

20100909 City Council Minutes

Mayor Jason Buelterman called the Consent Agenda meeting to order at 6:30pm on Thursday, September 09, 2010. Council Members present were Mayor pro tem Shirley Sessions, Wanda Doyle, Bill Garbett, Frank Schuman, Sr., Kathryn Williams and Paul Wolff. Also present were City Attorney Bubba Hughes, City Manager Diane Schleicher and Zoning Director Jonathan Lynn.

Mayor Buelterman listed the following items on the Consent Agenda:

- August 12, 2010 Minutes(with corrections from Kathryn Williams)
- August 26, 2010 Minutes Postponed
- Appointment of Frank Kelly to the Community Resource Committee
- Alcohol License Application Beer/Wine per event, Friends of Tybee Theater, 10 Van Horn Ave.
- Change Order-AD Williams Construction Company, Inc. US Hwy 80/SR26 (Butler Ave) ADA Ramps and Sidewalk Repairs, TEE-0006-00(533) PI No. 0006533 Change Order No. 1 Delete (\$7,867.27)-
Balance of Contract \$114,182.73
- Budget Amendment #1 To adjust budget to reflect more accurately our expected Revenues and Expenses

Executive Session

A Motion by Paul Wolff to go into Executive Session to discuss Litigation and Personnel was seconded by Wanda Doyle. The vote was unanimous.

Mayor Buelterman adjourned the Consent Agenda.

Mayor Buelterman called the regular meeting of the City Council to order at 7:10pm. Those present at the Consent Agenda were also in attendance for the regular meeting. Dick Smith gave the invocation and everyone recited the Pledge of Allegiance to the Flag.

Mayor Buelterman announced the American Legion will be hosting the 9th Annual Patriot's Day of Remembrance on Saturday, September 11th with a pot luck dinner at 6:30pm and a short program commemorating the day at 7:30pm.

Citizens to Be Heard

Bill Cannon-Tybee Beautification Association addressed council and announced the next Beach Sweep is Saturday September 18th at 9:00am. He also thanked Mayor, Council and city staff for their continued

support. Mr. Cannon stated the deadline is coming up for sponsors to have their names or logos included on the back of the Beach Sweep t-shirts.

Monty Parks spoke to council on the issue of the "Free Holiday Parking". He stated this is not a pro-business issue or anti-business issue but more of "how do we get more people out here for all of us" issue. He expressed his belief with everyone working together another way could be found. He encouraged council not to give up the parking. He also asked Mayor and Council where the Bike Path was.

Reports of Staff, Boards, Standing Committees and/or Invited Guests

Carolyn Jurick addressed council reporting on the feasibility study under way for a Charter School on Tybee. Ms. Jurick stated with the closing of St. Michael's, some residents have felt there was a void on the Island and have begun looking into the possibility of having a charter school here. She addressed questions being asked such as "What is a Charter School?" Ms. Jurick stated a Charter School is a public school but is operated independently of the local school board and often with a curriculum or philosophy different from the other schools in the system. There are different types but the one on Tybee would be considered a Start-Up Charter School. Ms. Jurick explained it is locally created by petitions brought forth by parents, organizations, or local public entities. Ms. Jurick stated one of the first steps at the beginning was to determine the number of students, kindergarten through Fifth, on the Island. So far we have found 56 students from St. Michaels and 108 students from the public schools; we do not know how many from other private schools. So there do seem to be enough students if there is enough interest. Ms. Jurick said the process of establishing a Charter School is very lengthy. The first step is sending a letter of intent to the Savannah Chatham Board of Education at least six months prior to the date it is to be submitted to the Department of Education. February 1st is the absolute last deadline for us and if there is enough interest after the meeting on October 7th, we will immediately send our letter of intent. That is only notification that we are looking at having a Charter School. December 1st is the deadline for submitting a planning grant and we hope starting in October will be early enough to beat the funds' running out. Ms. Jurick said they have looked at several possibilities and encourage everyone interested to attend the meeting on October 7th at 7:00 at City Hall to express their ideas, interest, or questions. Ms. Jurick expressed her appreciation to those already working on this endeavor, Cindy Kopp, Julia Timmons, Malcolm Rose, Jason Buelterman and Wanda Doyle.

Kathryn Williams asked Ms. Jurick to clarify an earlier comment from Mayor Buelterman that the Board would be required to provide transportation. Ms. Jurick stated it's unbelievable but that is true. They confirmed they would provide transportation and lunches. Ms. Williams stated Oglethorpe was a Charter School and she did not believe they were provided with transportation only lunches and that is why she asked. Ms. Jurick said the Board had stated they would and also concurred with Mayor Buelterman's comment that special education services would also be provided.

Mayor Buelterman asked the City Manager to do a press release, etc to help get the word out about the meeting on October 7th. He and council expressed their appreciation to Ms. Jurick for all the hard work already done.

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

1. TCF International Productions, Inc. September 13-December 31, 2010-Special Private Event Application Requesting access to North Beach and North Beach Parking Lot to film scenes for a motion picture

Kathryn Williams recused herself due to potential conflict.

Mayor Buelterman stated this had been discussed at the consent agenda and called for a motion to approve.

A Motion to approve by Mayor Pro Tem Sessions was seconded by Wanda Doyle.

Paul Wolff asked for clarification on getting a waiver for disturbing dune vegetation. Their proposal states they will mitigate for any disturbance, so he would like to know exactly what they are planning to do that might disturb the dunes or the vegetation and how they plan to mitigate for that.

Diane Schleicher answered the company is working with an environmental consultant and DNR to work the details out and get a letter of permission from DNR, and they are putting up a bond to guarantee the mitigation.

The vote was five in favor: Sessions, Doyle, Garbett, Schuman, and Wolff.

2. Historic Butler Avenue Concept Design and City Jurisdiction Transfer from GDOT from 14th Street to Tybrisa.-Infrastructure Committee recommended approval.

Mayor Buelterman stated a public hearing was held this past Tuesday on this project and it has been covered in the newspapers,

Diane Schleicher commented Mr. Wolff, Ms. Williams and Mr. Garbett, were on the infrastructure committee. Business owners at the public information meeting and comments from Jenny Orr and other business owners indicate concerns that if we could get over all the hurdles with DOT and permits and start construction in January and go till Memorial Day, it will hurt the businesses. She had told them the chances were pretty slim of getting everything together by then and also shared their concerns of the project happening during a busy season. She doubts this project could happen any faster but she would like to see this start in October next year.

Mayor Buelterman asked if it would be feasible to start right away and be finished by St.

Patrick's Day. Ms. Schleicher answered if we started by the first of December, possibly.

