

Consideration of Items for Consent Agenda 6:30PM

Mayor Buelterman called the consent agenda to order at 6:30PM on December 8, 2011. Those present were Mayor pro tern Shirley Sessions, Paul Wolff, Kathryn Williams, Frank Schuman, Wanda Doyle and Bill Garbett. Also attending were Diane Schleicher, City Manager; Bubba Hughes, City Attorney; Steele Knudson, Zoning Manager; and Janet LeViner, Clerk of Council.

Mayor Buelterman listed the following items on the consent agenda:

- City Council Minutes, November 10, 2011 as amended
- ***Beer/Wine/Liquor, Sunday Sales - (On-Premises Only Consumption) And Entertainment- Approved by Chief Bryson***
 - A-J Dockside Restaurant – Jacqualand M Burn - 1315 Chatham Avenue
 - American Legion Post 154 – James P. Boyle – 10 Veterans Drive (Enclosed Letter)
 - Benny's – Alvin B. Ward, Sr. – 1517 Butler Avenue
 - Bernies Tybee Island Inc. – Bernie A. Reyes – 13 Tybrisa
 - Coco's Sunset Grille – Tracy M. McMahon – 1-A Old Hwy 80
 - Doc's Bar – Robert Parker – 10 Tybrisa
 - Fannie's On The Beach – Jennifer R. Orr – 1613 Strand
 - Huc-A-Poo's Bites & Booze – Eric Thomas 1213 Hwy 80 # 2
 - Macelwee's Seafood – Agnes Lynn Zeigler – 101 Lovell Avenue
 - Marlin Monroe's Surfside Grill – Jennifer R. Orr – 404 Butler Avenue #A
 - Ocean Plaza/Resort Inns Inc – Dolphin Reef – Frances Spirides – 1401 Strand
 - Rock House – Joshua Navon – 1518 Butler Avenue
 - Seagrass Saloon & Grille – Phillip E. James – 725 First Street. **Discussion: Bill Garbett** stated that the Seagrass Saloon & Grille had not met the requirements for Sunday sales due to extenuating circumstances. **Mr. Hughes** stated that council could approve the beer/wine/liquor only and the Sunday Sales license is contingent upon receipt of the appropriate documentation. They will not have to come before council again for approval.
 - Sting Ray's – Raymond J. Rogers Jr. – 1403 Butler Avenue
 - Sweet Dream Pavilion – Myrtice Morrison – Pier/Pavilion
 - The Sand Bar – Ana G. Olsen – 1512 Butler Avenue
 - Tybee Island Social Club – Kurtis Schumm – 1311 Butler Avenue (No Sunday Sales Documentiton)
- ***Beer/Wine, Sunday Sales - (On-Premises Only Consumption) and Entertainment – Approved by Chief Bryson***
 - Beachview Bed & Breakfast – Karen H. Kelly – 1701 Butler Avenue
 - Lighthouse Pizza Inc. - Richard Hammons – 15 Tybrisa
 - Tybee Island Historic Society – Cullen Chamber – 30 Meddin Drive (Enclosed Letter)
- ***Beer/Wine/Liquor, Sunday Sales – (On-Premises Only Consumption) -Approved by Chief Bryson***
 - Charly's – Charles J. Vonashek – 106 S. Campbell Avenue
 - Nickies's 1971 Bar & Grill – Nick C. Alexander – 1513 Butler Avenue
 - Spanky's Beachside Inc – John A Yarbrough – 1605 Strand
 - Santiago's Mexi-Cali - James Davies - 402 First Streets

