

20090528 City Council Minutes

Mayor Buelterman called the Consent Agenda meeting to order at 6:30pm on Thursday, May, 28, 2009. Council members present were Mayor pro tem Wanda Doyle, Charlie Brewer, Barry Brown, Dick Smith and Paul Wolff. Councilman Eddie Crone 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:

- City Council Minutes for 4/23/09
- City Council Workshop Minutes for 5/09/09
- City Council Minutes for 5/14/09
- Appointment of Mel Gordon to the Better Hometown Board
- Appointment of Maureen Grindstaff to Better Hometown Board
- Resolution requesting Chatham County conduct our Municipal Election on November 3, 2009
- Special Event Application for Musical Lefty's Treasure Island 9/24-10/05 including waiver of gym usage fee (deposit not waived) and cafeteria usage fee and deposit. Any YMCA staff required after hours must be paid by Tybee Arts Association.
- Beach Task Force Committee Request: City to petition Congressional Delegation to legislatively base total cost of both phases of the Channel Impact Feasibility study on a 78% Federal/ 22% Local cost share due to impacts of the channel. Mayor to draft letter and copy council.
- Budget Adjustment: Emergency Notifications System for Tybee. Add \$13,204.80 to line item 100-1535-54-2500 for Capital Software Purchase and deduct \$13,204.80 from Contingency line item 100-9000-61-1000. The Reverse 911 System.
- Change order #1 Budget Adjustments to WWTP and Lift Station #6 improvements. \$46,750 to redirect 20" Effluent Outfall. Line Item 505-4310-54-1407 from line item 505-9000-61-1000.
- Addendum to Business Development Agreement of May 19, 2008 to allow an extension of said agreement to allow Alan Silver to apply on behalf of the City of Tybee for the Assistant to Fire Fighters Grant for communication equipment. Budget line item 100-3510-52-3200 \$22,500 pending award of the Grant total of \$150,000. Approval is to apply for Grant only. Spending the funds will be discussed in the budget if Grant received.
- Addendum to BRW Contract for the 14th Street Drainage Project in order to add resurfacing 14th Street from Venetian Way to 2nd Street for an additional \$55,750 line item 100-4210-54-1100. The city manager stated the funds will actually be disbursed from the 2009-2010 budget as the project will not actually be done until the fall of 2009 possibly February, 2010.
- Proposal to reconnect the public foot washers at the following cross over locations: (installed at 42" and keep signs up promoting and encouraging water conservation.
 1. Gullick Street
 2. 14th Street
 3. MSC
 4. 16th Street
 5. 18th Street
- Rejection of Ante Litem Notice-Daniel Gehringer

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. Rev. Andy Lamon gave the invocation. The pledge of allegiance of the flag was led by Mayor Buelterman.

Mayor's Announcement

Seakayak Race will begin at 8:00am on June 6th.

Soc Hop June 6th at 7:00pm benefit the Milton Project's spray/neuter program at the American Legion

Citizens to Be Heard

Kathryn Williams announced the Adopt a Highway on Saturday, May 30th at 8:00am at the Tybee sign. She also gave an update on the last beach sweep. About 350 participants including high school students needing to fulfill community service hours as well as scouts. The next week we had 250 people from Windsor Forest High School come out and did a beach cleanup also. She also thanked the staff and crew for their help and hard work. Mrs. Williams commended the council for looking at the liter ordinance and stepping up the penalties and enforcement. Mayor Pro Tem Doyle commented and thanked the TBA for having children participate and the opportunity given to them to not only be teachers but good stewards of our beaches.

Mel Gordon thanked the council for the support to the musical "Lefty's Treasure".

Larry Nesbitt spoke against removing the city hall from the facilities rentals. He expressed concern over the possibility of the usage approval becoming political. The building belongs to everyone on the island. He complimented staff member, Karen Reese on doing a good job with scheduling, etc for the facilities. He also apologized for any disturbance of staff or any problems associated with the spelling bee recently held in city hall and thanked everyone for their support and assistance. He also addressed and spoke against the \$200,000 proposed to spend on the Wayfinding Signs.

Staff Reports

Jimmy Brown gave a presentation on the Tybee Emergency Management Agency. He is the city's coordinator with the Chatham County Emergency Management Agency in writing and developing the city's emergency operation plan, vulnerability, risk assessment, and establishing emergency support functions for all city departments. He gave information on the siren emergency warning system. He also gave the Severe Weather Safe Site locations. These are for the visitors or beach goers that may be on Tybee in the event of an emergency and need to seek shelter. The locations are Battery Brumby (across from the lighthouse), Tybee Island Gym,