Mayor Buelterman stated this is September, if we put Burke Day on it and get his assistance maybe we would have some time. Ms. Schleicher commented it is a huge economic benefit

because the streetscape and the traffic calming would make it very pedestrian friendly, walkable, and enhance that district and improve the property values of all the businesses around that area. The businesses are very excited about the project. Mayor Buelterman stated the initial plans were for one lane each way and we got a lot of concerns about that and addressed it. We also had a public information meeting to get public input and we listened to that. He stated he likes it because it extends the 16th Street project we did. The one concern he has is with the cost. Is this the right time to do this? We have argued for a long time that we should be getting more of the money we send to the County and to the State back for us. This is a way. This is splost. Our cost is covered by the \$7.5 to \$8 million we are going to be getting in splost. That is the 20% more of our cost and 80% is from the State. This is great.

Paul Wolff stated the Infrastructure Committee has discussed this for five or six months and had hoped the project would have started this October but it has been delayed by permits, etc. DOT has had issues with curb cuts, median width, and trees, but if there is any way we can accelerate the process and get the permits in place, he would like to start the project in December and be done by March. The engineers are saying a four to five month window, with five being on the very outside. If we can start this, it could be done before the next season. If we can't fast track the permitting with DOT, we don't want to start until October 1st of next year.

Mayor Buelterman stated he would send a letter to Burke Day and Buddy Carter to ask for their assistance. Paul Wolff commented they had also talked about waiting until after PirateFest; have all the contracts signed and ready to start the Monday after PirateFest.

Wanda Doyle stated it is beautiful but she still has issues with public safety in that area. Reducing the speed is supposed to calm traffic but you still have the narrow median. The lanes are going to be cut a foot each, and then you have the parking on the sides and she has issues with this. Ms. Doyle stated it is crucial, if this passes, that the businesses are not affected by the construction; it is done during a season when they are flexible because if there is construction on this island, people are not going to come out here. Ms. Doyle stated her other concern is the money. She understands it is a grant for \$125,000 and another \$25,000 from splost but what happens if there is an overrun on the cost. We know when projects start there is going to be some kind of cost overrun. Where is that money coming from? Are we going to take more money out of splost when we need that for roads, our public safety building, and a lot of different things? I don't think there is anyone out there that can guarantee that we are not going to have a cost overrun. Ms. Doyle stated she really has concerns on that.

Mayor Buelterman asked Ms. Schleicher what happens if there is a cost overrun. Is there any information in the grant about what happens if the cost exceeds the expected cost? Ms. Schleicher answered basically the grant is capped at \$125,000 so any over run is to the city. But, that is the risk we've taken with any project we've ever had, same thing with the public safety building. If there is any cost overrun with the splost that will be the city's dime as well.

That is the same risk we have with any designated project we have. Basically, we have to be very careful in how we design it, but this is a good environment for construction. Our construction costs have come in very well. When we did the sidewalk project we thought it was going to be \$180,000 and you just saw it came in at \$117,000 or \$114,000. It is a very good environment to do this construction because of the economic climate that we have. It is the best time of the year to do this kind of project. If we wait two or three years the cost may go up. Mayor Buelterman asked if the contract will come back for approval. Ms. Schleicher answered yes. Mayor Buelterman asked what happens if you put it out to bid and the lowest bid comes in at say \$155,000, or more; it exceeds the anticipated budget of \$150,000. Ms. Schleicher stated then council will need to decide whether to go forward with the project. Mayor Buelterman stated then we can still back out if it looks like these companies are not going to be able to do the project for what we thought. Ms. Schleicher stated or you can look at alternatives. You can, say, take out some things, like palm trees for one. Mayor Buelterman stated then this is just approval of the grant. Ms. Schleicher answered just the concept of the project. She also stated the other item on the agenda is the jurisdiction. She is not sure that is going to be a benefit or not, whether we should take it under our jurisdiction or not. Ms. Schleicher stated this probably will come back to the Council as far as that is concerned. Mayor Buelterman confirmed that is not a decision we have to make now.

Paul Wolff stated he just wanted to throw some icing on it. Joe Wilson at the infrastructure committee meeting stated we could put solar lights on the trees. Amy Gaster and some other folks were interested in lighting the trees for the holidays and possibly at night. Mr. Wilson had said we could put solar lights on the trees in the median for about \$45 apiece; the whole thing for about \$1500. Mr. Wolff stated this would be a big plus and help draw people to that area in the evening.

Shirley Sessions stated, speaking to Ms. Doyle's concerns about the businesses, that she appreciates what she said about the safety issues, Ms. Sessions asked if the businesses in that district were a part of that project and process. What is the general climate from the businesses that have been involved? Ms. Schleicher answered they are very excited. She has shared the plans with the business owners in the business corridor and quite a few of them participated in the public information meeting. We had about 19 people at that meeting. The ones that couldn't make it were very positive about the project and were excited they were going to be part of the South End District because they thought we had spent a lot of money on Tybrisa and the Strand. This would make that section walkable and would improve their bottom line because people would be able to walk there and shop there. And this would make it attractive for the visitor to come so it would benefit them more economically and make Tybee more business friendly. And they felt it was a really good investment. Mayor Buelterman asked if there were any businesses down there that objected to it. Ms. Schleicher answered none. Mayor Buelterman stated none that we have run into at least. Ms. Schleicher

said no... Wanda Doyle stated there are several. He asked if they had communicated with her and Ms. Doyle stated yes, they had talked to her. Mayor Buelterman stated he had not heard from them. Ms. Doyle stated she had received two calls today. Mayor Buelterman asked if anyone else had questions.

Kathryn Williams asked Ms. Schleicher if she had received feedback from any of the residents on that end of the island or island wide. Ms. Schleicher answered she had not talked to the residents but basically had gone and talked to all the businesses that would be directly affected by the project. She had talked to them and invited them personally to the meeting. But she had not talked to any residents about the project. The biggest concern was the construction timetable. They were worried about having orange barrels in the middle of the road when the spring season started. That was their biggest concern. Mayor Buelterman asked if there was something that she could do in the bid package that demands it be done within a certain window and if it exceeds that window there is a penalty clause or something. Ms. Schleicher answered, exactly; there are ways to handle that. She had told the businesses we are very conscious of that. The staff also prefers it to be done in the off season because of Mr. Wilson's time. He would be the one overseeing the project the most. And, also finance, because of the paperwork that goes through and all the people involved with it. We much prefer it to be in the off season as well. It would benefit the city to be in the off season. Frank Schuman asked if we could get the contractor to give us a fixed price, like say, we have \$150,000 and that is all we have; can you agree to that and go with that or not. Ms. Schleicher answered we cannot go with a bid and say we only have \$150,000. Basically what we do with these contracts is say we have a certain lineal feet of curb improvements. For example, we have a lot of unused driveways we will be closing up and there will be so many brick pavers we will be installing and so much extra curbing in the middle we will be adding so they will be bidding on set quantities; so many palm trees, etc. It is fairly fixed. A lot of people had forgotten what it looked like before and don't realize the huge upgrades we did with that project. They just see the nice streets and the sidewalks and have no idea the City did all that work improving the water lines, upsizing the drainage, and finding all those hidden surprises. She believes with this project, it will be less likely we will find as many hidden surprises as we did with the south end project. Frank Schuman asked if any of the utilities will be affected by it; like water lines, sewer lines, or anything like that. Ms. Schleicher answered no none at all.