- The Quarter Sports Bar – Wayne T. Barlow – 604 First Street
- Tybee Island Supper Club Inc – Michael Scarborough – 35 Meddin Drive
- Tybee Times Inc – Steven Kellam – 1603 Strand
- Wind Rose Cafe – Mary L. Klein – 19 Tybrisa
- **Beer/Wine/Liquor- (On-Premises Only Consumption) -Approved by Chief Bryson**
 - Sundae Cafe – Kevin Carpenter – 304 First Street
- **Beer/Wine/Liquor- (Sale By Package) -Approved by Chief Bryson**
 - Dizzy Dean's Discount – Myrtice Morrison – 1516 Butler Avenue
 - XYZ Liquors – Therese M. Jung – 302 First Street
- **Beer/Wine- (Sale By Package) - Approved by Chief Bryson**
 - Chu's Convenience Mart – Richard Frederick Pruden – 725 First Street
 - Chu's Convenience Mart #101 – Mala Chu Jung – 306 First Street
 - Chu's Convenience Mart #102 – Mala Chu Jung – 1603 Inlet Avenue
 - Jaydeep LLC DBA Shell Food Mart – Rajesh Patel – 1315 Butler Avenue
 - Tybee Market IGA – Michael J. Hosti – 1111 Butler Avenue
- Georgia Crime Information Center (GCIC) and criminal Justice Information (OIS) Management Control Agreement
- GA Main Street Program Memorandum of Understanding, September 2011 – December 2012
- Adoption of Watershed Protection Plan. **Discussion:** Wanda Doyle asked if Chimney Creek was part of this plan originally since they are under the jurisdiction of Chatham County. Ms. Schleicher stated that Chimney Creek was omitted from this plan as it is a testing site. Mr. Garbett further stated that the water samples collected at Chimney Creek were not actually samples from storm water run-off from the City of Tybee but rather samples from tidal out-flow and in-flow and is not representative of what should be measured, hence the reasoning it was removed from the plan.
- Purchase two (2) Replacement Beach Wheel Chairs - \$4,118.10 from Contingency Account (100-9000-61-1000) to Fire Department Small Equipment Account (100-3510-53-1600). **Discussion:** Paul Wolff asked if this is a sole source provider as the cost seems high and asked if this could be put out for bid. Wanda Doyle stated that research had been done and the cost of the beach wheel chairs is in line with other competitors. Shirley Sessions further stated that pricing is comparable. Ms. Doyle asked if this purchase was put in the budget during the budget review. Diane Schleicher stated it was discussed but not put in the budget as we had two (2) beach wheel chairs that were in working order.
- Coastal Regional Commission Geographic Information Systems (GIS) Agreement – Tasks One and Two: Geo-database and Web-based Mapping - \$4,000 fixed fee. Task Three – GIS Data Assessment and Maintenance \$1,500 annually and GIS Server Hosting \$1,000 annually. Line item 100-7220-54-2150

Mayor Buelterman called the regular meeting to order at 7:15PM.

Opening Ceremonies

- Call to Order
- Invocation: Burke Day, Chaplain, Tybee Island Police Department
- Pledge of Allegiance

Mayor Buelterman presented the Employee of the Quarter to Melissa Freeman. Ms. Freeman works

in the Finance Department and has worked for the City for five (5) years. He further complimented her on her work ethic. Ms. Doyle also thanked Ms. Freeman for "a job well done."

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

Woody Hemphill Summary of Revenue and Expenses. Mr. Hemphill gave a short presentation regarding the October 2011 financial statement. Ms. Sessions complimented Mr. Hemphill on his staff and the campground.

Joe Sheffield, Public Safety as it relates to motorized carts. Mr. Sheffield approached mayor and council to discuss public safety issues as it relates to motorized carts. Ms. Doyle thanked Mr. Sheffield for his presentation and feels we need to educate the public. Mr. Garbett also thanked Mr. Sheffield for his concerns and feels we need to enforce the current ordinance. He then asked Ms. Schleicher to add the enforcement of the current ordinance to the Action Item List. Ms. Williams asked Ms. Schleicher if she had information regarding the number of tickets written for motorized cart violations. She stated she did not but will bring back to mayor and council. Mayor Buelterman asked that Chief Bryson include this information on his next quarterly presentation to mayor and council. Ms. Schleicher stated that she would coordinate with Mr. Hemphill that all visitors to the campground be given a copy of the current motorized cart ordinance. Mr. Hughes stated that effective January 1, 2012 the state law framework is changing. The term "motorized cart" as a definition is being removed and replaced with "personal transportation vehicles". Since the City of Tybee Island has a properly adopted ordinance in place, it is grandfathered but there will be a new class of vehicles which will involve possible adjustments to the current ordinance. The State is going to impose light registration requirements on personal transportation vehicles much like the low speed vehicles. He further stated that the City of Tybee does not have any inconsistencies. Mr. Sheffield stated that there are currently forty-eight (48) registered golf carts on Tybee Island.

