right now we are at \$9.5 in revenues. She stated our trend with the exception of last year (transferring \$800,000 in to the Campground fund to make it whole again) is we have traditionally been bringing in a lot more revenue of a million dollars or more.

Shawn stated we have to do some capital projects. He stated we can't just rely on SPLOST to do that, and we need to be in the position to use some general fund revenues (revenues over expenditures). Shawn asked Angela if we set it at \$10 million would we still have that flexibility to do the \$500k and \$1 million in capital projects of general fund.

Angela stated that people can also look at operating cost.

Monty asked if we could dedicate money to separate accounts/programs instead of only having a general fund reserve.

The committee discussed this as an option.

Shawn suggested instead of picking a flat number, determine a percentage.

John stated he thinks it is reasonable to set a floor as long as we can justify the amount based on potential issues. He stated he doesn't think we need to grow the fund balance anymore. John stated he would like to take the money that would have gone to grow the fund balance and put it towards capital.

Jason stated he agreed with setting a percentage that will be enabled to grow and dedicate everything above towards capital.

Monty stated the reason he suggested reserve accounts was because it makes it more transparent more than it sitting in general fund.

The committee discussed fund balance and designation according to GASB rules.

Shawn advised that enterprise funds are intended to be self-sufficient. He stated that utility is supposed to have a rate structure that should sustain it operationally and capital wise in to perpetuity. He stated if subsidizing with general fund dollars you are artificially lowering those rates.

Jason asked Shawn to work with his team to come up with a percentage and make a recommendation to City Council with the additional money being designated for capital.

He stated to Monty if council thinks what he is suggesting is this is the best way to move forward they can make that recommendation.

The committee discussed.

Monty made a motion that staff develop a reserve general fund amount based on percentage of annual income, revenue, or operating expense and present to council as being the reserve amount with the amount above to be dedicated toward capital means. John seconded. All were in favor.

#### **John Branigan – Mobile 911 surcharges**

John stated that according to the GMA update, the money from the 911 surcharges now goes from the telecoms to the Georgia Department of revenue rather than directly to the counties. He stated that he pulled his landline phone bill and at the very bottom under the 911 fees it states “based on our records your CUI number is GA0911, your regulatory address is Tybee Island”. He advised that we watch when we get our allotment from the Department of Revenue because a couple things could happen.

- They may be more accurate in figuring out how many registered phones there are on Tybee Island so our amount could go up.
- It could stay relatively the same in which case we are still getting underpaid.
- The worst case would be the Georgia Department of Revenue decides Tybee Island is in Chatham County, it all goes to Chatham County in which case we don’t get anything.

John stated that the best news out of this is now there is one entity that we have a better chance to try to get this cleared up so we are getting our equitable fair share of that 911 money.

Angela stated that we are getting some of the prepaid fees.

Jason stated we have been waiting for written confirmation that they won’t hit us up with a bill two years down the road.

The committee discussed there were a lot of kinks to be worked out.

John made a motion to have Angela keep an eye on our 911 reimbursements and see if she can draw any conclusion about whether we are still being underpaid. Monty seconded the motion. All were in favor.

**John Branigan – Solid waste subsidy**

John stated that he personally thinks it is wrong to be subsidizing what we charge for solid waste

Shawn stated it is his understanding there are two pieces that cause a general fund subsidy of solid waste fund.

- Steven's Day exemption
- The City is charged yard waste pick up. The charge is not extended to the customer.

John stated he does not believe this is very transparent.

Jason asked what it would cost each home to pay for yard waste.

Nalene replied that the city is paying \$4.64 per home, approximately 2,600 residents bringing the monthly total to \$12,041.

The committee discussed whether or not to continue subsidies and reviewed the current amounts being subsidized.

The committee discussed the purpose of the Steven's Day subsidy is to relieve the residents of rate increases.

The committee discussed the option of modifying or possibly terminating the contract with Atlantic Waste saving the citizens and the city (in subsidies) approximately \$240,000 per year.

John stated an option of not billing people directly period and just have the city pay for it as part of city services.

Jason stated he wanted to figure out a way to get the cost everyone pays for yard debris through subsidy and taxes down.

The committee discussed parameters for a proposal.

John stated that we have two separate issues.

- Not getting the service from Atlantic Waste on a city wide basis that we should be
- General fund subsidizing enterprise fund

Jason asked Shawn what the motion should be.

Shawn stated the motion should be to assess alternative means of yard waste collection that would lower the subsidization of yard waste collection in the solid waste fund.

John stated that he thinks we should table all of this and pay greater attention to the RFP that we put together and when we get the results of the RFP we ask the staff to come up with a rate structure that fully funds what the city has to pay.

The committee agreed to hold off.

**John Branigin – Water/Sewer Rates**

Jason asked if he could make a suggestion that we consider doing the same thing with the CPI to the rates that we do with all the impact fees for developers that would be in construction and any other impact fees where the money goes straight to water and sewer.

The committee discussed.

Monty made a motion to get a list of impact fees that would be affected by a CPI increase. John seconded. All were in favor.

