

## 20090312 City Council Minutes

### **CONSIDERATION OF ITEMS FOR CONSENT AGENDA**

Mayor Buelterman called the Consent Agenda meeting to order at 6:30pm on Thursday, March 12, 2009. Council members present were Mayor pro tem Wanda Doyle, Barry Brown, Eddie Crone, Dick Smith and Paul Wolff. Councilman Charlie Brewer was absent due to illness. Also present were City Attorney Bubba Hughes and City Manager Diane Schleicher.

Mayor Buelterman listed the following items on the Consent Agenda:

- Confirmation of correction to minutes 11/13/08
- City Council Minutes 2/26/09
- Appointment of Cullen Chambers to the Better Hometown Board of Directors
- Appointment of Dick Smith as Council Liaison to the Better Hometown Board
- Consideration of Grant Application to the Fanning Institute. UGA, sponsored by the Ga. Rural Development Council. Grant amount \$5,000-Matching Funds-In Kind Contributions of \$6,620 from Leadership Steering Committee. Mayor Buelterman requested this Grant come back to council for final approval if Grant is awarded to Tybee. Councilman Smith requested Ms. Schleicher determine the amount of money in staff time already spent on this grant.
- Alcohol License Application with Retail Beer, Wine, and Liquor, Sunday Sales and Entertainment for the Sand Bar Sushi Bar, 1512 Butler Ave., Ana G. Olsen.
- Alcohol License Application with Retail Beer, Wine and Liquor, Sunday Sales and Entertainment for Groover's Place, 1 E Hwy 80, Tom Groover.
- Alcohol License Application for Special Event on April 18, 2009. Tybee Veteran's Memorial Committee, Memorial Park Pavilion.
- Modification of GEFA Ft. Screven Loan: Modify existing GEFA Loan to increase the loan amount by \$116,667. Total loan not to exceed \$1,416,000.00

**A MOTION** to go into Executive Session to discuss Real Estate Acquisition, Litigation and Personnel was made by Councilman Wolff seconded by Councilman Brown. The vote was unanimous.

**A MOTION** to end Executive Session was made by Councilman Smith and seconded by Councilman Wolff. The vote was unanimous.

Mayor Buelterman adjourned the Consent Agenda.

### **OPENING CEREMONIES**

Mayor Buelterman called the regular meeting of the City Council to order at 7:00pm. Those attending the Consent Agenda were also in attendance for the regular meeting. The invocation was given by Pinky Butler, followed by the Pledge of Allegiance to the Flag.

## **MAYOR'S ANNOUNCEMENTS**

Mayor Buelterman said Councilman Brewer was taken to the hospital today and they are keeping him for tests. He requested everyone keep Councilman Brewer in their prayers.

Mayor Buelterman announced that the City found out yesterday that we have \$240,000 from the Federal Government that was approved in the budget the President signed for Phase II of the Beach Study trying to get more funds consistently from the federal government for renourishment.

Mayor Buelterman said Mike Taylor, one of our ocean rescue staff was injured rescuing someone during a fire on the Southside. He said he has had two skin grafts and is doing very well.

Mayor Buelterman said Judy Miller asked him to let everyone know about the Energy Assistance Program that allows people to apply for help with their utility bills. He said the office is located at 618 Anderson St.

Mayor Buelterman said the city council received an anonymous letter criticizing them for spending too much tax payer money on improvements. He said the trees were put up with state money but we have to pay to water them. He said the other improvements were done with grants that did not come directly from property taxes or parking revenues.

## **CITIZENS TO BE HEARD**

Sandy Major gave a Tybee Neighbors report on making sure our water works and the results of a water survey.

Jay Burke introduced the Tybee Island Irish Heritage Celebration Committee which provided St. Patrick's Day t-shirts and leis to council in honor of the 7<sup>th</sup> annual parade at Tybee. He thanked the City of Tybee, Council, Police and Staff as well as the many businesses that make the parade possible. He said he personally has concerns about safety and he said this is a non drinking parade and they are asking that no one throw beads out.

Joey Burel introduced the Grand Marshal of the St. Patrick's Day Parade as Phyllis Whitten, winner of the poster contest. Ms. Burel said they are proud of their grand marshals and they are glad they are St. Michael's students instead of old guys.

Mayor Buelterman congratulated Ms. Whitten on submitting the winning poster and also thanked the parade committee and businesses for working to make the parade bigger every year.

