

CITY OF RINCON
OFFICIAL MINUTES
RINCON CITY COUNCIL MEETING
MONDAY, AUGUST 14, 2017
COUNCIL CHAMBERS
107 W. 17TH STREET
7:00 PM

Councilmembers Present:

Reese Browher
James Dasher
Christi Ricker
Ann Daniel

Councilmembers Absent

Paul Wendelken
Levi Scott, Jr.

Present:

Ken Lee, Mayor
W.E. Smith, Jr., City Manager
Raymond Dickey, City Attorney
Dulcia King, City Clerk
LaMeisha Kelly, City Planner
Tim Bowles, Public Works Director
Phillip Scholl, Police Chief
Corey Rahn, Fire Chief
Seth Zeigler, Lost Plantation Golf Course Director

The meeting was called to order at 7:01 PM. The Invocation was given by Councilmember Dasher and the Pledge to the Flag was recited.

Approval of the agenda with the addition of new business item 17A:

Request to approve payment to Georgia Power in the amount of \$21,740.35 for electrical service for the Lower Floridian Well. LI #40.6260.4418

Motion to approve: Councilmember Browher
Second: Councilmember Ricker
Vote by Council: Unanimous

Approval of the July 24, 2017 minutes with the following corrections:

Councilmember Daniel abstained from the approval of the July 10, 2017 minutes; under new business item 2 Mr. Talton's first name should be Lee not Leo; and the July 10, 2017 corrections reference to ground water was not made.

Motion to approve: Councilmember Ricker
Second: Councilmember Daniel
Vote by Council: Unanimous

Old Business:

1. Vote on a petition filed by Gregory and Patricia Mitchell requesting a variance to Article III, Section 82-64 for the installation of a fence located at 815 Walthour Drive. The property is owned by Gregory and Patricia Mitchell; the property is zoned MXU (Mixed use). Map# R2460540 (Tabled at the May 8, 2017 meeting)

Motion to remove from the table: Councilmember Daniel
Second: Councilmember Ricker
Vote by Council: Unanimous

Mrs. Kelly said the applicants were notified. Councilmember Browher asked for staff recommendation, Mrs. Kelly said denial based on access to the easement.

Motion to deny: Councilmember Browher
Second: Councilmember Daniel
Vote by Council: Unanimous

2. Discussion of the future of 3rd Street Extension, east of Lexington Avenue, per Councilmember Reese Browher. (Tabled at the July 10, 2017 meeting)

Motion to remove from the table: Councilmember Daniel
Second: Councilmember Ricker
Vote by Council: Unanimous

Councilmember Browher said the owners of the adjacent property asked him about this months ago and he wanted them to come in and explain their request. Steven Ward said his mom and dad has lived at the adjacent property for 20 years and has maintained that section of 3rd Street. He would like half of 3rd Street deeded to them. Councilmember Browher said he knows a little about it but wanted to check with Council to see if this is something that is possible and should staff look into it. Mr. Bowles said there are utility easements on that property. Mayor Lee asked if it was something identified as a street or lane as one point. Property owner Alice Ward said that her plat shows it as an undeveloped portion of 3rd Street, ending all the way to 4th Street. Councilmember Daniel asked what they wanted to deed, the alley, Mrs. Ward said the part from Lexington Street to where it dead ends. Tim Bowles said it is listed as an undeveloped right away. Mr. Ward said his mom and the house all the way at the end uses the property. Councilmember Browher said what we have done with lanes in the past is give half the street to one resident and the half to the other resident. Councilmember Daniel asked staff to look into this and bring back a recommendation.

No action taken.

3. Request approval of a change order in the amount of \$27,400 for Tyler Technologies. (Tabled at July 24, 2017 meeting)

Mayor Lee stated Mr. Smith asked this to remain on the table. Mr. Smith said he is in negotiation to get them to lower this amount. Councilmember Ricker said while she was signing checks she noticed the hotel expenses for Tyler were \$173.10 a night for six nights, totaling \$1,038.58, plus per diem and mileage and she wanted to know did we anticipate the charges for hotel to be that much. Mr. Smith said no and he would follow up and make sure that it would not happen again.

Item tabled until the next meeting.