Cullen Chambers, Executive Director, Tybee Historical Society, approached mayor and council to extend a profound and sincere thank you both individually and collectively for their support of historical preservation in the community. Their support has gone above and beyond with your support. He hopes the new council supports their legacy as you have set such a high standard. Mr. Wolff has been instrumental in the Cockspur effort, Mr. Garbett has been a visionary leader in reforming the Tybee Island Historic Preservation Commission as well as the support from Ms. Sessions and Ms. Williams.

Renee DeRossett, President of the Tybee Arts Association, approached mayor and council asking why the Tybee Arts Association lease has been deferred till January 2012 as she missed the consent agenda. She further stated that she has had numerous electrical inspections by licensed state electricians and they found no safety violations. She further requested that the City send a state certified electrician to re-inspect the building so the lease can be approved and they can begin their classes, art shows, and productions. Ms. DeRossett asked mayor and council to reconsider their decision to table the lease until January 2012 and approve the lease. Ms. Schleicher stated that an electrician had inspected the building and she is waiting on the cost for recommended repairs to resolve safety and code discrepancies. Mayor Buelterman asked Ms. Schleicher how much was the grant for the Tybee Arts Association. She replied \$4,000.00. Mayor Buelterman stated that we need to resolve all the issues as quickly as possible. Ms. Doyle stated that we could monitor the electric bills to June as that is the end of the budget cycle and at that time re-visit the grant. She asked Ms. Schleicher what could be done now to move this situation forward so the Arts.

Association can use the building. Ms. Schleicher stated that she would have a quote for repairs within the next few days. She further suggested that she construct the new lease so the utility payments would not begin until the new budget cycle at which time the Arts Association could put the electrical service in their name. Mayor Buelterman asked if there is sufficient money in the budget to get the repairs done. She feels there is so there would be no need to come back to mayor and council for approval of additional funds. Ms. Williams explained to Ms. DeRossett the discussion during the consent agenda. Ms. Sessions stated that her only concern is safety; that no one is injured and that the building is preserved. She then asked Ms. Schleicher to explain what has been done previously to get the Arts Association in the building. Ms. Schleicher stated that thousands of dollars has already been spent for repairs as well as replacement of doors and upgraded exit lights. Ms. Sessions asked Mr. Chambers if he has concerns with the safety of the building. He stated that his concerns continue with the safety issues with the building. Mr. Wolff ask if council would agree tonight, pending satisfactory correction of the electrical issues that have been identified by the inspector, as long as they can be performed within the budget that is currently in place, the Arts Association can have temporary use of the theatre portion of the building, pending signing of the revised lease in January. Mr. Wolff feels that the repairs need to be done to code. Mayor and council agreed. Ms. Doyle feels it is very important that whoever does the inspection and repairs needs to be consistent with all city owned buildings.