Holly Langford thanked the parade committee and said it is a great honor to have the grand marshal selected from their school. She said she is very proud of all of their students because they work very hard scholastically and artistically. She gave special recognition to Phyllis Whitten and Cassidy Strickland and also recognized Chase Pollack for qualifying at the state level of the National Geographic Bee to represent St. Michaels and Dalton Pagan for being 1<sup>st</sup> Runner up in the quick think a thon. Ms. Langford thanked City Council and the Community for supporting their school.

Mayor Buelterman recognized and thanked outgoing Audit Committee members, Jim Anderson, John Major, Sue Off and Freda Rutherford.

#### **CONSIDERATION OF APPROVAL OF CONSENT AGENDA ITEMS**

- Consideration of Consent Agenda items.

**A Motion** to approve the Consent Agenda was made by Councilman Wolff seconded by Mayor pro tem Doyle. The vote was unanimous.

#### **PUBLIC HEARINGS**

- Consideration of Zoning Variance (Section 5-090) from Sec 3-020, Continuance of Nonconforming Uses/Structures Petitioner: Dan & Kay Petty, 1411 Jones Ave. Pin #4-0007-20-008, Zone R-2.

Mayor Buelterman opened the public hearing. Ms. Otto presented the petition as a request for two screened porch additions. Councilman Wolff said it has to come in four feet from the edge of the existing pop out in order to be on the setback line. Councilman Smith said they are not asking to extend any further into the setback than they are now. Ms. Otto said correct, it would stop at the ten foot setback line. Councilman Wolff said what is on the ground does not agree with the drawing. Mayor Buelterman closed the public hearing.

**A Motion** to approve by Mayor pro tem Doyle was seconded by Councilman Crone. The motion carried with Doyle, Crone and Smith in favor and Brown and Wolff opposed.

- Consideration of Solid Waste Management Plan: Department of Community Affairs requires communities to adopt a plan to manage solid waste for the next 10 years.(2nd Public Hearing- 1st Public Hearing held on 2/12/09)

Mayor Buelterman opened the public hearing. Mr. Hughes said this is the second required public hearing for the Solid Waste Plan that DCA requires that we adopt. Mayor Buelterman closed the public hearing.

**A Motion** to approve by Councilman Smith was seconded by Mayor pro tem Doyle. The vote was unanimous.

#### **ORDINANCES, RESOLUTIONS AND ZONING VARIANCES**

- 2<sup>nd</sup> Reading for Amendment to Code Section 58-107(1) Hotel/Motel Tax

**A Motion** to approve by Councilman Wolff was seconded by Councilman Smith. The vote was unanimous.

#### **BIDS, CONTRACTS, AGREEMENTS AND EXPENDITURES**

- Ethics Training Proposals for City Officials from Chapman and Associates (\$1,200 up to 20 participants) and Georgia Municipal Association (\$1,400 up to 20 participants). Budget line item #100-1110-52-1201.

Mayor Buelterman asked if the new ordinance was so complex that it would require someone to come and train us on it. Councilman Brown said it is not that complicated. Councilman Smith said out of the eleven pages comprising the Ethics Ordinance, only three pages are the ordinance itself consisting of twelve very short paragraphs. He said it would not be a wise expenditure of our money. He said the proposals are for twenty people and he determined that we would have to train at least thirty if not thirty two if the Ethics Commission was completely filled. Councilman Brown recommended council postpone this discussion until Councilman Brewer returns. Mayor Buelterman asked for this item to be included on the next agenda.

- Proposals for Federal Lobbying Services for the City of Tybee Island. RFP #2009-601 Budget Line item # 100-6125-52-1250.

Ms. Schleicher said the firms were rated according to the RFP responses and not on their abilities as lobbyist. She said sometimes these things are subjective as far as whom you think will work with your representatives the best. Councilman Wolff suggested contacting the local consultant to provide monitoring services for Federal Grants. Ms. Schleicher said she would contact a consultant that provides monitoring services for a quote to bring back to council.

## EXECUTIVE SESSION

**A Motion** to go into Executive Session to discuss Litigation and Personnel was made by Councilman Wolff and seconded by Councilman Smith. The vote was unanimous.

## ADJOURNMENT

**A Motion** to end Executive Session and Adjourn was made by Councilman Wolff and seconded by Councilman Smith. The vote was unanimous.

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Mayor Jason Buelterman

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Vivian O. Woods, Clerk of Council