New Business:

1. R. B. Baker Construction requests approval of Change Order #8 in the amount of a \$5,071, for a total contract cost of \$2,405,438.40. LI# 70.4430.4412

Alec Metzger said this is a deducted change order.

Motion to approve: Councilmember Daniel

Second: Councilmember Dasher

Vote by Council: Unanimous

2. R. B. Baker Construction requests payment of Pay Request #8 in the amount of \$153,314.79, for Hwy 21 ROW Improvements. LI# 70.4430.4412

Mr. Metzger said this is the final pay request. The punch list has been completed. DOT has accepted the project and this is for final payment and final release of retainage. Mr. Metzger has also submitted a scorecard for the project.

Motion to approve: Councilmember Ricker

Second: Councilmember Daniel

Vote by Council: Unanimous

3. Y-Delta, Inc. requests approval of Pay Request #6 in the amount of \$273,064.55, for work completed on the Fort Howard Road Utility Extension project. LI# 40.6260.4422 and 50.7270.4410

Mr. Metzger said this included the finished installation of the water main, water service lateral, sanitary sewer manholes and gravity sewer. All have been installed and tested and he recommends approval.

Motion to approve: Councilmember Ricker

Second: Councilmember Daniel

Vote by Council: Unanimous

4. HHNT Consulting Engineers requests approval of pay request #12 in the amount of \$2,807.38, for engineering services associated with the Lower Floridan Well project. LI# 40.6260.4418 and #40.6260.4419

Brant Lane, gave Council a report on the project, this is normal work overseeing construction. But there has been a lot of rain and it has taken a toll on the schedule of the project. The contractor is looking at how many rain dates they would be allowed by the contract. They may extend this project past the end of December that is how bad the rain has been, however the contractors are telling him they don't think it will be a problem. They can't get into the site to finish everything, the compaction tests have passed except for the last one over in the tank area, and it will have to be retested. In the last month they have been able to get to the jack and bore and that is the only thing they have been able to do because of the rain. Mr. Lane is going to stay on it and see how it goes and if fall gets here and they can get some dryer weather they are still confident they can knock this thing out, if not they will have to talk to EPD about an extension. Councilmember Daniel asked can they get equipment back there, Mr. Lane said not right now. They can't get it pumped enough to get to the site. Attorney Dickey said he needs to document thoroughly and take pictures also. Each day needs to be documented because we have a deadline.

Motion to approve: Councilmember Daniel
Second: Councilmember Dasher
Vote by Council: Unanimous

5. HHNT Consulting Engineers requests approval of pay request #13 in the amount of \$3,991.93, for engineering services associated with the Lower Floridan Well project. LI# 40.6260.4418 #40.6260.4419

Motion to approve: Councilmember Daniel
Second: Councilmember Ricker
Vote by Council: Unanimous

6. HHNT Consulting Engineers requests approval of pay request #14 in the amount of \$4,796.84, for engineering services associated with the Lower Floridan Well project. LI# 40.6260.4418 #40.6260.4419

Motion to approve: Councilmember Browher
Second: Councilmember Dasher
Vote by Council: Unanimous

7. PINCO requests approval of Pay Request #4 in the amount of \$97,012.26, for Lower Floridan Wellhouse and Main project. LI# 40.6260.4418

Motion to approve: Councilmember Ricker
Second: Councilmember Daniel

Councilmember Browher asked Mr. Lane if there were any issues, he said this pay request is mostly for jack and bore.

Vote by Council: Unanimous

8. P. C. Simonton requests approval of Pay Request #18 in the amount of \$7,800.00, for engineering services associated with the WWTP Headworks replacement. LI# 50.7280.4411

Marcus Sack was present.

Motion to approve: Councilmember Daniel

Second: Councilmember Ricker

Vote by Council: Unanimous

9. P. C. Simonton requests approval of Pay Request #19 in the amount of \$1,280.00, for engineering services associated with the WWTP Headworks replacement. LI# 50.7280.4411

Motion to approve: Councilmember Dasher

Second: Councilmember Ricker

Vote by Council: Unanimous

10. BRW Construction Group, LLC requests approval of Pay Request #1 in the amount of \$75,389.04, for the WWTP Headworks project. LI# 50.7280.4411

Mr. Sack said this is this contractor's first pay request. They are still looking good for a completion date of November 17th. There has been no change order request to date; they are about 15% complete. The pit has been installed for the grit system and there are two of them. The next level is going up which is probably about ten feet, and equipment is getting delivered that was purchased.

