

City Council Meeting 20110922

Mayor Jason Buelterman called the consent agenda to order at 6:30PM. Those in attendance were Paul Wolff, Frank Schuman, Mayor pro tem Shirley Sessions, Wanda Doyle, Bill Garbett, and Bubba Hughes, City Attorney. Also in attendance were Diane Schleicher, City Manager, Dianne Otto, Acting Zoning Director, and Jan LeViner, Clerk of Council. Kathryn Williams was absent due to illness in her family.

Mayor Buelterman listed the following items on the consent agenda:

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Paul Wolff made a motion to adjourn to Executive Session. **Shirley Sessions** seconded. Vote was unanimous.

Paul Wolff made a motion to return to regular session. **Wanda Doyle** seconded. Vote was unanimous.

Mayor Buelterman called the regular meeting to order at 7:00PM.

Opening Ceremonies

Call to Order

Invocation: Rev. Hank Perry, Trinity Chapel United Methodist Church

Pledge of Allegiance

Shirley Session reminded everyone that there would be a Beach Sweep, September 24, 2011 sponsored by the Tybee Beautification Association.

Citizens to Be Heard

Cullen Chambers, Status of Fort Screven Fire Station/Arts Center. Mr. Chambers approached council to discuss his concerns of the overall conditions of the Fort Screven Fire Station, a historical building, contributing building, to the Fort Screven National Historical District. He is in the process of updating the Tybee Island Preservation Plan, which outlines recommendations for the fire station. There are major concerns regarding the electrical system and short-term use of the building. The system is critically overloaded and asks the city use caution in any additional use of the building. He will work with the city to find possible funding sources for this work. He further asked council to allow the city manager to meet with Professor Hartley from Savannah Tech who is in charge of the Historic Preservation Plan and has offered to repair the damaged windows as well as emergency roof repairs. This would help to offset any potential costs. Mr. Wolff thanked him for his update and

encouraged the city manager to contact Savannah Tech for a possible partnership. Mayor Buelterman confirmed with Mr. Chambers that the repairs did include the entire building. Mr. Chambers replied that from the standpoint of the Preservation Plan it was inclusive. Mayor Buelterman asked Mr. Chambers if he had an idea of the cost of the electrical repairs. Mr. Chambers stated that last year a qualified electrician did an estimate and the estimate was \$30,000.00. Ms. Doyle thanked Mr. Chambers for his report and asked Ms. Schleicher if our city buildings were inspected on a regular basis. She further suggested that this be put on the City Manager's Action Item Report. Ms. Schleicher stated that two fire inspections were recently done, one being a "grocery list" of what needs to be done, some of which is the responsibility of the Tybee Island Arts Association generated by their activities of which they have been working on and the remaining are being addressed by the city. All deficiencies should be completed within a week with the exception of the complete overhaul of the electrical system. Mayor Buelterman asked Ms. Schleicher if there is a schedule for checking other city buildings to insure there are no issues. Ms. Schleicher replied the fire inspector has been inspecting other buildings but had not checked the Fort Screven Fire Station. She will insure that the building be added to the master list so it is not overlooked in the future. Ms. Doyle asked if the fire station had been inspection prior to the occupancy of the Tybee Island Arts Association. Ms. Schleicher stated no, but was inspected when the Tybee Island Teens used the building. Ms. Sessions asked Ms. Schleicher to bring a list of the buildings that the city owns to council by the second meeting in October, October 27, 2011, and a check off showing the last inspection date, not only for electrical issues but also for all other items that would be on a normal maintenance list.

Richard Barrow approached council to discuss the Bike Ride for Military, October 8, 2011 at 8:30AM in downtown Savannah. All proceeds will go toward the Wounded Warrior Project and asks Tybee residents participate in honoring the individuals who have made a great sacrifice for our country. Mayor Buelterman thanked Mr. Barrow and stated we will do a proclamation to show Tybee Island's support for this event.