Consideration of Bids, Contracts, Agreements and Expenditures

Tybee Arts Association Lease Agreement – Bill Garbett asked if this could be deferred for a month as there are many issues that need to be solved. Shirley Sessions asked Diane Schleicher to address the electrical inspections that have been completed. Ms. Schleicher stated that there are approximately eight (8) items that need to be addressed and pricing is forthcoming. She asked mayor and council if the lease agreement could be deferred until January 12, 2012 but not permit the Arts Association use the building until all deficiencies are corrected. Mayor Buelterman asked Ms. Schleicher what the cost would be to correct the deficiencies. She replied she did not at this time but Joe Wilson, DPW, was working on the cost and is to let her know within a few days. Ms. Williams stated that everyone supports the Arts Association and what they do but we need to preserve the building to ensure the building is up to code. She then asked Ms. Schleicher if during the budget process the issue of electricity was discussed as part of the grant process. Ms. Schleicher stated no. She further stated that there is money in the budget currently that was not used for the remodel of the clerk of council's office which could be used for electrical repairs to the Arts Association building. Ms. Doyle stated that she worked with Ms. Schleicher to permit the Arts Association to use the building for their productions. Paul Wolff asked if we knew what the electric bills were and if not could it be research. Mr. Garbett stated that he understood that the bill is \$6,000.00 per year. Ms. Schleicher is to get the electric bills and present to mayor and council at next meeting. Deferred until January 2012.

Coastal Regional Commission Agreement for Charrett and Comp Planning Services, \$10,000.00, CRC will focus on the C-2 Corridor. Lupita McClenning, Director, Planning and Government Services, Coastal Regional Commission, addressed mayor and council regarding the agreement. Ms. McClenning stated that there are two contracts before mayor and council this evening and if anyone had questions she would be happy to answer them. Bill Garbett stated that he was most interested in the Geographic Information Systems (GIS) Agreement and would like to know if the Planning and Zoning Office could do queries from their office and whose database would we use. Ms. McClenning stated they would be working with SAGIS. Mr. Garbett further stated that there are current errors in the SAGIS and will she be working to correct them.

She stated they will do an analysis to ensure there are no errors in the database. They will also do reports on a monthly or quarterly basis, whichever staff would determine. Mr. Garbett then asked where the representative that the city will be working with located. Ms. McClenning replied that they are located in Brunswick, GA. She further stated that it will be hosted on the web for convenience and they would be considered an extension of Tybee Island's Zoning and Planning Department. Mr. Wolff asked Ms. Schleicher if the City would be able to provide all the data sets to CRC as per section 2 of the proposed contract within three (3) months. Ms. Schleicher stated that she will have our current contractor forward information as well as the county via formal request. Mr. Wolff asked where the money was budgeted. Ms. Schleicher stated that it was in the GIS Zoning Budget. **Paul Wolff** made a motion to approve as specified in the original contract as amended. **Wanda Doyle** seconded. Vote was unanimous.

Coastal Regional Commission Agreement for Charrett and Comp Planning Services.

Kathryn Williams would like more information regarding the zoning map. Would Ms. McClenning's office be updating our current zoning map? Ms. McClenning stated yes. Ms. Williams further stated that she feels the cost of the guidelines, stakeholder input, which involves a six (6) month process. Ms. Williams stated that this would encompass from Highway 80 at the end of the divided median to the curve at Butler Avenue. Ms. McClenning confirmed but it was ultimately up to staff and the priority of the City. Mr. Wolff stated he did not feel \$10,000.00 was excessive as the charrett is included. He further asked if the deliverables included a presentation at the end of the contract. She confirmed and further stated that the document could be codified into the comprehensive plan. Ms. McClenning will also make a presentation to mayor and council at the completion of the contract. MS. Doyle agreed with Mr. Wolff to the cost of the contract. Mr. Garbett agrees with Ms. Williams that the cost is excessive but does support the concept. He further asked if the time frame of the contract could be shorter than the six (6) months as stated. Ms. McClenning will research the possibility. Mr. Garbett stated he would like the charrett to be completed in three (3) months. Ms. Doyle stated that we need to do this project correct. Mr. Wolff stated that we did not need to rush this process and we need as much citizen involvement as possible as the charrett is going to be the key component in the master plan. Ms. Williams stated that this is a critical issue and agrees this needs to be done correctly but feels that the cost is excessive. She would like to see a complete package that would fit in with the Master Plan. **Kathryn Williams** made a motion to deny the updated version of the contract. **Shirley Sessions** seconded. Discussion: Mr. Garbett stated that the City would be best served that we have complete public input and feels there should be a stricter time frame. Ms. Williams has concerns: (1) where is the money coming from and (2) have we received other bids. Ms. Schleicher stated there was money budgeted for the Short Work Plan that was not used as it was done in-house. Those funds will be used for this project as well as funding, \$11,000.00, from CRC. She further stated there were no other bids received. Mr. Wolff suggested that council approves the first version of the contract. **Ms. Williams** withdrew her motion. Ms. Schleicher stated that she spoke to Ms. McClenning via telephone and she agreed to shorten the time-line for the charrett which would shorten the length of the contract. Kathryn Williams stated that the City paid \$30,000.00 for the last Master Plan and we were going to pay \$11,000.00 Highway 80 corridor. With the CRC we will have both the C-2 and Master Plan for \$10,000.00. She further stated that we could approve the contract with the language Ms. Schleicher was given over the telephone from Ms. McClenning. She therefore withdraws her objections. **Paul Wolff** made a motion approve the contract for \$10,000.00 for the Coastal Regional Commission to perform the services specified in the original contract to include the information that Diane Schleicher received from Ms. McClenning, i.e., the C-2 corridor and the Master Plan would be included in the contract. **Wanda Doyle** seconded. Vote was unanimous.