and the Ocean Plaza Conference Center. Residents should remain in their homes unless an evacuation is ordered. He also gave information on the selection of Dublin GA for the city's temporary site to continue our government operations in times of evacuations, as well as other agreements in place for the relocation of key staff personnel, protection of government supplies and emergency equipment, and city records. He has been working to achieve StormReady Supporter Certification and status from the National Weather Service. Up to now only counties have received this. Tybee is the first city in the state to receive the designation. He showed a visual presentation of emergency information that is currently on the city's web site. He then spoke on the flood insurance and the rate reduction recently acquired for the residents. Councilman Brewer asked about what information is available on what happens when it is time for reentry after an evacuation. Mr. Brown recommended citizens not be allowed back on the island until we have proper sewage, running water and electricity and it is safe for them to do so. He said there are several ways the citizens will be informed when and how to return. And he explained the emergency operations reentry policies for the critical work force city employees. Mr. Brown announced on June 15th there will be a Hurricane/Tornado Public Awareness Program at 7:00 pm in the Tybee Island Gym. He encouraged attendance and reminded everyone hurricane season starts in a few days on June 1st.

Councilman Brown discussed the community development consultant report. City manager has already answered and cleared up several concerns he had with the report. He did recommend that the planning commission take a more major role in the developing and updating of the land development code. Mr. Hughes will send the latest articles and updates to the planning commission. Councilman Brewer said he understood that is part of the roles of the planning commission and he agreed they should be more involved. Mayor also agreed.

Consent Agenda:

- Consideration of Consent Agenda Items.

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

Public Hearing

2009-2010 Budget

Mayor Buelterman announced the 1st reading would be on June 11th and the 2nd Reading would be on June 25th. The public will have opportunity to speak at both meetings.

Henry Levy requested council to include in the new budget funds for a toll road report to be done by a reputable engineer firm and pointed out advantages of the revenue from the toll.

Councilman Brewer gave information from a Traffic study already done and requested City Manager to follow up with firm that did it to expand on the toll road portion. Councilman Smith pointed out that the MPO Public Meeting will be on June 2 & 3rd and encouraged everyone to attend as the Director of the GA Toll Roads will be present.

Consideration of Ordinances, Resolutions:

- 1st Reading on Ordinance 12-2009 to Amend Sec 42-60(5) the Code of Ordinances Pertaining to Litter and to add a new section to be designated as Section 42-64 for *Penalties for Littering*.

City Attorney explained this gives two changes. It adds cigarette butts to rubbish description and gives penalties to other areas same as what is for the beaches. The mayor clarified the minimum fine would be no less than \$100 for 1st offense. Councilman Wolff pointed out this is being done to work as a deterrent. Mayor Pro Tem commented the \$100 minimum fine is too much \$50.00 would be a better amount. Mayor Buelterman concurred \$50.00 would be better amount. Councilman Brewer said the fine is ok but what about other debris. What is considered rubbish?

Mayor Buelterman asked Mr. Hughes if the judge could give community service penalties also. Mr. Hughes responded yes. Councilman Smith said he agreed with \$100 fine. Doyle stated she wanted it on record she disagreed with the amount of \$100 but supported the ordinance.

A Motion by Councilman Wolff to approve for 1st reading with the addition of Parking Lots and Parks and defining rubbish, whether it's biodegradable or not was seconded by Councilman Brewer. The vote was unanimous.

- 1st Reading on Ordinance 11-2009 to Amend Code of Ordinances Pertaining to Litter on Municipal Beaches to add subsection 12-1(e) *Penalty for Litter* to Section 12-1.

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

- 1st Reading on Ordinance to Amend Code of Ordinances Sec 34-3 Pertaining to Private Parking Lots
Option B: Specifies- In connection with special events or holiday weekends or holidays and the heavy tourist season and shall include all dates from St. Patrick's Day through Labor Day.

Councilman Brewer expressed concerns about residents allowing parking up to adjoining property lines. Mayor asked Mr. Hughes if this would be allowed. He responded when permit is applied for they have to submit a plan showing parking spaces. Ms. Otto clarified the plan would show spaces on the lot not city right of ways. Doyle asked if we were looking at 4 or 5 applicable lots and Ms. Otto said it was more like 6 or 8 currently. Councilman Brewer again stated concern with people being able to park up to the adjoining property lines of neighbors without any type of buffers in between. Ms. Otto stated she shared Councilman Brewer's concerns as currently business licenses are issued without public hearing process or allowing neighbors input as to how it would impact a commercial business coming into their neighbor's property. Doyle asked if she was recommending having a public hearing before permits issued. She said currently it only allowed the parking on holiday weekends but opening this up for extended time, she foresees there could be problems. Councilman Wolff voiced his agreement for public hearings and some kind of buffer between properties. Mayor asked if footage limitations would help. Councilman Brown stated a buffer description would have to be stated. Councilman Wolff said the time is up to 9:00pm.

Councilman Smith asked who is enforcing buffers. Mayor asked city attorney if planning commission should look at this. Mr. Hughes stated yes. The existing ordinance allows for council or staff to extend time for current permits. Mr. Hughes stated this can be done and then let planning commission review for future control.

A Motion by Councilman Smith to approve option B specific to those that have existing parking business licenses and send to Planning Commission for review was seconded by Mayor pro tem Doyle. The vote was unanimous.

