

20101209 City Council Synopsis

Mayor Jason Buelterman called the consent agenda meeting to order at 6:30pm on Thursday, December 9, 2010. Council members present were: Mayor pro tem Shirley Sessions, Wanda Doyle, Bill Garbett, Frank Schuman, Sr., Kathryn Williams, and Paul Wolff. Also present was City Attorney Bubba Hughes, City Manager Diane Schleicher, Zoning Director Jonathan Lynn and Clerk of Council Vivian Woods.

Mayor pro tem Sessions listed the following items on the Consent Agenda:

- City Council Minutes 11/18/2010
- Tybee Island Historic Preservation Commission appointment of Joseph P. Griffin, Jr.
- Resubmitted application for 15th Annual Beach Bum Parade: May 20, 2011, 6:30PM; North Beach to Tybrisa St.
- One day alcohol license for a special event, Critz Tybee Run, February 5, 2011, Strand parking lot; Applicant Debra Critz.
- 14th Street Drainage Improvements-BRW Construction Group-Final Change Order of a deduction of \$85,880.62 Total cost for the completed project: \$847,847.
- Revised Community Services Agreement
- DOT Proposed List of Roadways for the Speed Ordinance-Omitting Chatham Ave.
- Beach Task Force request for City Attorney to ask the State Attorney General for ruling on whether or not DNR is enforcing and/or the army corps is complying with HB 727.

Mayor Buelterman adjourned the Consent Agenda.

Mayor Buelterman called the regular meeting of the City Council to order at 7:00pm. Those present at the Consent Agenda were also in attendance for the regular meeting. George Walker gave the invocation and everyone recited the Pledge of Allegiance to the Flag.

Consideration for the Consent Agenda

A Motion by Kathryn Williams to approve the consent agenda was seconded by Paul Wolff. The vote was unanimous.

Consideration of the approval of the minutes of the regular meetings of the Tybee Island City Council.

- City Council Minutes 10/28/2010

A Motion by Frank Schuman to approve was seconded by Paul Wolff. The vote was unanimous.

Consideration Local Requests & Applications-Funding, Special Events, Alcohol License

Applications for 2011 Alcohol Beverage Licenses as listed below: **Approved by Interim Chief Bryson.**

Beer/Wine/Liquor, Sunday Sales and Entertainment:

- American Legion Post 154/George Walker/10 Veteran's Dr
- Benny's Tavern & Restaurant/Alvin Ward, Sr./1517 Butler Ave
- Bernie's Tybee Island/Bernie Reyes/13 Tybrisa Ave
- Bikinis Inc. DBA Rockhouse/Joshua Navon/1518 Butler Ave
- Burn Marine Transport DBA AJ's Dockside/Jacqualand Burn/1315 Chatham Ave
- Café Loco/Joel Soloman/1-A Old Hwy 80
- Huc-a-Poo's Bites & Booze/Eric Thomas/1213 Hwy 80 Ste 2
- Lighthouse Pizza/Richard Hammons/15 A&B Tybrisa St
- Lillypad, Too LLC DBA Doc's Bar/ Rob Parker/10 Tybrisa St.
- Macelwee's Seafood Restaurant/ Lynn Zeigler/101 Lovell Ave
- Nickies 1971 Bar & Grill/Nick C. Alexander/1513 Butler Ave.
- North Beach Grill/George I. Spriggs, Jr/33 Meddin Dr
- Orr Restaurants Corp. DBA Fannies on the Beach/Jennifer Orr/1613 Strand
- PJ's Spirits LLC DBA Seagrass Saloon & Grill /725 First St
- Resort Inns Inc-Dolphin Reef/Harry Spirides/1401 Strand Ave
- StingRay's/Raymond J Rogers Jr/1403 Butler Ave
- Surfside Restaurants Corp. DBA Marlin Monroe's Surfside Grill/Jennifer Orr/404A Butler Ave.
- Sweet Dreams Pavilion/Myrtice Morrison/Tybee Pier-16th and Ocean
- The Sand Bar/Ana Olsen/1512 Butler Ave
- The Quarter's Sports Bar/Wayne Barlow/601 First St
- Topsail Bar & Grill/Kim Cauabro/48 Old Tybee Road
- Tybee Island Social Club/Kurtis Schumm/1311 Butler Ave
- Tybee Times/Steven Kellam/1603 Strand Ave
- WindRose Café/Marv Klein/19 Tybrisa St.