Mayor Buelterman commented he can only speak to going down to 16th Street before and comparing it to after that project, and there are just more people down there. It is a nice environment. It looks good, the sidewalks look good, there are trees and there is a lot more activity down there. We owe it to those businesses to extend that down to them. If we do it for one set of businesses we should do it for the others as well; just like we are doing up on the north end with the crosswalk. Mayor Buelterman asked if there were any other questions and

called for a motion. There was confusion over Mr. Garbett entering the motion first or Paul Wolff. Mayor Buelterman stated Mr. Garbett had moved.

A Motion to approve the conceptual design by Bill Garbett was seconded by Paul Wolff.

Kathryn Williams asked if we needed to add language capping the amount spent and Paul Wolff answered no. Mayor Buelterman and Ms. Schleicher concurred that would come back with the bid.

The vote was five in favor; Sessions, Garbett, Schuman, Williams and Wolff. One opposed; Wanda Doyle.

Consideration of Bids, Contracts, Agreements and Expenditures

Agreement between the City and Friends of Tybee Theater

Council took no action and instructed City Manager to review original budget hearing discussions and bring back to council the second meeting in September.

Consideration of Approval of Consent Agenda

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

Mayor Buelterman opened the Public Hearing

Public Hearings

1. Request for Setback variance, 3 13th Lane (4-0007-06-004A). LDC Section 3-090, Applicant/Owner: Kenneth Grainger.

Jonathan Lynn explained the existing use of this property is single use residential. It is currently zoned RT-Residential Tourism and the Community Character in the Masterplan shows this neighborhood as the Beach Front Neighborhood. Mr. Grainger is requesting a side and rear yard setback variance. In the RT Zoning District you are required to have a ten foot side yard setback on each side and a twenty foot front and rear yard setback. What Mr. Grainger is requesting is permission to reduce those setback numbers to three feet in the back and four feet seven and half inches on the side. This would incorporate a set of stairs to a deck, and Mr. Lynn recalled some discussion in the Planning Commission meeting as to whether it is stairs or decking, he feels it is a little of both and that is staff's opinion, since there seems to be a little of

both at the very top of the stairs which would essentially expand that deck. However, it would not alter the requested setbacks Mr. Grainger is requesting. Apparently the access is not off Thirteenth Lane but the other street, which is Fourteenth Street; you come in from the other side of the property even though it is addressed as Thirteenth Lane.

Mayor Buelterman asked if anyone wished to speak on this request.

Kathryn Williams asked about the construction that was already taking place. Mr. Lynn stated there was construction already started and Mr. Grainger ceased when he realized he would have to get a variance for this project and stopped in place. Ms. Williams asked if Mr. Grainger had a permit and Mr. Lynn responded he did not believe he did but Mr. Grainger is present to speak on his behalf. Ms. Williams stated so this is technically an “after the fact” variance. Mr. Lynn responded technically he guessed it would be.

Mayor Buelterman stated Shirley Sessions is asking what the “after the fact” procedure is. Mr. Lynn stated the applicant would present a narrative on how, when, where, who created it and what is the need for the variance. The application process is the same except the narrative that is required. However, Mr. Grainger did make application for this variance prior to the “after the fact” variance ordinance being in place. It is in place now given the time lapse between planning commission and council.

Mr. Ken Grainger addressed council as the owner of the property and stated he would like to build a staircase three feet wide and attach it to an existing deck on the back of the house. The reason is the bedrooms are on the back of the house and in case of a fire in the front we would have a rear exit. Where it comes down in the backyard there is a six foot privacy fence. It is not visible at all from the street. He has not had any bad comments from any of the neighbors, and like he stated before, it is not visible from the street and it more or less is for safety.

Mayor Buelterman asked if anyone wished to speak for or against this project and no one responded.

Bill Garbett asked when the house was originally built. Mr. Grainger answered he believed in the mid 80’s. Mr. Garbett wondered why they had not considered this when it was built, now it is landlocked. Mr. Grainger stated this is just adding on to the deck that is already there. He directed council to the outline of the house on the plans before them and stated the white part is the deck and it comes right off the end at the Sapp’s side of the property and comes down to the end of the house and turns back to the right and comes down into the backyard. As he stated before there is a six foot privacy fence all around that area.

Kathryn Williams stated it appears the current deck sits in the setback by a few inches; was a variance obtained to encroach into the setbacks when that was constructed? Mr. Lynn responded staff had looked back in the records and he does not believe there was a variance ever sought of any kind on this property, not to say it was built out of code because we do not know exactly when the code was put in place for RT because it is a unique zoning district, but there is no variance on record for this property.

Mayor Buelterman asked again if anyone wished to speak for or against this proposal with no response from the public.

Mayor Buelterman closed the Public Hearing.

A Motion to approve by Frank Schuman was seconded by Wanda Doyle.

Mr. Wolff stated he was out there the other day and that whole lot is already concrete, roof top and deck. He understands the need for fire egress but he would rather see this deck pared down and the steps put within the setback. There is already a whole lot of impervious material on that lot, and he can't see adding any more in that space.

Mayor Buelterman asked Mr. Lynn if he knew of other municipalities that mandated multiple points of egress for safety concerns. Mr. Lynn answered yes there are. Mayor Buelterman asked if we were considering that and Mr. Lynn answered yes. Mayor Buelterman asked if this would be in Article 5. Mr. Lynn stated it would actually be in Article 3 which is before council tonight. Mr. Lynn commented with permission to speak for Mr. Grainger, there is no room where he is looking to propose this to be built, that is not in the setback. The rear of the house is already eleven feet into the setback. The minimum code for a staircase is three feet and no matter where he built it, it would still be at least two feet into the setbacks.

The vote was four in favor; Sessions, Doyle, Garbett, Schuman and two opposed; Wolff and Williams.

Mayor Buelterman opened the Public Hearing.

2. Request for variance, 515 and 517 Butler Ave (4-0005-03-004 & 4-0005-03-003), LDC Section 3-050, Applicant/Owner: Pamela Gallup.