Bill Garbett, Proposal to celebrate Halloween on Lewis Avenue, Saturday, October 29, 2011 instead of Monday, October 31, 2011. Betty Jo Smeltzer and Threasa Whitten approached council presenting a petition from the residents of Lewis Avenue who are in favor of celebrating Halloween on Saturday, October 29, 2011. They are also asking for assistance from the Tybee Island Police Department on Monday, October 31, 2011 with individuals coming on the island for trick-or-treat. They were able to collect additional monies for candy this year making a total donation of \$500.00. Ms. Smeltzer stated that she canvassed the neighborhood and everyone with the exception of four Lewis Avenue residents, which were not at home or on vacation, are in favor of the change in date, as they would not have to take off work early to meet the trick-or-treaters. Their only concern is they do not want to

celebrate twice, once on Saturday October 29th and again Monday October 31st. Ms. Sessions asked Ms. Schleicher if staff was in agreement with the change of date. Ms. Schleicher stated that staff is and their main concern is how to handle people coming on the island Monday night expecting trick-or-treat. Ms. Sessions suggested that with the assistance from Savannah Morning News, Facebook, and Twitter, we could make the public aware of the change in date. She further stated that she would vote to change the date for this year but she feels uncomfortable in changing the date for the future. Mr. Garbett stated that the residents on Lewis Avenue are asking assistance from the council with this change, which would involve the police department. He also feels that we should make the change for this year as a trial basis and then make a determination for the future. Mayor Buelterman stated that he would like to get a recommendation from the Chief Bryson, Tybee Island Police and Fire Department. **Paul Wolff** made a motion with staff's consent, Halloween for 2011 to be on Saturday, October 29, 2011. **Frank Schuman** seconded. Vote was unanimous.

Paul Wolff made a motion to approve the consent agenda. **Wanda Doyle** seconded. Vote was unanimous.

Consideration of Bids, Contracts, Agreements and Expenditures

Intergovernmental Agreement between the Board of Commissioners of Chatham County and the City of Tybee Island, Georgia re: Geothermal System Payment. Mr. Hughes explained this is an agreement between Chatham County and the City of Tybee Island in regards to the geothermal contract for Memorial Park. Ms. Doyle asked Mr. Hughes why this agreement was before council tonight and not at the beginning of the project as it is near completion. Mr. Hughes stated that GEFA requested the county not make payment prior to July 1, 2011 due to previous commitments within the county. **Paul Wolff** made a motion to approve. **Bill Garbett** seconded. Vote was unanimous.

Consideration of Ordinances, Resolutions

Text Amendment, First Reading, 43-2011, Section 70-34, Water Ordinance/Meters. Mr. Hughes stated this is the first of three ordinances before council tonight to bring the city's ordinances into conformity with what the Water/Sewer Department would like them to provide. They are consistent with the new laws relating to multi-units. Mr. Wolff asked for a definition of flats and tenements. Mr. Hughes stated that this language is directly from the source. Mr. Wolff suggested that "**but should not include flats and tenements**" be removed from the first reading of the ordinance. **Wanda Doyle** made a motion to approve as amended. **Paul Wolff** seconded. Vote was unanimous.

Text Amendment, First Reading, 44-2011, Section 70-30, Turning on or shutting off water generally; shut off for violation of regulations. Mr. Hughes stated there was an omission and

“are off” need to be added in the blank space. **Paul Wolff** made a motion to approve as amended. **Wanda Doyle** seconded. Vote was unanimous.

Text Amendment, First Reading, 34-2011, Imposition of 9-1-1 Charges; to Impose a 9-1-1 Charge on Prepaid Wireless Service at the Retail Point of Sale. Mr. Hughes stated that if you purchased a card, it would add 0.75 tax to the transaction and will not go in to effect until January 1, 2012. Mr. Wolff requested that the typographical error be corrected. Mr. Hughes agreed. **Paul Wolff** made a motion to approve as amended. **Frank Schuman** seconded. Vote was unanimous.

Text Amendment, Second Reading, Section 3-160, Protective Screening. Ms. Otto stated there was a change from first to second reading, paragraph b., the words “**well and lawn**” be struck. **Paul Wolff** made a motion to approve. **Frank Schuman** seconded. Vote was unanimous.

Text Amendment, Second Reading, Section 5-040, Application for Permits or Actions. Mr. Garbett stated there are several references regarding two-year terms, should this be changed to four year terms as the terms of council are now four years. Mr. Hughes stated this is direct language from the Zoning Procedure Law, which states two years. Ms. Doyle asked a question in regards to section G.2, page 9, Preliminary Plan, why 200 feet was changed to 100 feet per inch. Mr. Wolff stated that he felt Mr. Davis requested this change as plans could not be properly read due to the scale. Mr. Hughes will bring back at next council meeting with corrections.

