

**OFFICIAL MINUTES  
RINCON CITY COUNCIL MEETING  
MONDAY, SEPTEMBER 26, 2016  
COUNCIL CHAMBERS  
107 W. 17<sup>TH</sup> STREET  
7:00 PM**

**Councilmembers Present:**

Reese Browher  
Paul Wendelken  
James Dasher  
Levi Scott  
Christi Ricker  
Ann Daniel

**Present:**

Ken Lee, Mayor  
Raymond Dickey, City Attorney  
Dulcia King, City Clerk  
LaMeisha Kelly, City Planner  
Tim Bowles, Public Works  
Corey Rahn, Fire Chief  
Tommy Kee, WWTP Director

The meeting was called to order at 7:04 PM. The Invocation was given by Councilmember Wendelken and the Pledge to the Flag was led by the Boy Scout troop.

**Approval of the agenda with the addition of new business items 11A, and 11B.**

Motion to approve: Councilmember Dasher  
Second: Councilmember Scott  
Vote: Unanimous

**Approval of the September 12, 2016 minutes with the following corrections:**

Approval of the August 18, 2016 minutes, Councilmember Ricker made the second motion; and approval of the August 22, 2016 minutes Councilmember Daniel made the first motion, Councilmember Ricker make the second.

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

**Approval of the September 19, 2016 minutes:**

Motion to approve: Councilmember Scott  
Second: Councilmember Ricker  
Vote: Unanimous

## **Presentation:**

### **Georgia Initiative for Community Housing presentation.**

Three members of the GICH team were present, Carol Hogge, Jimmy Rutland and Nikki Cotton. They have graduated and are now in the alumni stage. Carol Hogge and Jimmie Rutland spoke about their experiences. Mrs. Kelly thanked council for all of their support.

## **Public Hearings:**

*Turn meeting over to public hearing officer, Raymond Dickey:*

### **Public Hearing on the 2016 Millage Rate for the City of Rincon.**

Open Public Hearing: 7:16 PM

Attorney Dickey informed Council the millage rate is rolled back to zero, there will be no property tax assessed in the City of Rincon.

Close Public Hearing: 7:17 PM

### **Vote on the request to approve the 2016 Millage Rate for the City of Rincon.**

Councilmember Browner stated this is the 20<sup>th</sup> year of not having property tax. Mayor Lee commented we are proud that we are able to do this.

Motion to approve: Councilmember Scott

Second: Councilmember Ricker

Vote by Council: Unanimous

## **Old Business:**

**1. Ernest Communities LLC requests approval of the preliminary site plan for the Williamsburg Townhomes. The Property is owned by Ernest Communities LLC and is zoned MXU (Planned Unit Developments) Map# R2440001C00. (Tabled at 9/12/2016 meeting)**

Vote to remove from table: Councilmember Scott

Second: Councilmember Daniel

Vote by Council: Unanimous

Mrs. Kelly said we do not have any new information, from the workshop. The issues still are the decal lane and easement for the drainage ditch that goes along the property. CJ Chance, engineer for the project, said the property owner is committed to supplying the decal lane, and the ditch can be placed in the easement and maintained by the city. Mrs. Kelly said we have worked out the issues; this is still the preliminary site plan approval stage. Councilmember Browner asked about the fence. There is a fence proposed for the

side by the apartment complex. Councilmember Dasher asked about a buffer for the golf course, Mrs. Kelly said that could be addressed at the final.

Motion to approve: Councilmember Daniel  
Second: Councilmember Scott

Tom Mersekerki, Williamsburg resident, said there was a large berm on the apartment side and he was wondering how the berm was leveled out. Mrs. Kelly said the berm was on their property and they were preparing the site. Councilmember Wendelken asked about planting in the wet lands, Mrs. Kelly said native plants can be planted in those wet areas. Councilmember Wendelken mentioned he never likes to approve plans on conditions. He would like to see more planting in buffer.

Councilmember Daniel would like to amend motion to include a separate entrance and additional vegetation in the buffer zone.

Beth Williams Holley, owner of the property, suggested putting the trees that are supposed to be planted along the road in the buffer instead. She also said other developers do not have a buffer at all.

Ashley Barnwell, Williamsburg resident, said there is not much of a buffer left.

Councilmember Browner asked about a fence between the single family homes and the townhomes. Mrs. Kelly said the ordinance says council can require a fence between two dissimilar uses.