Jonathan Lynn explained to the council the property is zoned R2 and the Character Area is Inland Cottage Neighborhood. What Dr. Gallup is requesting to do is to be able to utilize a fence she obtained a permit for that is a little over four feet tall in some areas. It has been brought to the attention of staff that there is some concern of visibility at the 6th Street and Butler intersection on the Southern side, in terms of someone coming out onto Butler. We have looked at our ordinance and under the current version of Article 3 there are some interpretation issues as to where the 25 foot line triangle is. Anything within that triangle is required to be three feet height or less, including fences, light poles, signs, shrubbery, trees; anything within there. Dr. Gallup did go thru the process with staff and get a permit and we did go out and look and did not see a visual problem with this. That being said we did tell Dr. Gallup we would work with her, if she applied for a variance and see how that goes before we

proceed in a different direction in terms of allowing her to amend her fence. Planning Commission heard this request and recommended unanimously for approval.

Bill Garbett asked what procedures we have in place to ensure this does not reoccur. This is one of those things that apparently just fell through the cracks. Mr. Lynn answered the procedure now hopefully within the new Article 3; we have a clearer illustration of what it is, and we've actually amended the language to be a little clearer. Mr. Garbett stated it was pretty clear in the ordinance, as it says not to exceed three feet in height. Mr. Lynn stated correct, but the interpretation came in what part of the right-of-way you use. Do you use the center line, the interior line...that is where staff got confused? I know that is exactly where this problem came from and hopefully we have addressed that in the draft for Article 3 which states "where the right-of-way center lines intersect. Hopefully that will take care of it, but it doesn't do anything for Dr. Gallup right now.

Bill Garbett asked about the comment in the planning commission minutes that Dr. Gallup was told the city does not enforce this ordinance unless someone complains. He stated it is odd we would have this interpretation going around. Mr. Lynn replied that is not the case. Normally, if the case is deemed a visual clearance; the ordinance will come into effect.

Wanda Doyle asked if there was yellow curbing at the intersection. Mr. Lynn answered yes there is. Ms. Doyle asked if this is also in Article 3. Mr. Lynn replied yes. Ms. Doyle stated when approaching intersections there are a lot of trees and shrubbery and Article 3 really does need to change.

Kathryn Williams referred back to the planning commission minutes to establish the chronological timeline. She stated staff had determined the fence did not pose a vision hazard and asked if that was before the complaint or after the fence was constructed. Mr. Lynn answered it was before the complaint. Ms. Williams asked if Dr. Gallup would explain what the compromises are that she had referred to at the planning commission meeting.

Dr. Gallup explained this is a duplex and she had not noticed before the fence was built and the visibility issue brought up, that the house is not in the middle of the lot and the driveways are different. Dr. Gallup stated even though she had made certain she came and got all the rules and did everything right, she could lower the corner down to three feet, in the interest of public safety. Dr. Gallup stated she had done everything right and in advance. This is an expensive fence, but she has no problem helping all she can for public safety. She had paid all this money to do it and after the fence is built, she is told to take it down. Mr. Wolff asked Dr. Gallup if she would be willing to maintain the fence and make sure no shrubbery or vines are obstructing the vision and that people can see through it. Dr. Gallup answered yes and she had been trying to do this.

Mr. Wolff replied that would be a good compromise here.

Ms. Williams commented Dr. Gallup had stated one of the reasons for the four foot height is because of her large dog so, instead of lowering the fence would just angling it in at the corner,

be a better an option? Dr. Gallup replied that is an option, but she thought it would look better to lower it than angle it. She has found the dogs don't normally go in the front but can get out if the front door is opened. If she had been told she could only put a three foot fence she would have been glad to. The installers, Island Realty, had looked on the internet and asked if she wanted a three, four, or five foot fence. She felt a five foot was offensive, and a three foot may allow the dogs to jump over it if they did get out, so she chose the four foot; because she had a choice. When she put it in her building permit she was told she could put in an eight foot privacy fence but said no, she just wanted a white picket fence like everybody else. She also wanted to keep stragglers from walking across the corner. Dr. Gallup asked for any consideration in not requiring her to take the fence down.

A Motion by Paul Wolff to approve provided the fence is maintained to provide visibility within 25 feet of the corner of Fifth and Butler in each direction was seconded by Wanda Doyle.

Mayor Buelterman stated from a practical perspective having been there, he did not think the fence is anyway obstructing anyone's view.

Ms. Williams stated what is blocking the view on the corners is large vehicles parking in the first spots. Dr. Gallup went through all the proper procedures and that needs to be taken into consideration.

Bill Garbett stated he had several conversations with local residents that actually pointed this out to him and it does obstruct the view. It is a modest safety hazard. It doesn't show it in the view being displayed but when you come up to the intersection, at that angle, you can't see.

Mr. Garbett stated the concerned residents have told him under the circumstances they are in favor of granting the variance.

The vote was unanimous.

Mayor Buelterman opened the public hearing.

3. Text Amendment, Land Development Code, Article 3 in its entirety. Comments from Planning Commissioners John Major and Rob Callahan.

Mr. Lynn explained the planning commission had sent the proposed Article 3 back to council with recommendation to approve with the revisions. Planning Commission had requested him to submit a clean copy; not one with color coding, but he did keep a copy with changes noted in color if council needed it. Their comments were also submitted. Mr. Lynn stated grammar, spelling, etc had also been cleaned up in the Article.

Mayor Buelterman asked if the commission had voted on each of the comments individually to be included. Mr. Lynn stated they just commented and discussed and kept going, then voted on it at as a whole.

Mayor Buelterman confirmed then they approved the article and wanted to make sure the comments from Mr. Major and Mr. Callahan were also submitted. Mr. Lynn replied that is correct. Mayor Buelterman asked Mr. Lynn where in the article is the issue of the multiple egresses addressed. Mr. Lynn clarified the egresses were addressed in Article 5 not Article 3. Mayor Buelterman referred to page 6, B4-Public and Private Elementary and Secondary Schools, as St. Michaels exist today, would they conform to this parking requirement. Was this based on the one school we did have on the island. Mr. Lynn replied yes, it was based on them and they would meet the requirements; with all the additional parking. It is not all in one lot but spread around. Mayor Buelterman stated the proposed charter school would not have to come back and ask for a variance. Mr. Lynn replied no, they would be ok with that.

Wanda Doyle commented it would have been helpful if council could have also received the color coded copy along with the clean. There have been several meetings, beginning with the workshop and she would have liked to have seen exactly what went to planning commission and exactly what they approved. Mr. Lynn replied the planning commission packets are also on the website. Mr. Wolff stated he had taken his copy with the notes from the workshop to the planning commission meeting and noted the discussions and changes and offered it to council for review on major points.

Mayor Buelterman asked Mr. Lynn to give a very brief explanation of why Article 3 was started. Mr. Lynn replied it was the beginning of revisions of the entire Land Development Code, which is antiquated in parts. There have been updates on building codes and other regulations. Article 5 has been completed and Articles 6 and 9 are in progress. Article 3 is very lengthy and takes time. The revisions actually began before he started at Tybee and has been to council and planning commission several times.