Motion to approve: Councilmember Ricker

Second: Councilmember Daniel

Vote by Council: Unanimous

11. BioAir Solutions, LLC requests approval of Pay Request #1 in the amount of \$40,554.35, for the WWTP Headworks project equipment. LI# 50.7280.4411

Mr. Sack said this is for the reactor, a 60% payment that was due upon delivery.

Motion to approve: Councilmember Dasher

Second: Councilmember Daniel

Vote by Council: Unanimous

12. Request to grant Georgia Power Company a 15 ft wide easement along the Lower Floridan Wellhouse access drive, located at 1309 N Columbia Ave.

Mr. Bowles said this is to get power to the well.

Motion to approve: Councilmember Dasher

Second: Councilmember Ricker

Councilmember Browher asked who is going to do the legal research to record the easement; Mrs. Kelly said Georgia Power will record the easements.

Vote by Council: Unanimous

13. Request approval to purchase from Motorola a mobile radio for Engine #8 in the amount of \$5,922.75.

Chief Rahn said the line item is 60.4750.4414. They had a head go bad on Engine 8 and need another radio for Rescue 4; he will phase Engine 8's radio to Rescue 4 and purchase a radio for Engine 8.

Motion to approve: Councilmember Ricker

Second: Councilmember Dasher

Vote by Council: Unanimous

14. Request to approve the Effingham County Emergency Management Agency County-wide Multi-Jurisdictional Debris Management Plan, 2017-2021.

Clinton Hodges said this is an update of the 2012 Debris Management Plan; it provides the frame work for priorities in the event of an emergency, what routes they will take first to clear and such. Mr. Hodges wanted to thank Mrs. Kelly for providing insight on the City of Rincon's needs.

Motion to approve: Councilmember Daniel

Second: Councilmember Browher

Bernard Martin, resident, asked for an explanation. Mr. Hodges said the plan is used during a hurricane is to make sure public safety, routes, and critical infrastructure stay up. Councilmember Ricker wanted to know why the City of Rincon project engineers were listed as the City Planner and Public Works Director, while others listed their engineers. Mrs. Kelly said the other cities may not have the resources we have and probably just put their engineers name down.

Vote by Council: Unanimous

15. First Reading of a petition to annex a 465.36 parcel located on Old Augusta Road; the property is owned by Effingham County Board of Commissioners. (Map #047500058A)

Attorney Dickey said this is the Grandview property.

Motion to approve: Councilmember Daniel

Second: Councilmember Dasher

Mr. Martin wanted to know what this will do for the City of Rincon. Mayor Lee said at the County's request it is being annexed into the City and it will provide opportunity for our City to expand out Fort Howard Road. Mr. Martin said he didn't understand why the

County would give it to Rincon. Mayor Lee said sometime it comes to who can provide better service for the residents.

Vote by Council: Unanimous

16. First Reading of a petition to annex 3,015 LF (8.882 acres) of Fort Howard Road; the property is owned by Effingham County Board of Commissioners.

Mayor Lee said this is a part of the above property but it is the right away down Fort Howard Road.

Motion to approve: Councilmember Ricker

Second: Councilmember Dasher

Vote by Council: Unanimous

17. First Reading of a petition to annex 2,537 LF (+/- 10.6 acres) of Old Augusta Road; the property is owned by Effingham County Board of Commissioners.

Attorney Dickey said this is Old Augusta Road, the intersection sort of in the middle. Mayor Lee said the first property was a piece of property that was on Fort Howard Road up to Old Augusta Road and the is a portion of Old Augusta where the properties will join.

Motion to approve: Councilmember Browher

Mr. Martin asked is it going to have a definite impact to the city, Mayor Lee said the long range plan is for it to become a roundabout because it is a dangerous intersection and the County is paying for that.

Second: Councilmember Dasher

Vote by Council: Unanimous

17A. Request to approve payment to Georgia Power in the amount of \$21,740.35 for electrical service for the Lower Floridian Well. LI #40.6260.4418

Councilmember Daniel asked has this been done, Mr. Bowles said no they want payment first.