Attorney Dickey said once you approve the preliminary plans the owner will have a vested right. Mrs. Kelly said the preliminary is just to work out concerns council has.

Councilmember Scott said we need to have the issues addressed tonight for them to come back with the concerns met.

After further discussion Councilmember Daniel withdrew her motion and Councilmember Scott withdrew the second. A motion was made to table the item.

Motion to table: Councilmember Dasher  
Second: Councilmember Scott  
Vote by Council: Unanimous

**2. Retail Strategies, LLC requests payment in the amount of \$25,000 for second year of contract. LI# 10.4101.2231 (Tabled at the 9/12/2016 meeting)**

This item will remain on the table.

**New Business:**

**1. Silverwood Plantation resident, Joseph Botte would like to appear before Council to discuss a water bill.**

No action Mr. Botte was not present.

**2. Compassion Christian (formerly Savannah Christian Church) has requested to appear before Council to discuss the annual Country Carnival.**

Pastors Bill Whitaker, with Compassion Christian Church, Andy Lamon, with Gateway Community Church and Gary Lewis, with Rincon First Baptist Church addressed Council. Along with these churches and Pinero Baptist Church, they would like to have a Country Carnival at Freedom Park and would like Council to waive some of the fees or partner with them and waive all of the fees. This will be a free event with food, inflatables, a petting zoo and a hay maze. Two years ago they put on an event and spent \$9000, this year they have a budget of \$12,000. Mrs. Kelly asked what kind of food; Pastor Lamon said the school band will sell hot dogs and hamburgers. Mrs. Kelly said they will need a waiver from council for the health department. They would like to have something like the Oktober Fest with the churches united together. Councilmember Ricker asked if we could approve this item with the condition that they meet with staff. A motion was made to approve the waiver of rental fees, special events permit fee and provide a health department letter, with the condition that they meet with staff.

Motion to approve: Councilmember Scott

Second: Councilmember Daniel

Vote by Council: Unanimous

**3. Florence Childs requests approval to subdivide an one acre parcel from a 7.5 acre tract located on Blandford Road. Property is zoned R-4 (Single family residential). Map# R2130050A01**

Mrs. Childs said she is trying to sell her property and has a buyer for one acre. There was discussion of the ordinance and how it reads; there is a one year waiting period to subdivide another portion of the property.

Motion to approve: Councilmember Scott

Second: Councilmember Browher

Vote by Council: Unanimous

**4. Budget Amendment 2016-10 to transfer monies from the utility funds to the general funds for utility lines extensions on Fort Howard Road.**

Mrs. Kelly informed Council this is an unbudgeted project. They need to remove the funds from the utilities funds as outlined. This is the original budget for this project and does not include any change orders.

Motion to approve: Councilmember Wendelken  
Second: Councilmember Scott  
Vote by Council: Unanimous

**5. EMC Engineering recommends awarding the Fort Howard Utilities Extension contract to Y-Delta, Inc. in the amount of \$1,325,933.49. LI #10.4430.4414**

Alec Metzger said there were two bidders for the project. He recommends Y-Delta; they have done a good job on the 9<sup>th</sup> Street project.

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

**6. Budget Amendment 2016-11 to increase chemicals and contractual services for the WWTP.**

This budget amendment is to move monies from new construction debt to contractual services and chemicals. Tommy Kee told Council the overall budget will not be affected. Councilmember Ricker asked why he thinks we will be over budget on chemicals and contractual services, Mr. Kee said they are both impacted by the MBR. Contractual services, Test America cost and the hauling cost use up most of the budget. When he got here, the chemical usage was not recorded but since he has been here he has been recording the chemicals. They do chemical drawdowns every morning. They have come down on chemical use, went from two totes a week to two totes a month.

Councilmember Wendelken asked are we hurting ourselves by moving monies from new construction, Mrs. Kelly said no.

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

**7. P. C. Simonton requests approval of Pay Request #8 in the amount of \$920.00, for engineering services associated with the WWTP Headworks replacement. LI# 50.7280.4411**

Mrs. Kelly said the project is proceeding. She also told Council we have been approved for the GEFA loan, and the documents for signatures will be presented at the next meeting.

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

**8. Update from HHNT on Lower Floridan Well and Elevated Storage Tank.**

No action taken.

**9. Ricketson Construction requests approval of Final Change Order in the amount of a \$537.50 deduct, for a total contract cost of \$108,712.50. LI #10.4430.4415 and 10.4430.4410**

Mr. Metzger told Council Ricketson Construction is finished the Richland Avenue drainage work. There was a deduction for materials that were not used.