Paul Wolff made a motion to approve the first consent agenda excluding the alcohol licenses for North Beach Grill and the Tybee Island Historic Society and contingent upon receipt of the Seagrass Saloon and Grille documentation. **Frank Schuman** seconded. Vote was unanimous.

Paul Wolff made a motion to approve the second consent agenda, alcohol license application for the North Beach Grill. **Frank Schuman** seconded. Voting in favor was Paul Wolff, Frank Schuman, Shirley Sessions, Wanda Doyle and Bill Garbett. **Kathryn Williams** rescued herself. Motion carried 5-0.

Paul Wolff made a motion to approve the third consent agenda, alcohol license application for the Tybee Island Historic Society. **Bill Garbett** seconded. Voting in favor was Paul Wolff, Kathryn Williams, Frank Schuman, Shirley Sessions, and Bill Garbett. **Wanda Doyle** rescued herself. Motion carried 5-0.

Public Hearings

1113 Butler Avenue, Thomas Beytagh for William Lanier/addition. Mr. Knudson stated that this property is located next to the Tybee Market (IGA). Ms. Williams asked if work was completed at the time of the variance request in 2009. Mr. Knudson stated no. **Frank Schuman** made a motion to approve. **Shirley Sessions** seconded. Voting in favor was Paul Wolff, Kathryn Williams, Frank Schuman, Shirley Sessions, and Bill Garbett. **Wanda Doyle** recused herself. Motion carried 5-0.

Discussion: Kathryn Williams asked that the vote of the Planning Commission be reflected in the record. Mr. Steele stated that the Planning Commission voted unanimously to approve this application.

Map and Text Amendment: Brewers Landing, Rezone 6 Lots: Current Zoning: C-2 & EC, Amended Zoning: R-2. Mr. Knudson stated the current zoning is C-2 and EC and the proposed zoning before council is R-2. Planning Commission voted unanimously in favor of this motion. Discussion: Ms. Doyle stated that it is very important to have all information in council packets prior to council meetings as the map on the screen was not in their packets. **Paul Wolff** made a motion to approve. **Bill Garbett** seconded. Vote was unanimous.

First Reading, Ordinance 47-2011, Section 5-001, General Approval Procedures. Mr. Knudson stated that the Code applies to all the land. He would like to reference land rather than persons or firms. **Paul Wolff** made a motion to approve as amended. **Frank Schuman** seconded. Discussion: Ms. Williams is concerned that we are minimizing the Master Plan. Mayor Buelterman would like the verbiage "consistent with the Master Plan" included in the second reading. **Paul Wolff** made a motion to approve as amended. **Frank Schuman** seconded. Vote was unanimous.