Gerald Schantz addressed council on the issue of the six foot buffer requirement between C2 and Residential Districts. Mr. Lynn stated the current code reads a Commercial District abutting a Residential District. What are being proposed in this version of Article 3 are Commercial Use and Residential Use. We originally started with a 20 foot buffer between the two uses and because of discussions in meetings and with the citizens, recommended it to be a vegetative buffer that is the width of the setback already going to be required; which is six feet. Majority of the time it is going to be a C2 that abuts a Residential Use. There is also a requirement for a six foot privacy fence as well.

Mr. Schantz asked how that will affect the allowed parking in the setbacks. If you have a six foot section of growth you can't park a vehicle there. Are there going to be exceptions?

Mayor Buelterman asked Mr. Lynn how that would affect the parking issue. Mr. Lynn replied only on the part of the property that abuts the Residential Use. Parking can happen in a setback and if it works out the drainage is ok on the property, the vegetative buffer can also be used for parking. The other three sides could also be used for parking.

Mr. Schantz stated that is also confusing because you say you have to have the buffer but with the drainage you can do away with some of that. Mr. Lynn replied you still have to have the buffer. Mr. Schantz asked if it still had to be six feet of foliage. Mr. Lynn replied yes.

Mr. Wolff clarified the buffer is six foot in width. Mr. Schantz stated he understood that. But for example, on his lot if he had to have a six foot wide buffer he would not have a driveway. In his planning stage everyone he talked to on every drawing, required all work to be done around the oak tree. So if this was the case he would have had to give up four parking spaces on the north side or cut down the beautiful tree to make the property work because it is only 90 feet. Taking into consideration driveway widths and buildings, someone else may not be able to build there.

He asked why the commercial lot has to take all the brunt. Mr. Schantz suggested a three foot buffer on the C2 side and a three foot buffer on the residential side with a six foot fence in the middle. The burden is then shared instead of the commercial taking all the burden.

Ms. Doyle answered good question. Mr. Schantz stated he is planting shrubbery all the way down his fence and is trying to do the right thing as any business should.

Andy Carter addressed council on Section 3.050, Instructions to vision at street intersections. It is slated to be revised. The way it exists now is really the wording almost all municipalities have their setbacks and site vision written, where you refer to the back of curb or right-of-way, and intersections at being at the corner of the properties. If we go with the proposed changes, all down Butler Avenue from the center line to the curb is thirty feet, twenty five feet down both sides and a diagonal across them where you have to have the three foot high restriction. On Butler if you do that, the requirement is gone. The triangle would be out in the street, it would not even hit the property. If you leave the ordinance like it is; it is an equality thing. The twenty-five foot triangle would take a significant part of the properties on the Back River, but on Butler; it's nothing. On Butler you could build an eight foot fence against the sidewalk. It would be better not to use the center line because it is variable according to where you live, because some streets are wider than others. Instead leave it the way it is currently worded and change the setback then it would be the same all over the island.

Mr. Wolff commented after the planning commission discussions, he was thinking about something very similar. Such as, "as long as it does not obstruct vision within fifteen feet in either direction from the point of intersection of the property and the right-of-way" would make a lot more sense than the twenty-five feet from the center line. Mr. Carter commented he was just told Savannah's was forty feet from the property line.

Bill Garbett stated he and Mr. Lynn had several discussions and he had shared the City of Savannah's plan. Almost every city has an obstruction division ordinance and it always goes from the setback not the center line. None of this makes any sense. He commented the drawing included is out of scale. The drawing should show what the clear triangle would be. Mr. Garbett stated it should be measured from the edge of the pavement or the property line. Ms. Williams asked if the utility companies were going to be held to this ordinance as well. There are many corners where the utility poles obstruct the vision; not shrubbery or plants. Mr. Lynn stated the ordinance does include utility poles. Mr. Hughes stated utility poles are in the right-of-ways, not on someone's private property; they obstruct vision all over. Mayor Buelterman asked then if this would not affect the poles because they are not on private property but the City's right-of-ways. Ms. Williams commented Mr. Lynn is saying they are included and Mr. Hughes is saying they are not. Mr. Hughes stated utilities are rarely placed on private property. Mr. Lynn commented our current ordinance reads the same. Ms. Williams stated then its ok for cities and utilities to violate it but not property owners. Mayor Buelterman stated new ones would be subject to this and Mr. Lynn concurred. Bill Garbett stated most ordinances include exceptions for trees up about twelve feet and about twelve inches in diameter as long as foliage is not all around them. It's mostly shrubbery that is going to be obstructing the vision.

Mayor Buelterman commented good points have come up and there are a lot of changes that need to be made; how do we accomplish that without going back and forth?

Shirley Sessions stated the document council has includes comments from individuals and she is not sure what is suppose to be done with them. Do we go over them line by line or what? It is a little confusing. Ms. Sessions stated there are three or four pages of comments here, some in emails she has seen, but none are incorporated in the document and asked why not?

Mr. Lynn stated they didn't want to vote on each line but on the document as a whole. His personal opinion is that was not the way to go. Mr. Lynn stated if council would like he would do a separate document for the next meeting and do his best to insert each comment.

Ms. Sessions suggested it may have been a good idea for council and planning commission to sit down and go over it all together.

Council discussed Mr. Lynn working on the Article in sections for council's review and approval. Mr. Lynn stated he didn't recommend that because some sections correlate to other sections. It would be better to table for further review. Mayor Buelterman and Ms. Sessions suggested doing sections that do affect each other to be reviewed and approved together.

Ms. Williams stated council does have more notes to review and she also had more changes to suggest so she preferred to approve the document as a whole. Ms. Williams stated she had expressed concern from the very beginning over Sec 3-020 Non-Conforming Structures and felt there must be a distinction made between commercial and residential properties. As she previously stated there are many homes built on small lots; tucked into the back corner of the

lot but have more than enough room on the front to construct an addition. Most are very small initially. With a commercial use, if they expand it is going to have an impact on the neighborhood. Her second question is in Sec 3-090, is the green space affected by the 250 foot rule. Mr. Lynn answered no it is not affected. Ms. Williams asked if hot tubs are considered a spa. Mr. Lynn said yes. Ms. Williams asked if we needed to be clear on that. Mr. Lynn stated he has a running list going on everything that might need clarification and he will do that at the end after Article 2, the last one. Ms. Williams, Mayor Buelterman and Mr. Lynn discussed the requirement for multiple egresses and Mr. Lynn stated that is included in Article Nine with the building technical codes. Mr. Hughes commented it would not change or hurt anything to have it also included in Sec 3-10 (a). Mayor Buelterman stated he that would be good but the issue keeps coming up about stairs in the setbacks and this may create another burden for the property owner. This will need to be discussed at some point; maybe Article 9.