John stated we need to act with some sense of urgency to figure out how we are going to get from here to there. There being ten years out when we start construction of the new sewer treatment facility. He stated he thinks it's up to the Infrastructure Committee to come up with a road map for how to get things done. He stated he thinks the Finance Committee needs to play a role in figuring out what the strategy is to making sure we can pay for it.

Monty suggested moving some money out of general fund and start the fund, put seed money in there now.

The committee discussed whether or not the percentage of the increase in demand based on R2 build out is minimal.

Shawn advised the committee;

- Use caution subsidizing utility fund with general fund dollars because over time that can cause neglect to the system.
- Courtney is giving a starting point and does assume full build out.
- If new SPLOST passes some of that can be used and is not general fund subsidy but instead using one time dollars for one time expenditure.
- There are two types of structures Courtney recommended.
- The 3,000 citizens of Tybee aren't the ones driving the water demand, so how do you push the cost to those driving the demand.
- Get a list of the highest users top to bottom, commercial and residential and then cross reference those addresses with our short term vacation rental database or homestead exemption data. Courtney's study only gave top ten.

The committee discussed if Infrastructure and Finance Meetings will give enough focus.

Monty stated he thinks it a good idea to have Planning Commission look at the R-2 definition.

Shawn stated the Master Plan Implementation Committee is in their charge, was to go through the caring capacity study and this is an outgrowth of the caring capacity study. He stated they are eager to help.

Jason stated we need to know how much money we actually need.

John made a motion to charge the Master Plan Implementation Committee with coming up with a list of assumptions either from Courtney's study or rethinking those that can become the input into the infrastructure analysis which can then drive the financial discussion. Monty seconded the motion.

Jason requested a motion to adjourn the meeting. Monty made the motion. John seconded. The meeting was adjourned.



Fee increases based on CPI

Capital Cost Recovery \$2000 to 2030

Type of Structure	Water Usage in Gallons Per Day	Aid to Construction at \$4.00/4.06 Per Unit
Apartment, and other dwelling units		*
Assembly hall	3 per seat	\$12.00/12.18
Barbershop/beauty parlor	125 per chair	\$500.00/507.50
Boardinghouse**	100 per room	\$400.00/406.00
Bowling alley	50 per lane	\$200.00/203.00
Church without day care or kindergarten	5 per seat	\$20.00/20.30
Clinic	150 per exam room	\$600.00/609.00
Correction institution	125 per bed	\$500.00/507.50
Country club, recreation	25 per member	\$100.00/101.50

Facilities only:		
Day care center, no meals	15 per person	\$60.00/60.90
Dental office	200 per chair	\$800.00/812.00
Department store	10 per 100 sq. ft.	\$40.00/40.60
Drug store:	500 per store	\$2,000.00/2030.00
Fountain service - add	1500 per store	\$6,000.00/6090.00
Meals - add	50 per seat	\$200.00/203.00
Food service establishments		
with restrooms and kitchen:**		
Restaurant, less than 24 hours per day operation	32 per seat	\$128.00/129.92
Cafeteria, less than 24 hours per day operation	63 per seat	\$252.00/255.78

Restaurant, 24 hours per day operation	100 per seat	\$400.00/406.00
Drive-in restaurant	50 per car space	\$200.00/203.00
Carry-out only	75 per 100 sq. ft.	\$300.00/304.50
Hospital	250 per bed	\$1,000.00/1015.00
Hotel, no kitchen	100 per room	\$400.00/406.00
Kindergarten, no meals	15 per person	\$60.00/60.90
Kitchen for day care, kindergarten	20 per person	\$80.00/81.20
Laundry, self service	200 per machine	\$800.00/812.00
Laundry, commercial	1,000 per machine	\$4,000.00/4060.00
Mobile home park	300 per site	\$1,200.00/1218.00
Motel, no kitchen	100 per room	\$400.00/406.00

Nursing/personal care home	150 per bed	\$600.00/609.00
Office	30 per 200 sq. ft.	\$120.00/121.80
Physician's office	200 per exam room	\$800.00/812.00
Prison	60 per person	\$240.00/243.60
Schools:		
Boarding	100 per person	\$400.00/406.00
Day, restrooms only	15 per person	\$60.00/60.90
Day, restrooms and cafeteria	20 per person	\$80.00/81.20
Day, restrooms, gym, cafeteria	25 per person	\$100.00/101.50
Service stations:		
Car wash only	1,000 per stall	\$4,000.00/4060.00
Fuel and oil only	300 per pump	\$1,200.00/1218.00

	Full service	850 plus 300 per pump	\$3,400.00 and \$1,200.00 3451.00 and 1218.00
	Shopping center	10 per 100 sq. ft.	\$40.00/40.60
	Stadium	2 per seat	\$8.00/8.12
	Tavern, bar, cocktail lounge - no meals	30 per seat	\$120.00/121.80
	Theater	5 per seat	\$20.00/20.30
	Travel trailer park:		
	With independent water and sewer connection	175 per site	\$700.00/710.50
	Without independent water and sewer connection	35 per site	\$140.00/142.10
	Residential construction		\$1.00/1.02 per square foot of heated and/or cooled space*

\*\$1,200.00/unit minimum; \$1.00 per foot above 1,200 square feet.

\*\*Add 500 gallons per machine to amount indicated if laundry or dishwashing machines are to be installed.