

**OFFICIAL MINUTES  
RINCON CITY COUNCIL  
CALLED MEETING  
MONDAY, DECEMBER 5, 2016  
COUNCIL CHAMBERS  
107 W. 17<sup>TH</sup> STREET  
7:00 PM**

**Councilmembers Present:**

Reese Browher  
Paul Wendelken  
Levi Scott, Jr.  
Christi Ricker

**Councilmembers Absent:**

James Dasher  
Ann Daniel

**Present:**

Ken Lee, Mayor  
W.E. Smith, Jr., City Manager  
Raymond Dickey, City Attorney  
Dulcia King, City Clerk  
LaMeisha Kelly, City Planner  
Corey Rahn, Fire Chief

The meeting was called to order at 7:05 PM. The Invocation was given by Councilmember Ricker and the Pledge to the Flag was recited.

**Approval of the agenda with the addition of new business item 4A:**

Request by Lynn Childress for special events permit for the Lost Plantation Golf Cart Christmas parade held at Lost Plantation Subdivision.

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

**Annexations:**

**Second Reading of a petition to annex a 1.6 acre parcel located at 157 Ackerman Road; the property is owned by Bank of America. (Map #04630006)**

Mrs. Kelly said this was the one property in that area that was left to annex.

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

**Second Reading of a petition to annex a 1.2 acre parcel located at 5799 Hwy 21 S; the property is owned by Ameris Bank. (Map #0465A002)**

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

**Public Hearings:**

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

**Public hearing # 1:**

**Public Hearing on a petition filed for a Zoning Map Amendment to rezone a 1.6 acre parcel located at 157 Ackerman Road from AR1 – Single Family Residential to R-4 (Single Family Residential). The property is owned by Bank of America. (Map #04630006)**

Open public hearing: 7:10 PM  
Close public hearing: 7:10 PM

*Turn the meeting back over to Mayor Lee.*

**First Reading on a petition filed for a Zoning Map Amendment to rezone a 1.6 acre parcel located at 157 Ackerman Road from AR1 – Single Family Residential to R-4 (Single Family Residential). The property is owned by Bank of America. (Map #04630006)**

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

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

**Public hearing # 2:**

**Public Hearing on a petition filed for a Zoning Map Amendment to rezone a 1.2 acre parcel located at 5799 Hwy 21 S from C3 – Commercial to GC – General Commercial. The property is owned by Ameris Bank. (Map #0465A002)**

Open public hearing: 7:11 PM  
Close public hearing: 7:12 PM

*Turn the meeting back over to Mayor Lee.*

**First Reading on a petition filed for a Zoning Map Amendment to rezone a 1.2 acre parcel located at 5799 Hwy 21 S from C3 – Commercial to GC – General Commercial. The property is owned by Ameris Bank. (Map #0465A002)**

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

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

**Public hearing # 3:**

**Public Hearing on a request by Mark Minter to approve a Conditional Use Permit to place a manufactured home on a 3.2 acre lot located on Middleground Road; the property is owned by Mark and Trina Minter. Property is zoned R-4 (Single Family Residential). Map #R202-1A**

Open public hearing: 7:13 PM

Public input: Mr. Minter said he is gifting the property to his mother-in-law. He is the current owner, but his mother-in-law will put the mobile home on the property and she will have her own title to the property. Mrs. Kelly said the conditional use goes with the land, not the owner. Mr. Minter said he just wanted the city to understand that she will have sole ownership. Attorney Dickey told Mr. Minter if he wanted it done now it will be in his name and asked if Mr. Minter would be alright with that, he said yes.

Mr. Minter asked about the sewer and wanted to know if he even needed to ask about tying in to the city lines yet.

Mrs. Brandenburg, Hardy Road wanted to know if there was a zoning meeting, Mrs. Kelly said there was a subdivision of the property and that did not require a public hearing. Mrs. Brandenburg said she was not enthused to have another trailer in the neighborhood and feels it will devalue her home, she does not want a trailer park, and does not want to open the door to more trailers. Attorney Dickey stated this is one parcel, which they subdivided. Mr. Minter pointed out where they wanted to put the mobile home and said Hardy Road is on the other side of the trees, this will be far from Hardy Road. He said there are trailers already on Middleground Road.

Trina Minter, spoke and said you will not see the trailer. It will be a double wide mobile home surrounded by trees.

Close public hearing: 7:31 PM

*Turn the meeting back over to Mayor Lee.*

**Vote on a request by Mark Minter to approve a Conditional Use Permit to place a manufactured home on a 3.2 acre lot located on Middleground Road; the property is owned by Mark and Trina Minter. Property is zoned R-4 (Single Family Residential). Map# R202-1A**

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

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

**Public hearing # 4:**

**Public Hearing to discuss alcohol regulations of Sunday package beer and wine sales.**

Open public hearing: 7:33 PM

Public input: Attorney Dickey said the City held a referendum in November that passed; this will allow convenience stores and grocery stores to sell package beer and wine on Sunday from 12:30 PM to 11:30 PM. He informed Council they can be more restrictive with the ordinance.

Close public hearing: 7:34 PM

*Turn the meeting back over to Mayor Lee.*

**First reading of the alcohol regulations of Sunday package beer and wine sales.**

Attorney Dickey said this is consistent with the state law and the voters of the city voted for 12:30 PM – 11:30 PM timeframe. Mrs. Kelly did remind Council there is no selling of alcohol on Christmas Day.