Shirley Sessions stated she wanted to clarify her statement about the planning commissioners' comments. They hadn't just made comments but had tried to incorporate them into the document. She referred back to a motion on the document dated August 17th where one of the commission members moved to "send the comments that each member made along with the rewritten ordinance to the City Council"; but it hasn't been rewritten, correct? Mr. Lynn replied there were some changes made based on written or commented things but the commission did not vote on individual comments and he did not know what to incorporate. Mr. Lynn said the commission said to send everything to council and that is what he did. Ms. Sessions asked wasn't the motion to send the comments along with the rewritten ordinance. Mr. Lynn replied he rewrote based on what was voted on, but he agreed it was very confusing.

Mayor Buelterman stated the commission decided not to vote on each individual comment so the only way to submit was as an addendum to what was done. Mr. Lynn replied that was the only way I could do it. Ms. Sessions restated, as per the notes, the motion made by Rob Callahan. Paul Wolff commented he was at the planning commission meeting and it was his impression Mr. Callahan's intent was to send the comments as written with the clean copy they had discussed earlier. The clean copy was without all the highlights, etc, and that is what he meant by rewriting Article 3 and then including the comments as an addendum. Ms. Sessions replied some of the comments are not included. Mr. Wolff stated they were not meant to be; that is why they were not voted on. Ms. Sessions commented that is why it is so confusing.

Mayor Buelterman commented that is why he doesn't think it should be voted on as a whole but sections at a time. Mayor Buelterman gave Mr. Lynn suggestions on inserting comments as notations in the document by sections. Mr. Garbett suggested using Microsoft Word and using the program for markups. Mr. Wolff concurred with Mr. Garbett that the Microsoft program could assist Mr. Lynn and gave suggestions for notations while preserving the clean copy.

Barry Brown addressed council on the six foot buffer setback and asked Mr. Lynn who would make the determination of how thick the buffer has to be and what is the definition of the

buffer's height; two foot, three foot or one foot high. Mr. Lynn answered vegetative. Mr. Brown asked for confirmation from Mr. Wolff on his statement that you can park on the buffer. Mr. Wolff replied he did not say you can park on it; he had said it could be grass. Mr. Brown answered then you are calling the buffer "it can be grass". Mr. Wolff answered yes. Mr. Brown stated the reason he was asking was because he has a C2 lot and in order to build on it he has to be five or six feet above the ground. He doesn't have a problem with the fence but he is trying to figure out what purpose a buffer has that is one or two feet down on the ground when all the activity is going to be five or six feet above the ground. Mr. Wolff answered the buffer also does include a six foot fence and the intent there is to keep headlights, traffic, etc that might be going in and out a commercial lot from adversely affecting the residential neighbors. Mr. Brown stated what he is understanding then is the six foot buffer is actually a six foot setback that can be grass. Mr. Wolff replied yes, with a six foot fence. Mr. Brown replied he doesn't have a problem with the fence but didn't want to have to add shrubbery that he couldn't park on. Mr. Lynn replied no, it is just vegetative, doesn't have to be shrubs; we will take grass. Mr. Brown asked if we can add grass to the wording to clarify it doesn't have to be shrubs. Mr. Lynn replied we can but right now it says, "A vegetative landscape greenbelt". Mr. Brown commented we have always referred to vegetation as shrubbery though, that is why he thinks grass needs to be clarified.

Wanda Doyle read the ordinance stating the green belt must be planted with trees, flowering trees, ornamental trees, etc and no mention of grass. Mr. Brown replied we can put grass in there then. Mr. Lynn replied sure.

Mayor Buelterman commented this is what the problem has been. There are all different areas that one little word can create issues; it can be never ending.

Ms. Doyle commented if you take the time to include all these different trees; why not include grass.

Mayor Buelterman stated everyone can make points on different areas; some everyone will agree on and some we won't. This is a very lengthy and complex document. That is why it is going to be difficult to agree and vote on it as a whole.

Mr. Garbett stated he thinks the suggestion of rewriting with planning commission comments on the side and sent to everyone for review and maybe break it up once we get the final document, is a good one.

Mr. Hughes asked for clarification from Ms. Williams on the Non-Conforming Commercial and Residential distinctions. He went back to the workshop notes and due to the length of time since, he is unclear on it. Ms. Williams stated a distinction needs to be made between a Commercial and Residential in terms of non-conforming uses. Commercial expansion or extension should be prohibited but residential expansion or extension should be allowed after special review, as long as the posed expansion or extension does not further encroach into the setbacks. Most commercial non-conforming use relates to commercial activities in a residential

neighborhood, while most residential non-conforming use is related to the location of the structure on a lot. For example a corner lot 60 x 80 in R2 with a small house built in the back corner of a small lot. As written, the property owner could not add on even if they met the front and side setbacks and green space requirement.

Mr. Hughes asked if this was in an email. Ms. Williams replied as an attachment when they first received Article 3.

Mayor Buelterman and Ms. Williams reiterated Mr. Lynn rewriting and bringing back sections at a time. He asked Mr. Hughes if it could be done that way. Mr. Hughes replied you can at the meeting. Mr. Wolff reiterated as time consuming as it might be he feels it does need to be done as tedious as possible and appreciated staff's time and effort already put into it. Ms. Williams agreed and thanked the planning commission and citizens, and asked for ideas or comments be emailed to council ahead of time for consideration as well.

Mayor Buelterman closed the public hearing.

Council deferred action allowing time for Jonathan Lynn to rewrite with notations of planning commission comments, email sections at a time to council for review and bring back those sections for approval; by sections at future meetings.

Consideration of Ordinances, Resolutions

1. 1st Reading for an ordinance to amend the code of ordinances pertaining to Motorized Carts, Section 66-8(b) (4) (e) to allow Motorized Carts to operate after sunset and before sunrise.

Mr. Schuman stated when the original ordinance was approved they followed Chief Price's suggestion to allow the operation of the carts during the day time and if everything seemed fine, then come back and add night time use. This is what he wants to add.

Mayor Buelterman asked Ms. Schleicher if the police department had taken a look at this.

Ms. Doyle stated it had been discussed at the public safety committee meeting and Interim Chief Bryson was there and was fine with it. The three members present voted unanimously to add the consent as part of the text amendment.

Mr. Wolff gave a correction to spelling in the third "where as".

Ms. Sessions stated she and others had concerns about the operating at night but she pointed out what had swayed her was the carts being rented out now, the electric carts, do operate at night. Letting one and not the other doesn't seem right.

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

2. 1st Reading for an ordinance to create section 66-185 regarding use of parking decals and limitations thereon.

Mayor Buelterman asked if the parking committee had looked at this and had it been approved unanimously. Mr. Wolff stated it received only two votes. Ms. Doyle said she was not present and did have a concern but a compromise was made for Memorial Day week-end through Labor Day week-end. This is a good compromise.

