

**OFFICIAL MINUTES
RINCON CITY COUNCIL
CALLED MEETING
MONDAY, OCTOBER 17, 2016
COUNCIL CHAMBERS
107 W. 17TH STREET
7:00 PM**

Councilmembers Present:

Paul Wendelken
Reese Browher
James Dasher
Christi Ricker
Ann Daniel

Councilmember Absent:

Levi Scott, Jr.

Present:

Ken Lee, Mayor
W.E. Smith, Jr., City Manager
Raymond Dickey, City Attorney
Dulcia King, City Clerk
Tim Bowles, Public Works Director
LaMeisha Kelly, City Planner
Corey Rahn, Fire Chief – 8:38 PM

The meeting was called to order at 7:02 PM. The Invocation was given and the Pledge to the flag was recited.

Approval of the agenda with the addition of new business item 8A; Request for acceptance of annexation petition from Bank of America for 1.60 acre parcel located at 157 Ackerman Road. (Map #04630006):

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

Mayor Lee introduced Wes Smith as the new City Manager.

Approval of the September 6, 2016 minutes:

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

Approval of the September 26, 2016 minutes:

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

Approval of the October 3, 2016 minutes:

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

Approval of the October 10, 2016 Public Hearing minutes:

Item tabled. There should be two sets of minutes one will be for the Public Hearing notes. Councilmember Browher stated it is common practice to abstain when you are not at a previous meeting, he asked Attorney Dickey to find out if this is how it should be done.

Motion to table: Councilmember Ricker
Second: Councilmember Daniel
Vote: 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 9/26/2016 meeting)

Vote to remove from table: Councilmember Ricker
Second: Councilmember Dasher
Vote by Council: Unanimous

Councilmember Daniel said because of the hurricane Mrs. Kelly was not able to talk to the developer. Councilmember Wendelken said Mrs. Kelly did not get much clarification from Council on what they wanted to see, he said Councilmember Browher wanted to see a fence placed on the property, and he wants vegetation in that buffer. Mrs. Kelly said Council definitely can require that; thickening up the buffer, discussing the fence and addressing the trees that were cut down on the golf course.

Table until November 14th meeting: Councilmember Ricker
Second: Councilmember Daniel
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)

Vote to remove from table: Councilmember Dasher
Second: Councilmember Ricker
Vote by Council: Unanimous

Mrs. Kelly said Council had the workshop and received the update. Retail Strategies gave a report that they have addressed everything in the contract, but communication was lacking. Councilmember Browher asked what if we decide we want to move on; Attorney Dickey said it will require a 60 day notice. He also said Council would need to make a decision on whether you want to renew by December.

Motion to approve: councilmember Wendelken
Second: Councilmember Daniel
Vote by Council: Unanimous

New Business:

1. Compassion Christian request a Health Department Waiver Letter for the Country Carnival to be held at Freedom Park on October 30, 2016 from 5:00 PM to 7:00 PM.

Councilmember Ricker said we need to change the time on the Health Department waiver letter to all day. Mrs. Kelly informed Council of the charges for the event, a half a day, lights, utilities, and the fees for two officers will be \$2,045.00. Council agreed to waive everything except security and water. Councilmember Wendelken suggested metering the water. The site will be cleaned up after the event, trash cans will be provided by Public Works. A motion was made to charge for security and water and to remove the time constraints from the letter.

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

2. RHTC, LLC for a code violation to the Nuisance Ordinance; property located on Smithfield Drive.

Mrs. Kelly said staff has sent out two certified letters and the property still has not been cleaned up. Councilmember Dasher said he has cleaned up around the dumpster. A motion was made to give a 10 day notice to the property owner to clean the property and remove the dumpster or the violation will go to municipal court.

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

3. First Reading on a petition that has been filed for Zoning Map Amendments for:

- (1) 1.6 acres located at 139 Ackerman Rd from AR-1 to R-4; property is owned by Willard J. Arnsdorff;**
- (2) 10.68 acres located on 0 Fort Howard Rd from R-1 to R-4; property is owned by Effingham County BOE;**
- (3) 29.23 acres located on 0 Fort Howard Rd from R-1 to R4; property is owned by Effingham County BOE;**
- (4) 1.6 acres located at 275 Ackerman Rd from AR-1 to R4; property is owned by Steve & Joyce Cross;**
- (5) 1.25 acres located on 0 Ackerman Rd from AR-1 to R-4; property is owned by Steven Louis Arnsdorff;**
- (6) 1.54 acres located on Ackerman Rd from AR-1 to R-4; property is owned by Steven Louis Arnsdorff;**
- (7) 1.39 acres located at 301 Ackerman Rd from AR-1 to R-4; property is owned by David & Catherine Proctor; and**

(8) 6.61 acres located at 0 Ackerman Rd from AR-1 to R-4; property is owned by Mary MacDonald.

Attorney Dickey informed Council that only one resident came to the podium during the public hearing and he wanted to know was the zoning the same and he was fine if it was staying the same.