First Reading, Ordinance 49-2011, Section 5-010, Permits Required for Construction. Mr. Knudson stated that residents are concerned with the difficulty related to the site plan process. Language follows the International Building Code. Mr. Wolff stated that he would not want a fence exempt from permit. Ms. Sessions asked if you need to have a survey to build a fence. Mr. Knudson confirmed. Ms. Williams asked that verbiage be added stating that if markers are visible as survey is not required. Ms. Doyle asked Mr. Knudson if a permit was required for a walkway in their yard. He stated that a permit should not be required. Mr. Wolff suggested that language be added to include permeability walkways. **Shirley Sessions** made a motion to continue until January 2012. **Kathryn Williams** seconded. Vote was unanimous. Discussion: Ms. Williams likes the "emergency clause" in the ordinance.

First Reading, Appendix A, Land Development Code, Article 5, Procedures for Administration and Enforcement. Mr. Knudson stated that approval would be done by sections.

- **Section 5-110.** Mr. Knudson stated that the proposed changes are based on the Master Plan and Short Term Work Plan. The language is addressing water, sewer, and schools. He further stated that this section of the Code is solid as written. Ms. Williams suggested that "schools" be stricken from the ordinance. Mr. Wolff further asked that Mr. Knudson correct the grammatical errors. **Paul Wolff** made a motion to approve Section 5-110 as amended. **Frank Schuman** seconded. Vote was unanimous.
- **Section 5-111, Conditional Zoning.** Mr. Knudson stated that this change expands language to include mayor with the council and replaces "city" with mayor and council. **Kathryn Williams** made a motion to approve Section 5-111. **Paul Wolff** seconded. Vote was unanimous.
- **Section 5-120, Sign Permit Approval.** Mr. Knudson stated that there are minor changes to include, change building inspector to "designated city official". **Paul Wolff** made a motion to approve Section 5-120. **Frank Schuman** seconded. Vote was unanimous.
- **Section 5-130, Major Subdivision Plan Procedures.** Mr. Knudson stated that the definition of major subdivision means any subdivision comprising of four lots or more. He also stated that the word "plan" would be changed to "plat" in the amended section. **Paul Wolff** made a motion to approve Section 5-130 as amended. **Kathryn Williams** seconded. Vote was unanimous.
- **Section 5-140, Minor Subdivision Approval Procedure.** Mr. Knudson stated that there are minor changes in this revision such as changing the word "plan" to "plat". **Wanda Doyle** made a motion to approve Section 5-140. **Paul Wolff** seconded. Vote was unanimous.
- **Section 5-150, No proposed changes.**

Formation of a Committee for the Creation of a Lighting Ordinance, Resolution.

Mr. Knudson stated that this committee would consist of two (2) planning commissioners, three (3) citizens appointed by council, and two (2) ex-officio members of city council. The committee will also look to the Georgia Department of Natural Resources (GaDNR) and Tybee Island Marine Science Center for input especially in regard to turtle nesting. Ms. Doyle confirmed that there are two (2) planning commissions and the planning commission chair. Mr. Knudson confirmed. Ms. Sessions asked if staff were to be included. Mr. Knudson stated yes but non-voting. Mr. Garbett feels the time frame should be six (6) months rather than three (3) months as it is too tight of a schedule. Ms. Schleicher stated that due to the even number of members on the committee the Planning Commission chair should be removed that way there will not be a tie vote. Mayor Buelterman and council agreed. Ms. Doyle stated that she feels the Planning Commission should create a sub-committee within the commission to address the ordinance.

Ms. Doyle stated that the Planning Commission minutes were not as detailed as they are normally. She depends on these minutes as she does not attend the Planning Commission meetings. Mr. Knudson replied that he made the changes for readability. Ms. Session asked who did the minutes. Mr. Knudson stated that Dianne Otto did the minutes and he made changes. Ms. Doyle prefers that the minutes return to the previous format of being very detailed. She would also like a signature block at the bottom of the minutes showing who did the minutes.