Beer/Wine/Liquor, Sunday Sales:

- Charly's/Charles J Vonashek/106 South Campbell Ave
- Gerald's a Pig & Shrimp/Gerald Schantz/1115 Hwy 80
- Spanky's Beachside/John Alben Yarbrough/1605 Strand Ave

Beer/Wine/Liquor:

- Chatham Hospitality Management dba Sea & Breeze Hotel/Mark Smith/16 Tybrisa St.
- Santiagos Mexi-Cali/ James Davies/402 First Street
- Sundae Café/Kevin Carpenter/304 First St
- Tybee Island Historical Society/Cullen Chambers/30 Meddin Dr

- Tybee Supper Club/Michael Scarbrough/1 Meddin Dr
- XYZ Liquors/Teresa Jung/302 First St

Beer/Wine:

- Chu's Convenience Mart/Aimi Chu-Pruden/725 First St
- Chu's Convenience Mart #101/Mola Jung/306 First St
- Chu's Convenience Mart #102/Mola June 1603 Inlet Ave
- Coastal Fishing Co. & Offshore Ventures, Inc. DBA Tybee Island Bait & Tackle/
CT.Cowling/1A Old Tybee Rd
- Dizzy Dean's Discount Beer, Wine and Cigarettes/Myrtle Morrison/1516
Butler Ave.
- JayDeep LLC DBA Shell Food Mart/Jatin Desai /1315 Butler Ave
- Tybee Market Inc/Michael J Hosti/1111 Butler Ave

Kathryn Williams recused herself.

A Motion to approve by Paul Wolff was seconded by Frank Schuman. The vote was 5 in favor.

George Walker, Gene Kendrick and Jim Boyle-Requesting waiver of Alcohol Beverage License Fees for the American Legion for 2011.

Kathryn Williams recused herself.

A Motion to approve by Wanda Doyle was seconded by Frank Schuman. The vote was 5 in favor.

Vikki Nelson-requesting waiver of Guardhouse deposit of \$500 and user fee of \$150 on January 18, 2011 for Honorary Party for Jim Klutz for 20 years of service as President of the Tybee Island Historical Society.

No action taken. Postponed until 1st meeting in January.

Public Hearings –Zoning Packet Separate

- Variance request, 205A Miller Ave (4-0004-12-007), LDC Section 3-090,
Applicant/Owner: Mr. Tyler Randolph

Mayor opened public hearing.

Mr. Randolph submitted a letter for the record but was not in attendance at the meeting.

Mayor closed public hearing.

A Motion by Wanda Doyle to continue and re advertise for the next meeting, if owner wants, was seconded by Bill Garbett. The vote was unanimous.

- Variance request, 404 Butler Ave (4-0004-20-051,056,061,066), LDC Section 3-090, Applicant/Owner: Mr. Alex Salgueiro (on behalf of HOA).

Mayor opened public hearing.

Mayor closed public hearing.

A Motion by Paul Wolff to continue to 2nd meeting in January, in order to give attorney time to research and come back with recommendation, was seconded by Bill Garbett. The vote was unanimous.

Consideration of Ordinances, Resolutions

- 1st Reading of Land Development Code Article 3 in its entirety without 3-030, 3-050, 3-060, 3-130, 3-140, 3-190,3-200, 3-250.

Section 3-040

A Motion by Paul Wolff to approve Section 3-040 as written was seconded by Wanda Doyle. The vote was unanimous.

Section 3-070

A Motion by Paul Wolff to approve with changes: (Add (8) to Section 3-070 (B). It should state "No temporary detached structure will be allowed on the residential use side (s) of a commercial lot where commercial and residential uses are adjacent), was seconded by Kathryn Williams. The vote was Wolff, Williams, Schuman and Garbett in favor and Doyle and Sessions opposed.

- 1st Reading to add Section 18-2 (34-2010) Emergency Access Requirements for Gated Communities

A Motion by Kathryn Williams to approve Section 18-2 .4. Standards with insertion of *(In all cases)* after the colon following access, was seconded by Paul Wolff. The vote was unanimous.

- 1st Reading amendment to Section 70-43 (23-2010) Pertaining to bill adjustments for water and sewer.

A Motion by Paul Wolff to approve with insertion at the bottom of page to read: Visible leaks, such as faucet leaks, leaking toilet, **above ground** irrigation system or hose leaks are ineligible, was seconded by Kathryn Williams. The vote was Wolff, Williams, Sessions, Schuman and Garbett in favor and Doyle opposed.

- 2nd Reading Section 58-167 (32-2010) regarding occupational taxes
- 2nd Reading Section 34-49 (33-2010) Penalty for violating provisions of the occupational tax and licensing requirements and for other purposes

Mr. Hughes asked to hold off on discussing 2nd readings for 58-167 and 34-49, regarding occupational taxes and penalties.

- 2nd Reading Water Conservation ordinance to create Section 70-46

A Motion to approve by Paul Wolff was seconded by Bill Garbett. The vote was unanimous.

Executive Session

A Motion by Paul Wolff to go into Executive Session to discuss Personnel, Litigation, and Real Estate Acquisition, was seconded by Shirley Sessions. The vote was unanimous.

A Motion by Paul Wolff to go back into Regular Session was seconded by Kathryn Williams. The vote was unanimous.

Adjournment

A Motion by Paul Wolff to adjourn was seconded by Kathryn Williams. The vote was unanimous.