Motion to approve: Councilmember Dasher

Second: Councilmember Scott

Vote by Council: 5 yes votes, Councilmember Wendelken abstained

**10. Ricketson Construction requests approval of Final Pay Request and Release of Retainage in the amount of \$20,681.25, for work completed to the Richland Avenue Drainage project. LI #10.4430.4415 and 10.4430.4410**

Motion to approve: Councilmember Daniel

Second: Councilmember Scott

Vote by Council: 5 yes votes, Councilmember Wendelken abstained

**11. Ricketson Construction requests approval to begin one year maintenance and warranty period for work completed on Richland Avenue Drainage project.**

Motion to approve: Councilmember Scott

Second: Councilmember Dasher

Vote by Council: 5 yes votes, Councilmember Wendelken abstained

**11A. Southern Splendor Fence submits a pay request in the amount of \$23,325 for the materials and installation of a fence at Freedom Park. LI# 20.4650.4415**

Tim Bowles said the fence was finished and the site was cleaned of all materials.

Motion to approve: Councilmember Browher

Second: Councilmember Ricker

Vote by Council: Unanimous

**11B. Request to accept the following utility easements on properties located on West 9<sup>th</sup> Street:**

- **.50 acre owned by Mark D. Olson and Sandra Olson, located at 301 West 9<sup>th</sup> Street (Map# R204-0035);**
- **.046 acre owned by Katie L. Mauro, located at 505 West 9<sup>th</sup> Street (Map# R204-0053);**
- **.023 acre owned by Carol Lee Strickland, located at 203 West 9<sup>th</sup> Street (Map# R204-0032A);**
- **.0333 acre owned by Arthur Sheffield, located at 407 West 9<sup>th</sup> Street (Map# R204-0038);**
- **.033 acre owned by Jeremy A. Sullivan, located at 405 West 9<sup>th</sup> Street (Map# R204-0037);**

- **.033 acre owned by Melody Moore, located at 503 West 9<sup>th</sup> Street (Map# R204-0052);**
- **.033 acre owned by Beth Lathem Pye, located at 501 West 9<sup>th</sup> Street (Map# R204-0051);**
- **.035 acre owned by Lee Von Hampton, located at 403 West 9<sup>th</sup> Street (Map# R204-0036); and**
- **.045 acre owned by Lera Worrell, located at 205 West 9<sup>th</sup> Street (Map# R204-0032).**

Motion to approve: Councilmember Wendelken

Second: Councilmember Scott

Vote by Council: Unanimous

## **12. Administrative Reports:**

**City Engineer** – Alec Metzger informed Council Richland Avenue is completed; the crew has mobilized for the 9<sup>th</sup> Street water line extension project; he has met on site with the inspectors, GDOT and engineers about the Kroger median issues, they are getting an estimate on the cost to fix and a time frame; for the 2016 LMIG project the roads are milled and good material is being put back; the sidewalk extension plans have been sent to GDOT for review; and he will get the sewer extension contract back to the City to sign this week.

**Fire Department** - No written report.

**Building/Zoning Dept.** – LaMeisha Kelly reminded Council about the workshop on tomorrow and wanted to know if they can have a workshop Monday Oct 3 @ 6:30pm. A workshop was scheduled.

**Water/Sewer/Public Works** – Tim Bowles informed Council he has received the permit for lower Floridan well; also clean up for the Oktober Fest was pretty good.

**Wastewater** – No written report.

**Mayor and Council** – Councilmember Scott said the Historical Society contacted him, they are in the process of relocating the post office, and they have found a wall with some mailboxes in Stillwell. They will be moving the post office in a couple of weeks. Councilmember Daniel gave an update on Tyler Technologies software, there is a new price sheet, and it has been adjusted because the Police Department has already paid for some of the modules.

Councilmember Browner asked about the lights above council being fixed. Mrs. Kelly said she would let Chief Scholl know.

## **13. Executive session to discuss personnel, pending litigation, attorney client privilege, and real estate.**

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

Motion to return to meeting: Councilmember Ricker  
Second: Councilmember Browher  
Vote by Council: Unanimous

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

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

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

No action taken.

**Adjourn:**

Motion to adjourn: Councilmember Scott  
Second: Councilmember Browher  
Vote by Council: Unanimous