Text Amendment, First Reading, Section 5-041, Lot Recombination. Mr. Hughes stated that we eliminated the authorization for staff to approve minor subdivisions. The recombination of lots has not been addressed as a matter of course; an owner has been permitted to bring a plat to recombine previously subdivided lots into a larger lot as long as no substandard lots are created. Due to the elimination of the minor subdivision approval, it seemed appropriate to include an express authorization for staff to combine lots as long as no non-conforming lots were created. His recommendation is to allow staff to approve recombination of lots as long as there are no substandard lots created, as originally written. **Wanda Doyle** made a motion to approve as amended. **Bill Garbett** seconded. Vote was unanimous.

Text Amendment, Second Reading, Section 5-156, Survey Requirements. **Paul Wolff** made a motion to approve. **Wanda Doyle** seconded. Vote was unanimous.

Text Amendment, Second Reading, Section 9-030, Building Permits. **Shirley Sessions** made a motion to approve. **Bill Garbett** seconded. Vote was unanimous.

Council, Officials and City Attorney Considerations & Comments

Shirley Sessions, Tybee Beautification Association, Highway 80 Median Project. Mayor Buelterman stated that Ms. Williams wanted to insure that council was comfortable with adding beauty to the median when entering the island from the west while at the same time reducing the amount of money and labor costs to DPW. Ms. Doyle asked Ms. Schleicher to confirm that all maintenance and upkeep is to be done by DPW and not outsourced which would require an RFP. Ms. Schleicher stated yes, Tybee Beautification Association will provide plantings and DPW would provide the mulch and all labor required. **Paul Wolff** made a motion to approve. **Frank Schuman** seconded. Vote was unanimous.

City Managers Report

Action Item List.

Ms. Doyle suggested that we have a pre-season workshop for beach business in February 2012. She also asked the status of the personnel policy. Mr. Hughes stated that he is working with Ms. Elliott to get this accomplished. Ms. Doyle asked Ms. Otto for a status on Salt Meadows. Ms. Otto did not have an update and Ms. Schleicher stated she would follow-up with Mr. Wilson. Ms. Sessions emphasized the importance of updating the Action Item List in a timely manner. She asked Ms. Schleicher for a status of Jones Avenue bike lane. Ms. Schleicher stated that she has applied for other grants in conjunction with creating a good corridor for bicyclists on the island. Ms. Sessions would like an update for Leadership Tybee. Ms. Schleicher stated that she did speak with the parties involved with the previous program and their intent is to have a Leadership Tybee for 2011-2012. She will update council when a decision is made.

Confirmation of Planning and Zoning Manager, Steele Harrison Knudson. Ms. Schleicher explained HR advertised the position on the city web site as well as with GMA. She received twenty-two (22) applications and narrowed the candidate list to seven (7) which was based on their background and training. After the second interview, the list was narrowed to four (4). These individuals were required to give a presentation to staff on customer service and land development. They were evaluated on their presentation skills as well as answering interview questions. Ms. Schleicher then read Mr. Knudson's credentials and recommended council confirm. Ms. Doyle stated that she did have concerns but Ms. Schleicher answered all questions and she would recommend council confirm the appointment. Ms. Sessions asked Ms. Schleicher if she had spoken with the Zoning Department staff and are they in agreement with the appointment of Mr. Knudson. Ms. Schleicher replied yes, she had spoken with each staff member and they agree. Ms. Sessions then stated in this case, she would recommend confirmation. **Paul Wolff** made a motion to approve. **Frank Schuman** seconded. Ms.

Sessions commended Ms. Schleicher for her thoroughness in the search. Vote was unanimous.

Paul Wolff made a motion to adjourn to Executive Session. **Frank Schuman** seconded. Vote was unanimous.

Paul Wolff made a motion to return to regular session. **Wanda Doyle** seconded. Vote was unanimous.

There was a short discussion regarding the possible move of the Parking Department from City Hall to the Police Department building.

Paul Wolff made a motion to adjourn. **Frank Schuman** seconded. Vote was unanimous.

Meeting adjourned.

Tasks for next meeting:

- Diane to bring to council on October 27, 2011 list of building that the city owns including a check off showing the last inspection date not only for electrical issue but also all other items that would be on a normal maintenance list.
- Diane was to ask Chief Bryson to relay any concerns he might have in regards to moving Halloween on Lewis Avenue to Saturday, October 29th.
- Diane is to get an update from Leadership Tybee as to their intentions of having a Leadership Tybee again in 2011-2012.
- Diane to check with Joe Wilson regarding Salt Meadows

Janet LeViner
Clerk of Council

Jason Buelterman
Mayor