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

3. 1st Reading for an ordinance to amend the code of ordinances pertaining to exemptions from ad valorem tax for Tybee residents who register their vehicles. Proposed Exemptions are: Disabled Veterans, POW/MIA and Purple Heart.

Kathryn Williams asked if this just applied to Tybee residents or anyone that has been recognized with one of those distinctions. Diane Schleicher explained currently the City's ordinance states if you are a city resident, register your vehicle and pay ad valorem tax, you get a free decal. The ordinance was written before the State Legislature created the exemptions for paying ad valorem taxes for Disabled Veterans, POW/MIA and Purple Heart recipients. According to our current ordinance we cannot give these distinguished residents a free decal because they do not pay ad valorem taxes. This amendment would allow that. There are also two other exemptions Foreign Organizations and Taipei Economic and Cultural Representatives, but the chances are slim that those persons would reside on Tybee. Mr. Hughes has made an overall general exemption that she is comfortable with. Ms. Schleicher stated we want to make sure and follow our own ordinance and felt it would be the intent of council to allow this.

A Motion to approve by Paul Wolff was seconded by Wanda Doyle. The vote was unanimous.

Council, Officials and City Attorney Considerations & Comments

Wanda Doyle

“Free Parking for the Holidays”

Ms. Doyle stated she was not at the parking committee meeting when this was discussed but had spent the last few weeks communicating with a lot of different businesses and had

received emails from businesses on how important this is. She understands how tight the budget is but this is very important. Many of the retailers down here have promoted this in their advertisements and Ms. Morton has it in advertisements for Better Hometown activities. People read this and come down here knowing this. It is a good public relations tool. We have received a lot of negative published comments about parking and some positive public relations would be good. Ms. Doyle stated this has become a tradition that needs to continue. The Shop & Stroll in December had been supported because of the free parking allowing people to shop, eat at restaurants and have a stroll on the beach without having to pay to park to do it. It has been a good public relations move for the city and has been done for the past three or four years from Thanksgiving Day through the end of the year. This is what she would like to continue. If everyone doesn't agree then a compromise could be December 1st through December 31st.

Mayor Buelterman confirmed with Ms. Doyle there were not any meters on the north end business district. Ms. Doyle replied no.

Mayor Buelterman gave the scenario of someone coming to Tybee knowing parking is free in the business area versus free parking everywhere. That would not defer from the north end businesses because they don't have to pay there anyway. Ms. Doyle stated that might be a compromise but it might be an enforcement issue. Mayor Buelterman commented if it is directed just to the business areas that might increase foot traffic there. Mr. Wolff asked if we have updated figures on how much revenue we made from parking during that time last year. Ms. Schleicher replied we have done free parking since 2004 but she had looked at January and just in revenue alone we earned \$26,700 in Pay & Display in 2009. January is a slower month so we would probably be looking at \$30,000 at least. Ms. Schleicher commented she understands this is a hard decision.

Ms. Sessions stated part of the problem is consistency. We have been doing this since 2004 and if we decide not to do it this year and then next year decide to do it, which is what creates confusion with our visitors. Not everyone checks websites, city hall, and newspapers for changes from one year to the next. There is something to be said for good will. We have come a long way in the last several years in getting people to Tybee for the holidays and not just for the businesses, which is what we are talking about, but for guests driving their personal cars. Ms. Sessions stated she would like to continue this because it is good will to our visitors and tells our businesses we are supportive. Thirty thousand dollars is a lot of money but how do you put a price on good will and bringing more business, tax dollars, and more revenue to the city.

Mayor Buelterman stated he agrees and wants to do it but where are we getting the money from. Ms. Sessions asked where we got it from last year. Mayor Buelterman stated it is not in the budget; that is \$30,000 that would be missing that we would have to do a budget adjustment for. Ms. Sessions commented the city manager stated we didn't have anything to

compare it to last year. Ms. Schleicher replied historically. We can track it and staff will do what the council's will is and adjust. If we are fortunate to have the movie come to Tybee, the Hotel/Motel tax will increase and with increased activities good things could happen.

Mayor Buelterman asked according to the amount would we have to come back in January and do an adjustment. Ms. Schleicher replied possibly. Ms. Schleicher stated when this first started Jan Fox had stated it would be about \$30,000 in revenue we would be giving up and we have consistently forgone those revenues over time. It probably has been increasing because the parking fees have been increased. We do understand this might mean we have to do some tightening up in other areas.

Frank Schuman stated this should be on the north end as well as the south end because businesses are at both ends. Mayor Buelterman confirmed with Ms. Doyle this would be island wide.

Ms. Williams stated five of the current council was on council when this was started several years ago and it was done to help the businesses when they were struggling through the winter times. It is really hard to go against the recommendation of the staff when she knows they only have the best interest of the city at heart and how concerned they are at the lack of revenue. She asked if there was any way to track the increase of sales tax to see if this would offset. When it was first started there was going to be a reduction of staff and focus could be shifted to collecting delinquent tickets and things of that nature. Ms. Schleicher stated the sales tax is locked in. More sales activities do not create more money for Tybee. The Department of Revenue doesn't track it by zip code it is county wide. If Chatham County does better overall that would help us. What would help us is the Hotel/Motel tax. During the free parking time we do layoff the seasonal and the full time staff goes into maintenance mode. The new Lexus program will allow us to collect more often and not have to wait till the off season. She has had requests from businesses to continue the free parking. This is a hard decision and has given them as much information as possible to help them make it.

Ms. Williams stated in reference to the movie wanting to rent a parking lot, would this have an effect on that. Ms. Schleicher replied she believed it would but was not sure.

Ms. Sessions commented if someone came and put a tent in the middle of the south end parking lot for a festival, certainly we would have to negotiate that. That is a different issue.

Ms. Schleicher commented that is true. Ms. Sessions said here we are talking about people parking their cars and visiting a location; either tourism or business. You can't compare the two. Ms. Williams stated she just wanted clarification because there had been the assumption that one automatically involves the other. Ms. Sessions said no, it doesn't.

Mr. Garbett said he is glad to hear Ms. Schleicher state they had not included the parking money in this year's budget because they hadn't had it last year.

Ms. Schleicher commented actually she believed Ms. Hogan had anticipated there would be holiday charged parking in this year's budget and we may have to make an adjustment. Mr.

Garbett stated that is a concern because that is real money but another concern is it being too late to pull the plug on the program this year. Originally he was in favor of charged parking but through communications knows some businesses already have it included in their advertising campaigns and are counting on this. Mr. Garbett said we do need to keep an eye on it for next year.

A Motion to approve Free Parking from Thanksgiving Day thru December 31st, 2010 by Wanda Doyle was seconded by Frank Schuman. The vote was unanimous.