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

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

**Public hearing # 5:**

**Public Hearing to discuss the proposed FY 2017 City of Rincon Budget.**

Open public hearing: 7:37 PM

Public input: Mr. Smith discussed the budget. \$870,000 will need to come out reserves. Councilmember Ricker asked Attorney Dickey did he see anything wrong with the transfer of monies between the accounts, Attorney Dickey said no.

Close public hearing: 7:41

*Turn the meeting back over to Mayor Lee.*

## **First reading of the proposed FY 2017 City of Rincon Budget.**

Motion to approve: Councilmember Scott

Second: Councilmember Browher

Vote by Council: Unanimous

Before the vote Councilmember Browher wanted to go on record to say there will be zero millage rate, no property taxes.

### **Old Business:**

#### **1. Request for an alcohol license to be purchased for Lost Plantation Golf Club for the year of 2017. (Tabled at 11/28/2016 meeting)**

Motion to remove from table: Councilmember Ricker

Second: Councilmember Scott

Vote by Council: Unanimous

Attorney Dickey said prior to 2011 municipalities only allowed beer and wine sales; the City obtained the golf course in 2007. 2011 it was changed but you have to meet all requirements for food sales, we fit within those regulations. Mr. Smith said he is in complete support. Mrs. Kelly said the golf course will be audited to make sure they are in compliance. A motion was made to approve the purchase of an alcohol license for Lost Plantation Golf Course.

Motion to approve: Councilmember Wendelken

Second: Councilmember Scott

Both motions were amended to state the license will be in the name of Josh Williams.

Vote by Council: Unanimous

#### **2. Second 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.**

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

**New Business:**

**1. Discussion of Retail Strategies Contract.**

Mr. Smith said we need to give them 90's day notice to cancel the contract. Mayor Lee said he doesn't think anyone has been happy with this arrangement. A motion was made to end the contract with Retail Strategies.

Motion to approve: Councilmember Browher  
Second: Councilmember Ricker

Councilmember Wendelken asked was the \$25,000 included in the budget, Mr. Smith said yes. Councilmember Browher said he thinks they all loved the idea but didn't like the results. Attorney Dickey asked if Council wanted to terminate the contract, or do they think the amount was way too much for the service, because Council could renegotiate the amount; Council said they didn't see any results.

Vote by Council: Unanimous

**2. Recommendation to award contract for Fire Department RFP for 20 Carbon Cylinders. LI #20.4750.4411**

Chief Rahn said they advertised and only had one bid, typically they have three or four companies bid. The price is comparative. A motion was made to award the contract to Hydro Stat Inc., in the amount of \$10,900.00

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

**3. Recommendation to award contract for Fire Department RFP for Two Rescue Trucks. LI #60.4750.4416**

Palmetto Fire has two used trucks and they have come in under budget. One will be budgeted for the year 2016 and the other for 2017 budget year. They will replace Engine 10 and Rescue 1. Mayor Lee asked will Palmetto Fire sell the one we are getting rid of, Chief Rahn said yes. He can likely get \$85,000 for Engine 10 and Rescue 1 will be a fair ground auction. A motion was made to award the contract to Palmetto Fire in the amount of \$170,000.00.

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

**4. Recommendation to award contract for Fire Department RFP for a new AC Unit at Station #1. LI #60.4750.2235**

This was a budgeted item for this year. The compressor has already been replaced. He has spent \$1800 in 2015 and \$1200 in 2016 on this unit. Councilmember Browher he has used them personally and they are really good. Chief Rahn said they are local, do a lot of government work on Fort Stewart. A motion was made to award the contract to Southcoast Heating and Air in the amount of \$8400.00.

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

**4A. Request by Lynn Childress for special events permit for the Lost Plantation Golf Cart Christmas parade held at Lost Plantation Subdivision.**

Mr. Childress thanked Council for allowing him to be here. He said the cost is \$20 per cart to be in the parade and monies go to a local family with cancer. He would like a police escort it will take 45 minutes from start to finish. A motion was made to approve the request.

Motion to approve: Councilmember Ricker  
Second: Councilmember Browher  
Both motions were amended to include waiving the permit fee and officer fee.  
Vote by Council: Unanimous

**5. Administrative Reports:**

**City Manager** – Mr. Smith told Council he went to a GMA class for City Manager's today and there are a lot of assets on the GMA website, he will be looking into these. Someone has looked at the Williams St house three times; he is going to Pooler to look at the utilities and accounting modules of the Tyler technologies software.

**Fire Department** - No written report.

**Building/Zoning Dept.** – Mrs. Kelly said she met with FEMA today; the business license renewals went out today; and she asked for Council's verbal to do a change order for the 9<sup>th</sup> Street project to keep the project moving. The change order is to put in two meters, and fix where driveways were cut too thin, it is in the budget. Council verbally approved the change order; Mrs. Kelly said it will be on the next agenda. Mayor Lee asked about the FEMA cleanup, he said the grabber is picking up and leaving a lot of small debris, it is not a complete job. Mr. Bowles said he can pick up the do the small debris. Mrs. Kelly said SDR did not follow protocol, they started working and did not have the monitoring services with

them, FEMA will not pay. Staff will make sure all debris is picked up. Mrs. Kelly also reminded Council about the Mayor's Motorcade.

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

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

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

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

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

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

No action taken.

**Adjourn:**

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