Consideration of Bids, Contracts, Agreements and Expenditures

- Budget Adjustment for Ken Chapman and Associates Leadership Training.

Councilman Brewer said this type of training would improve the quality of our supervisors and supervision of our staff. This has great value to our city. City Manager explained this is a structured program all year long. Mayor Pro Tem stated she would prefer it to be in next year's budget verses taking it out of the contingency fund. Councilman Wolff agreed and asked for the city manager's opinion on how she wants to build her professional team. She has done an amazing job and unfortunately suffered some interference that has been counterproductive to the process so he would like her opinion as to how she wants to move forward with staff development and building what she believes would be the best team for running the island. The city manager responded she is very impressed with Ken Chapman & Associates but it is very costly, a big investment. Their recommendation is to include "top down & bottom up". It is a good program but costly and big decision. Councilman Wolff asked if she has used this type or similar program before with success. Mrs. Schleicher answered not this intensive. Most have been small groups & short periods of time. This is a very comprehensive structured program year round. This develops whole staff in same material. Discussion was made with Councilman Wolff and Mrs. Schleicher on impact of personnel and possibility of spreading out training for longer duration. Councilman Smith said spreading out has problems with coming & going of staff. He also agreed with Councilman Wolff on looking at the extra expense of paying the staff. Mayor Buelterman asked Councilman Brewer if he would agree to allow this to be addressed for next year's budget instead of coming out of the contingency fund. This would allow for a little more study and review. Councilman Brewer answered he had no problem with that, but remember we are not spending money on employees we are investing in them. Keep in mind the response of the recent employee survey which told us this is a great place to work. Let's keep it that way.

City Manager's Report-Diane Schleicher

- Action Item List: Mayor Buelterman asked about the pole put up for nesting birds at Jaycee Park, if someone could take a look at it. Mayor Pro Tem Doyle asked Mrs. Schleicher to have someone take a look at a palm tree on Strand Ave that seems to be leaning too much. City Manager asked for council's agreement to remove action items from the list that had been completed.
- Wayfinding Signs: Major Buelterman stated the cost is too high at a time when we are trimming the budget. Councilman Wolff stated his concerns also with the cost and only this company being able to do the signs since they have done the designs. Diane Otto presented council with a power point presentation on the design options and the distribution of the cost and explained it could be done in stages. An RFP could be done for the fabrication and installation or there is also the option to do the installation in house to lower the

cost. She also pointed out the direction to have this done was by previous council and \$50,000 was budgeted, \$26,000 has been invested already, and is included as part of the Master Plan. The council complimented Mrs. Otto on a good informative presentation. Councilman Brown asked for clarification if this can be put out for bid or if this company has to do it. Mr. Hughes replied he could look over the contract. Councilman Wolff asked if this also includes inventorying current signs and reducing the number of signs when replaced with the new signs. Mayor Pro Tem Doyle commented on the number of signs and how the design is done. Can the local art association have input? Mayor Buelterman stated the timing is wrong. With all the other budget cuts and freezing, it is not appropriate to have this done at this time. Councilman Smith clarified Mrs. Otto is only asking for design approval. Comments were made from several council members to hold off and try to use local artist and talents. Mayor Buelterman summarized and concluded this could not be done at this time with our financial situation.

- Proposal to remove city hall from rental facilities:
Councilman asked if rules are given to potential rentals and if is agreed to let staff assist. Mrs. Schleicher responded the staff sometimes assist as a good neighbor gesture. Mayor asked Clerk of Council to explain how the city hall is currently scheduled. Mrs. Woods explained people come to her and she checks the calendar and she also works with Mrs. Reese. Councilman Brewer asked about putting some internal control on scheduling meetings in the auditorium. Mrs. Woods suggested the facility coordinator schedule the use of the auditorium and she can send the council meeting calendar to her so there is only one person working on this. Council agreed.
- YMCA Building Improvements:
Mayor Pro Tem asked Mrs. Schleicher to give update on meeting for expanding facilities to Y usage and weatherizing. She had meeting with Hillary and Joe and discussion was on replacing windows, improving insulation to help with a/c expense and better weatherizing. Also changing the space allotment for the Y for their exercise classes and the TEMA room and the records storage room, cost is approximately \$23,000 for materials and another \$1,800 for labor if it is done in house. Mayor Pro Tem commented that the Y board is aware of the discussions but do not think they need to vote on anything. She also asked for action to be taken and not to delay. Councilman Brewer cautioned about moving too fast to spend money without viable plans. Councilman Brown showed a drawing of what the changes are that are being proposed. Councilman Brewer asked for a utilization report. Mayor Buelterman suggested we put this on the next agenda to take action.

Executive Session:

A Motion by Councilman Smith to go into Executive Session to discuss Personnel, Real Estate and Litigation was seconded by Councilman Brown. The vote was unanimous.

A Motion by Councilman Wolff to return to regular session was seconded by Councilman Brown. The vote was unanimous.

Adjournment:

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