Consideration of Ordinances, Resolutions

First and Second Reading, Ordinance 50-2011, Chapter 6, new Article IV, Chapter 6, Retail Sales of Packaged Beverages on Sunday. Ms. Schleicher stated that staff is recommending that the annual regulatory fee be \$50.00 and \$150.00 for a restaurant as there is more involved with a restaurant. She would like to do a 2011 and 2012 renewal for their license. In that way the petitioner would not have to come back in January and apply for their 2012 license. Mr. Garbett asked Ms. Schleicher why we need to have an additional fee for Sunday sales. Ms. Schleicher stated that there is an additional regulation involved for Sunday sales. Mr. Garbett does not feel that we need to require an additional license for Sunday sales. Mayor Buelterman stated that we not charge a regulatory fee. **Paul Wolff made** a motion to approve and adding the effective date of December 9, 2011. **Frank Schuman** seconded. Vote was unanimous.

First and Second Reading, Ordinance 51-2011, Section 58-179, Regulatory Fees for Sunday Package Sales of Alcoholic Beverages, Section 58-179. **Paul Wolff** made a motion to approve and adding a \$50.00 regulatory fee for 2011 and 2012. **Shirley Sessions** seconded. Vote was unanimous.

First Reading, Ordinance 52-2011, Eliminate De-chlorinated Swimming Pool Discharges, Section 16-200. **Paul Wolff** made a motion to approve. **Kathryn Williams** seconded. Vote was unanimous.

Second Reading, Ordinance 46-2011, Meters, Section 70-34. **Shirley Sessions** made a motion to approve. **Wanda Doyle** seconded. Vote was unanimous.

Second Reading, Ordinance 28-2011-A, Section 46-38, Sick Leave. Mr. Hughes stated that this ordinance is to cap the accumulation of sick leave but not punish those who have already acquired substantial hours of sick leave. Subsection 3 deals with the accrual of sick leave for permanent full time employees still accrue at the same rate of 2.00 hours per year. Subsection 10 has been added stating that sick leave is capped at 65 days, 520 hours. Once the employee reaches 520 hours they do not accrue sick leave unless they drop below 520 hours. Ms. Doyle asked Ms. Schleicher if she has received any feedback from staff. Ms. Schleicher stated there is concern from the department heads that employees might be apt to use their sick which would create absenteeism. She further explained that an employee benefits from long term disability once they reach 65 days. When an employee retires they will receive a pay-out for their sick leave which could be perceived as a bonus. Ms. Doyle agrees with the concept of the bonus at retirement. Mr. Hughes stated that in the current ordinance there is no language for pay out of sick leave. **Paul Wolff** made a motion to approve with the addition that employees will be compensated for up to 65 days of sick leave at a rate of \$25.00 a day upon retirement or death. **Shirley Sessions** seconded. Vote was unanimous.

Council, Officials and City Attorney Considerations & Comments

Mayor Buelterman asked Ms. Williams to give a status report on the median project. Ms. Williams stated they are in final negotiations to get the plan completed and should have them by month end.

Mayor Buelterman asked Ms. Williams to give an update on Memorial Park Bike Path. Ms. Williams stated at the committee meeting there was discussion regarding the rocks and it was agreed that was not the way to do the bike path. It would further increase public safety to keep the bike riders

off Jones Avenue. Ms. Doyle suggested the bike path be paved with asphalt much like Jaycee Park. Mr. Hughes stated that if asphalt was used it would require a public hearing. This needs to be added to the agenda in January 2012. Ms. Schleicher confirmed that this needed to go to Planning Commission for their recommendation prior to coming back to council for approval.

Mayor Buelterman suggested that the council meeting for January 26, 2012 be cancelled as that is the same time as Savannah/Chatham Days. **Paul Wolff** made a motion to cancel the January 26, 2012 city council meeting. **Wanda Doyle** seconded. Vote was unanimous.

Resolution Opposing the US Postal Services Proposed Closing of the Savannah Processing and Distribution Facility. **Paul Wolff** made a motion to approve. **Shirley Sessions** seconded. Vote was unanimous.

