

**CITY OF RINCON
OFFICIAL MINUTES
RINCON CITY COUNCIL MEETING
MONDAY, JUNE 12, 2017
COUNCIL CHAMBERS
107 W. 17TH STREET
7:00 PM**

Councilmembers Present:

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

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
Police Chief, Phillip Scholl
Fire Chief, Corey Rahn

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

Approval of the agenda:

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

Approval of the May 22, 2017 minutes with the following corrections:

Under administrative reports, Mayor and Council mean time was spelled incorrectly. A motion was made by Councilmember Browher to approve, seconded by Council Daniel. Both motions were amended to include the correction of the misspelled word re-graded, also under administrative reports, Mayor and Council.

Motion to approve: Councilmember Browher
Second: Councilmember Daniel
Vote by Council: 4 yes votes, Councilmembers Dasher and Scott abstained

Approval of the June 6, 2017 minutes:

Motion to approve: Councilmember Scott

Second: Councilmember Ricker

Vote by Council: 4 yes votes, Councilmembers Browher and Dasher abstained

Old Business:

1. Recommendation for revision to Wrecker Contract. (Tabled at March 27, 2017 meeting)

Item will remain on table.

New Business:

1. Ernest Communities, LLC requests approval of a Master Plan Revision for Williamsburg Townhomes. The property is located on Fort Howard Road. The property is zoned MXU owned by Ernest Communities, LLC. (Map# R2440001C)

Councilmember Browher lives in Williamsburg Subdivision and recused himself as a member of Council for this agenda item.

Phillip McCorkle with McCorkle and Johnson, LLP submitted documentation to Council, he said this was information that Council has already seen. Attorney McCorkle said he doesn't believe they are required to have the master plan approved. The documentation presented to Council by Attorney McCorkle included the site plan and land development application; Attorney McCorkle said if the application is not approved he will have to go to Superior Court for a land development permit. As Attorney McCorkle was speaking, Attorney Dickey informed him that there are additional attachments for the minutes kept in another file and he did not request those documents in his open records request. Attorney McCorkle said the Zoning Ordinance is defected. If they have to go to court they will asked for attorney fees.

Tom Mazurski said he doesn't think this should go forward without zoning. Anybody will do whatever they want; he wants Council and the attorney to look at this. Councilmember Daniel did inform Mr. Mazurski that we do have a Zoning Ordinance.

Ken Boyd said he is confused by what Council does and what the Planning and Zoning Board does. Mrs. Kelly explained that Planning and Zoning is a recommending body, items go before the Planning and Zoning Board first and then goes to City Council for decision.

John Visley, said there are wetlands behind his house and they always hold water. Mrs. Kelly said wetlands are approved by the Army Corp on Engineers.

Doc Pahls, asked, has this plan met all the criteria of the ordinance. Mrs. Kelly said it has not been reviewed for that, this is a master plan revision.

Councilmember Daniel asked Attorney McCorkle if he was here for a land development permit, because the agenda item did not say that. Mrs. Kelly said the ordinance says anytime a plan is revised it has to go before Council. Attorney McCorkle said he does not think Council has the authority under the ordinance to approve the master plan. Councilmember Wendelken asked Attorney McCorkle if his theory is that the ordinance is not valid.

Kirby Ratner asked to see the master plan revision; Mrs. Kelly put it on the overhead. Tracts one and two show townhomes as opposed to office professional.

Scott Bass, made a comment that the property that backed up to his house was office professional, how did it become mixed use. Mrs. Kelly said it has always been mixed use.

Kirby Ratner, said she is concerned with congestion, and believes more homes will add more congestion. Mayor Lee said that is something they are considering.

Ken Boyd, said by seeing the pictures he understands the gravity, he sees now they are back to using their one entrance, Mayor Lee said they did request a separate entrance for the townhomes.

Ms. Ratner said pedestrian traffic is also very heavy.

Kelly Neffendorf, spoke on behalf of the original home owners and stated the 72 original homeowners were told it would be a professional development.

Kimberly Rogers, said cars will be in and out of the subdivision and she has a young son, she thinks this is a bad idea.

Attorney Dickey said this was brought before Council because it will increase the density. Attorney McCorkle is not here to request a master plan revision he wants a land development permit, which will give them the authority to move ahead with this project. Attorney Dickey's recommendation is to take action on his permit. Councilmember Wendelken asked if we approve the land development permit how far can they go, Attorney Dickey said all the way.

Motion to deny the land development permit because the master plan has not been approved: Councilmember Scott
Second: Councilmember Wendelken
Vote by Council: Unanimous

**2. P. C. Simonton requests approval of Pay Request #17 in the amount of \$3,400.00, for engineering services associated with the WWTP Headworks replacement.
LI# 50.7280.4411**

Mrs. Kelly said Marcus Sack had an emergency and could not be here. He would like to table this request.

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

3. PINCO requests approval of Pay Request #1 in the amount of \$13,590.00, for Lower Floridan Wellhouse and Main project. LI# 40.6260.4418

Brant Lange was present. He said PINCO has been slowed down because of the last rain, but they are making progress.

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

4. PINCO requests approval of Pay Request #2 in the amount of \$36,458.10, for Lower Floridan Wellhouse and Main project. LI# 40.6260.4418

Motion to approve: Councilmember Daniel
Second: Councilmember Scott

Mr. Lange said this is for the earth work; they have removed all of the bad material. Councilmember Browher asked how the budget looked. Mrs. Kelly said we are under budget; the timeline to complete the project is October.