Motion to approve: Councilmember Daniel

Second: Councilmember Dasher

Vote by Council: Unanimous

18. Administrative Reports:

City Manager – Mr. Smith said he is trying to play catch up and thanked Council and Mayor for support during his trying time and he stated he also appreciated staff.

City Engineer – Mr. Metzger gave update on the Laurenwood drainage project, they have staked out easement location, talked to Mrs. Kelly and Mr. Bowles about issuing a notice to

proceed, and is ready to begin construction ; the Lost Plantation outfall ditch has been surveyed and they have started working a design for the proper size and location; the 2017 LMIG paving project contract has been signed and they had a preconstruction meeting with the contractor and is waiting on a schedule; the Fort Howard water and sewer extension is pretty much done except the pump station and electrical to install the pumps, it should be complete by September; the Kroger project is complete; and they have submitted plans and plats for the 9th Street sidewalk project.

Chief of Police – Chief Scholl said the officers have been attending Tyler U; Dulcia King has been shown how to complete Identification cards for Council and staff.

Councilmember Browher asked how the new dog is coming along, Chief said he is still training and hoping he will be in the office by January.

Mr. Martin said he has read in the paper about other cities going through narcan training and he would like to see Rincon do the same. Chief Scholl said we deployed narcan about three months ago. Mr. Martin said he thinks we should be able to help crack heads, Chief Scholl said we can't administer drugs, but EMS and first responders can.

Fire Department – A written report was submitted.

Mr. Martin asked Council to consider getting the officers and first responders trained for narcan because sometimes they are the first on the scene. Chief Scholl, he does believe in order to administer drugs you must be a paramedic.

Building/Zoning Dept. – Mrs. Kelly said she provided a monthly report; she also wanted remind Council about the workshop on Monday; and Popeye's has obtained their building permit.

Water/Sewer/Public Works – A written report was submitted.

Lost Plantation Golf Course- Mr. Zeigler said they have had close to ten inches of rain in the last 20 days.

Mayor and Council – Mayor Lee read a letter sent to the City by the Boy Scouts of America thanking Seth Zeigler for attending the Boy Scout Camp.

Councilmember Ricker said today resident Michael Edward, 136 Ridgewood Circle, told her his home has been flooding and she wanted to know if there was something we can do. Mrs. Kelly said we are limited in terms of what we can do. Mr. Bowles said the previous owners had the same problem, the retention pond will not drain, and his house is 3 foot below the street. Mr. Bowles said he told the home owner he could put a grate drain in the driveway. Councilmember Ricker asked if we own the streets, Mr. Bowles said yes.

Councilmember Ricker said she reached out to the Mayor of Guyton and he said he is very unhappy with IT in a box and sent her a letter; and Springfield is also unhappy with the service. Mayor Lee said Ronnie Brooks has resigned from the Effingham Health Hospital Board due to health reasons and we should be getting a request from the hospital for an

appointment to replace Mr. Brooks. Mrs. Kelly said Mr. Brooks was a great representative; he was instrumental in getting Summit Cancer at Effingham Hospital. Councilmember Browher asked about the city limits sign; Mr. Bowles said we have to find somebody to design the signs. Mr. Smith said he would like to sit down with Savannah Tech about website design and possible sign design.

Mr. Martin asked about the retention ponds, is there no way we can go in there, and get some of the trash removed. Mr. Bowles said we cannot go on private property. Mayor Lee asked Mr. Smith to look into this with staff and the attorney. Councilmember Dasher asked Mrs. Kelly about the retention pond next to Tractor Supply, she said she will send a letter to the property owners.

19. Executive session to discuss personnel, pending litigation, attorney client privilege, and real estate.

Motion: Councilmember Dasher
Second: Councilmember Ricker
Vote by Council: Unanimous

Motion to return to meeting: Councilmember Daniel
Second: Councilmember Dasher
Vote by Council: Unanimous

20. Follow the statutes of executive session, to put on file an executive session affidavit and resolution.

Motion to approve: Councilmember Daniel
Second: Councilmember Browher
Vote by Council: Unanimous

21. Take any action that is needed on the items from executive session.

No action taken.

Adjourn:

Motion to adjourn: Councilmember Dasher
Second: Councilmember Daniel
Vote by Council: Unanimous