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

4. Vote on a petition filed by Lillie Smart requesting a Conditional Use Permit to place a manufactured home on the property of 7.5 acres located at Blandford Road (actual property owner is Florence Childs). The property is zoned R4 (single family residential). Map #R2130050A01

A manufactured home will be placed on the one acre. The adjacent home owners were concerned about a mobile home park going on the property. Mrs. Kelly said the county has told us when it is blocked in it will be accessed as a residential home. Ms. Lillie Smart told Council she is now living in Carlisle Village and has been here for three years and wants to put a manufactured home on the, it will be brand new and face 9th Street. She also stated there are several mobile homes on that street. Councilmember Daniel asked if the manufactured home will be on a slab or piers, Mrs. Kelly said they usually use blocks. She said that the building and zoning department works with the mobile home movers and the owner will have to get a certificate of occupancy. Councilmember Daniel confirmed it is just a conditional use on the one acre. Councilmember Browner asked how many questions were there at the public hearing, Mrs. Kelly said three people spoke; it seemed that all their questions were answered.

Motion to approve conditional use on the one subdivided acre: Councilmember Dasher
Second: Councilmember Browner
Vote by Council: 4 yes votes, Councilmember Wendelken abstained

5. P. C. Simonton requests approval of Pay Request #9 in the amount of \$1,820.00, for engineering services associated with the WWTP Headworks replacement. LI# 50.7280.4411

Mrs. Kelly informed Council the work is moving forward and the GEFA loan documents should be on the next agenda.

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

6. R. B. Baker Construction requests payment of Pay Request #4 in the amount of \$602,876.91 and Pay Request #5 in the amount of \$20,591.29, for Hwy 21 ROW Improvements. LI# 70.4430.4412

Alec Metzger, EMC, told Council he has reviewed, looked at the work and recommends approval.

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

7. R.B. Baker Construction requests approval of Change Order #5 in the amount of a \$71,852.81 increase, for a total contract cost of \$2,085,053.00. LI# 70.4430.4412

Mr. Metzger said this change order is for the reconstruction of the median on Hwy 21 in front of Kroger. The project should be completed mid- November o6t the end of November. Councilmember Ricker asked about junction box, she had concerns about the lights syncing, they will not move the junction box. Councilmember Wendelken asked where does this leave us with the Kroger money, Mrs. Kelly said we are still using EIP grant money. Councilmember Dasher asked about turn stripping from Prosperity drive onto Hwy 21; that will be done in-house by Public Works.

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

8. R.B. Baker Construction requests approval of Change Order #6 in the amount of a \$20,184.37 (city funded) increase, for a total contract cost of \$2,156,905.81. LI# 70.4430.4412

Mr. Metzger said this change order will consist of a storm drainage manhole at Fort Howard and Hwy 21. Mrs. Kelly said we will actually pay for this and the drain box is in the budget. Councilmember Dasher asked about the traffic control item in the contract, Mr. Metzger said there probably is going to be traffic control with this company.

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

8A. Request for acceptance of annexation petition from Bank of America for 1.60 acre parcel located at 157 Ackerman Road. (Map #04630006)

Mrs. Kelly informed Council that this property is now owned by Bank of America and we are close to getting three more properties in the area.

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

9. Administrative Reports:

City Manager - Wes Smith told Council he is spending a lot of time working on the water bills issue. He has also spent time with finance, golf and WWTP and would like the department heads to spend time with him to discuss the budget before it gets to Council. Councilmember Browher asked about the status of the new software, Mr. Smith said Linda Rahn, finance officer is looking into more possibilities. Councilmember Daniel said one problem that was identified, is the ladies in the water department did not understand the

system and they need training; she said we also may need a new server. Mrs. Kelly said Ernie with EmGov, will start webinars next week. Mrs. Kelly said Paul, with Delta Municipal Supply put everything in perspective, when he explained how the systems work together. He will be back on November 1st to train. Mrs. Kelly said Linda Rahn and Fran Harbin are doing adjustments for over 500 accounts.

City Engineer – Alec Metzger said the 9th Street water extension main has been installed past Byrd Street; the LMIG Road paving striping has been complete, they are working on grading the shoulder and grassing; Fort Howard water and sewer extension plans have been revised, he has given them to the contractor, and should be presenting an official change order soon. Councilmember Ricker asked about the Richland Avenue project; Mr. Bowles and Mrs. Kelly gave an update.

Building/Zoning Dept. – Mrs. Kelly asked about a workshop for Thursday to discuss expenses for the budget. A workshop was planned for 6:30 PM.

Water/Sewer/Public Works – Mr. Bowles stated he did not have a written report, they are doing storm clean up at this time. Mayor Lee asked if there is anything we should do to speed up the process; Mr. Bowles said the inmates are working on chipping the trees and that helps. Councilmember Wendelken said we need a debriefing on what went right or wrong. Mrs. Kelly recommended Council have radios to communicate, since communication was a big issue. She said there needs to be a debriefing with the County also. Councilmember Wendelken said debriefing needs to be set up during a workshop.

Mayor and Council – Councilmember Daniel mentioned the open HR position. Councilmember Browher said we need to think about what we really want and fill the position first of the year.

Councilmember Browher mentioned there was no cancellation policy for the Lions Club and he would like for us to look at having a policy. He heard someone reserved the Lions Club prior to the hurricane and there was no electricity and they could not get their money back. Mayor Lee said it would be reasonable to give them an adjustment.

Councilmember Browher mentioned badges to get back into the City after a storm. Attorney Dickey stated he is living proof of this, if he did not have a critical workforce badge they would not let you back in.

Councilmember Browher appreciated public works for taking care of a busted meter at 304 W 6th Street.

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

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

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

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

Motion to approve: Councilmember Ricker

Second: Councilmember Dasher

Vote by Council: Unanimous

12. 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