Resolution, Moratorium in the C-2 Corridor. Mr. Hughes stated that this is a follow-up from the previous meeting requesting it come back to council in the form of a resolution. This is to finalize the moratorium. **Bill Garbett** made a motion to approve the resolution as submitted. **Paul Wolff** seconded. Discussion: Kathryn Williams asked Mr. Hughes if this would prevent someone to change a use, i.e., from residential to commercial. Mr. Hughes replied no. Mayor Buelterman asked if any notification had been made to residents in the C-2 zone. Mr. Hughes stated none that he was aware of. Vote was unanimous.

Status of Side Yard Trash Pick-up. Discussion regarding the renewal of the Waste Pro contract and side yard trash pick-up recycle containers and cost thereof. Mr. Hughes stated that the notice of non-renewal should be withdrawn and return to the current contract with defined terms. Ms. Schleicher stated that she has not heard from the recycling grant as of yet so if the City has WastePro provide the recycling cart the charge for recycling will increase from \$3.02 per residence to \$4.77 per residence. Side door pick-up charge would be \$4.85 per residence. All increases would have to be approved by council. Luis Diaz, WastePro, approached mayor and council to answer questions. Mr. Diaz stated that most people do not need side door pick-up as the problem is returning the cart to the house. Mr. Schuman feels side door pick-up should be mandatory for all short-term rentals. Ms. Williams agrees with Mr. Schuman. Mr. Garbett commented that the cost of side door pick-up is excessive and agrees rental properties are a problem. Mr. Wolff does not want to pay an increase for side door pick-up. Mayor Buelterman confirmed with Ms. Schleicher that everything is virtually on hold until we get confirmation from the grant. She confirmed to a degree. At the time of the workshop it was agreed that we need to prioritize items. One being the larger recycling containers in place. Mayor Buelterman then asked about the pick-up on the beach side of Butler Avenue. Ms. Schleicher stated there is a problem with Saturday pick-up for the rentals as the check-out time for rental would be after the scheduled pick-up time. Mayor Buelterman asked Ms. Schleicher to put this item on the agenda in January 2012.

Update on Beach Signage. Ms. Schleicher explained that there would be a new sign at each cross-over and there is \$10,000.00 budgeted for the signs. Ms. Williams objects to the rule pertaining to surfing as it is not clear enough. Surfing is only restricted when swimmers are in the water. Ms. Doyle stated that it is the responsibility of Ocean Rescue to deal with the surfers and the designated areas. The only area where surfing is restricted is between 12th and 16th Streets. Ms. Williams suggested that the word "NO" be replaced with "PROHIBITED". Mr. Wolff agreed. Ms. Williams asked Ms. Schleicher if the old signs that are faded be removed. She stated yes. Ms. Doyle stated that the international symbols have been removed from the signage. Ms. Williams further

asked if the signs will be visible from both sides of the beach. Mayor Buelterman stated that no as it will double the costs. It was requested that Ms. Schleicher bring revised signage back to council at the January 2012 meeting and have Mr. Wilson bring a sample of the material that will be used for the signs.

Kathryn Williams had a discussion pertaining to the Shore Protection Act. She stated that while she was on the Shore Protection Ad Hoc Committee the main concern of the members was to protect the sand sharing system with as little impact on property owners as possible. Ms. Williams showed pictures from Jekyll Island State Park in regards to the filming of the X-Man film. The pictures showed the destruction left behind by the filming company. She feels that it is important we protect our beaches. The other issue that was raised is what we have been doing to protect other areas of the Island. Tybee Island has a Marine Construction Act which there is no other in the state of George. This requires marine contractors to have insurance or a line of credit that would cover any damages that they might incur. Tybee Island is proactive as we value our Island.

Paul Wolff made a motion to adjourn to Executive Session to discuss litigation, personnel, and real estate acquisition. **Wanda Doyle** seconded.

Paul Wolff made a motion to return to regular session. **Kathryn Williams** seconded.

Paul Wolff made a motion to adjourn. **Kathryn Williams** seconded. Vote was unanimous. Meeting adjourned at 11:55PM.

Janet R. LeViner
Clerk of Council

Jason
Buelterman
Mayor