City Manager' Report

1. Class and Comp Amendment-Change in Job Description and Grade for Emergency Management Coordinator

Diane Schleicher asked council to strike the reference to Chief Sasser in the first paragraph on the first page.

Ms. Doyle stated the "performs other duties as assigned" should suffice in assigning someone the duties of maintenance, storage and destruction of the records. If that is already in there, why do we have to change it and put something else in there? That should be enough for the city manager to assign the person to spend time with the maintenance of the records. She did not believe that should be in this position any way, and did not agree with it.

Shirley Sessions asked if the pay structure would change in any way.

Ms. Schleicher replied the grade has gone down based on the change in duties. Ms. Sessions asked if that meant the pay would increase or decrease. Ms. Schleicher responded decrease.

Ms. Sessions asked if that is a decrease from what was approved earlier in the budget. Ms. Schleicher replied it is based on what was approved in the budget.

Vivian Woods stated she and Ms. Schleicher had met and discussed this job description due to the records maintenance job duties. Since this related to directives for the clerk's office in the City's Charter, she reviewed the Charter again to get assistance for a resolution. Ms. Woods explained a two-option proposal for council to consider regarding the duties in the proposed class and comp change and the functions currently existing in the clerk's office. One was a proposed charter amendment allowing certain records to be under the jurisdiction of the city manager and certain others under the clerk's. The second was to have the additional hours of the EMC dedicated to departments for assisting with their departmental records.

Ms. Sessions asked Ms. Woods if the proposal from Ms. Schleicher is a conflict. In the past, council has seen that additional help is needed for the records room, could this be a nice compromise having someone else to help. Ms. Woods stated the option of the charter amendment is a way this could work because it gives the city manager purview over the records that her departments are creating while allowing the Clerk control over mayor and council's records and historical records. Ms. Sessions asked so what do we have to do to make that happen; amend the Charter? Ms. Woods replied yes that is one way. Ms. Sessions asked if Ms. Woods had spoken to Mr. Hughes and Ms. Woods replied no this is what she is proposing to council to accommodate the job description change requested by Ms. Schleicher.

Mayor Buelterman asked Mr. Hughes if a charter amendment was necessary or would he like to review it. Mr. Hughes replied he would like to review it but he was not sure a charter amendment was necessary. He stated Ms. Woods could be the custodian of the records no matter where they are located. The concern is not knowing what records there are and not letting the situation get worse. Mr. Hughes said as long as the correct reporting is in place. It is critical for Ms. Woods to know what records exist and where they are.

Ms. Williams asked if council went with Ms. Woods second suggestion, which would not involve a charter change, if the EMC was able to organize and get all the records from the other departments in order, would there not be anything to preclude him from coming into the clerk's office and working with you, as your assistant is only part time; in scanning records at the station that has been set up to do so. She asked if she understood that correctly. Ms. Woods replied yes that is correct. Her only concern was the training involved in any type of records processing and management and the time involved in training a new person to do that. She understands the EMC has received training in emergency records management and that is a wonderful thing. But as far as basic records management, it takes extensive training. During the arranging and indexing of the departmental records and the archives room he would be trained and then we could add the council's records.

Ms. Sessions stated training is very important and understood Ms. Woods has been trained in records management but has your assistant, who she thought was going to be doing more of that.

Ms. Woods replied yes, Ms. Woodard has been trained. She hasn't attended a conference due to funds for the December conference, being removed from the budget. We are looking at what training is available that would only involve a day trip. She has done extensive research on records management and attended several Georgia State Archives classes. Ms. Sessions stated she understands the records issue has continued to be a concern for years and we need to do what is necessary to improve the situation. Mr. Garbett stated we need to take advantage of any additional help we can get in this area. Ms. Schleicher should be able to let the clerk know when Mr. Brown is available and send him to her office and Ms. Woods can tell him what needs to be done. Ms. Woods agreed. Mr. Garbett stated the clerk should also be

able to ask Ms. Schleicher if Mr. Brown is available. Ms. Schleicher stated that is the plan and we would prioritize in the off season. During the hurricane season he is extremely busy but has time in the off season. Ms. Schleicher stated the plan is to devote ten hours a week, in the off season, to records administrative support and maintenance. She stated her priority is the permanent records and the clerk's office to help Ms. Woods, if she would like those extra hours.

Mayor Buelterman asked if that was all that was in there and Ms. Schleicher replied yes that was all it is.

Ms. Doyle asked why the job description had to be changed to make that happen. Ms. Schleicher replied there are other things in the job description; that is just one element. She had changed management to coordinate. Ms. Doyle reiterated she did not feel the job description needed to be changed; "other duties as assigned" should handle it. Mayor Buelterman commented he didn't understand why adding the records maintenance was a problem. Ms. Doyle stated she disagreed with it. Ms. Schleicher stated there are other elements that were also changed. Ms. Doyle asked such as. Ms. Schleicher stated items' stating managing due to the fact Mr. Brown does not manage anyone, he coordinates. She doesn't have the old one in front of her to compare but duties he wasn't doing were deleted, and duties he is doing were added. Mr. Brown met with Human Resources for the revisions based on what he actually does. One example is the maintenance of the fire extinguishers, etc making sure all the buildings safety equipment is up to code. The reason they specifically added the records item was because she didn't want the duties Mr. Brown does in the off season as time permits, to fall through the crack. Ms. Schleicher stated Mr. Brown felt during the recent hurricane exercise, the preparation and process in moving only 10% of the city's records, sent up a red flag that in a real emergency, moving all the city's records would create a real challenge. Ms. Schleicher said Mr. Brown had stated if he could assist the departments in getting the records more organized so they would be efficient for an evacuation then he would offer that assistance. He had approached her because of what he saw in the exercise and asked if he could do that. She had told him she was in the process of modifying his job description and he asked if he could add that to it. She feels this is part of emergency management and she sees as part of our evacuation this could be a real problem, if the records are not organized and not destroyed on a regular basis. We are going to be moving records that should have been scanned and paper we should not be moving. We should be getting it all scanned and organized, which is important.

A Motion to approve as written by Paul Wolff was seconded by Kathryn Williams.

Ms. Sessions confirmed with Ms. Schleicher the job is still 35 hours. She asked if the first sentence under major duties changed any. Ms. Schleicher replied it might have to some degree but she did not have the original one for a comparison. Ms. Sessions commented she was

unsure of what April Moore's title or duties were but she wanted to make sure this was not taking any of the job duties away from there. Ms. Schleicher replied she understood. Ms. Sessions stated she also did not want any of the Fire Chief's duties factored into this. Mr. Schleicher replied right.

The vote was five in favor; Sessions, Garbett, Schuman, Williams and Wolff. One opposed; Wanda Doyle.

Adjournment

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