Vote by Council: Unanimous

5. HHNT Consulting Engineers requests approval of pay request #11 in the amount of \$3,998.75, for engineering services associated with the Lower Floridan Well project. LI# 40.6260.4418

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

6. Whitaker Laboratory, Inc. requests approval of pay request #1 in the amount of \$5,150.00, for environmental testing associated with the Lower Floridan Well project. LI# 40.6260.4418

Brant Lange said this is for geotechnical testing. Councilmember Daniel asked do they continue to test as the project goes on. Mr. Lange said yes, but it will slow down.

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

7. Y-Delta, Inc. requests approval of Pay Request #5 in the amount of \$254,895.47, for work completed on the Fort Howard Road Utility Extension project. LI# 40.6260.4422 and 50.7270.4410

Alec Metzger said this is for work completed in April and May on the gravity sewer main and manholes. They have extended the lines under Old Augusta Road and are 60% complete.

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

8. Request approval to purchase 30 grinder pumps from Grainger in the amount of \$23,807.40. LI# 50.7270.4405

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

9. Request to award a contract for the purchase of turn out gear for the Fire Department to Municipal Emergency Services in the amount of \$32,536.00. LI# 60.4750.4425 and #60.4750.4414

Chief Rahn said they had a three year contract but it expired, so the contract had to re-bid. This is the company and same turn out gear that they have been buying. The gear will last around three to five years for active firefighter and around ten years for volunteers.

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

10. Request approval to pay Worker's Compensation Final Premium in the amount of \$11,907.00.

Mr. Smith said he is not sure if approval is needed, but because of the cost wanted to come before Council. Once the audit was done the final premium was given according to the previous year wages not the initial estimate. Mr. Smith said he believes this is all correct and true, this is a new one for him and he believes the company let us down.

Motion to approve: Councilmember Scott
Second: Councilmember Ricker

Mr. Smith said he would like to have a workshop to discuss worker's compensation, the financial report, and the golf course rental storage area. Councilmember Scott said we need to have a written policy and procedure for worker's compensation

Vote by Council: Unanimous

11. Approval of the reappointment of Mr. Herb Jones to serve as the non-public representative of Effingham County and the cities of Guyton, Rincon and Springfield for the Coastal Regional Commission Council.

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

12. Administrative Reports:

City Manager – Mr. Smith said he would like to have a workshop. He talked to Chairman Corbitt, with the County about changes in the fire budget, and went over it with Linda to forward it to the County. Chairman Corbitt had questions on how the monies were divided between station four and other stations. Mr. Smith said the current payment will not change for station four; we have to submit to the County the budget for a review. Mrs. Kelly said she had assisted with service delivery and would like to sit down when it is discussed. There are nine bank accounts that need to be closed and the monies need to be moved to Ameris Bank, the Mayor and Councilmember Scott would need to assist with the signatures. Mr. Smith would like to bid out insurance companies so we can be ready to renew in January. Councilmember Browher asked about the type of insurance needed for the Lost Plantation storage area and wanted to make sure we would have adequate coverage. Councilmember Wendelken asked about the gallons of reuse water, Mr. Smith said it was correct, Councilmember Wendelken said that was a lot of water.

City Engineer – Mr. Metzger said they have done the surveying for the Laurenwood drainage issue, the preliminary plans have been sent to contractors for quotes. He can bring the final plats tomorrow and have a pre-bid Wednesday for contractors to look at the site. Mayor Lee asked did they find any surprises, Mr. Metzger said a ditch needs be cleaned out and deepened to let the water drain out. Councilmember Browher thanked Mr. Bowles, Mrs. Kelly, Attorney Dickey and Mr. Metzger for getting the ball rolling on this project.

Chief of Police – Chief Scholl informed Council that the exit lights in Council Chambers have been fixed. He said Sergeant Senna was four years old when we got her; she is now seven and showing signs of age. Corporal Giaquinto said they noticed she was limping, and having lower lumbar problems. She has a year left before she would have retire; Chief Scholl said he is expecting 10 months. The program used to acquire Sgt. Senna has a six month waiting list; he is coming to Council to ask if they can start searching for a new canine. Chief Scholl mentioned other Counties use our dogs. Mayor Lee asked if it could be budget in the next year. Chief Scholl we could find a way to do it without spending money until 2018. Attorney Dickey said the Williams Street house sale money could go towards the dog, Chief Scholl said they are also looking to surplus hard property. The breed they are researching is a Hanover Hound, which looks like a cross between a dachshund and a blood hound; they are not trained to bite. The new canine will have a warranty. Also Chief Scholl would recommend retiring Sgt. Senna to her handler.

Fire Department – Councilmember Scott wanted to know how many additional calls we get from the County.

Building/Zoning Dept. – Mrs. Kelly said there is plenty of advertising for Freedom Rings.

Water/Sewer/Public Works – Councilmember Daniel asked what was being worked on Middleground Road. Mr. Bowles said a gas line was scratched. The guys were tapping into a mobile home on Middleground Road, the gas company marked a two inch line as a gas main, and they thought the four inch line was a sewer main but it was gas. They started the tap in and realized it was not sewer before they cut the line.

Mayor and Council – Councilmember Browher asked about Veterans’ Park space ship, Mr. Smith said that Mike Osborne said he was going to get a body shop to clean it up. Councilmember Browher also asked about Popeye’s, Mrs. Kelly said they are working on getting contractors. Councilmember Wendelken asked about the tree behind Mr. Delapenia’s house, Mr. Smith said three trees were removed. Councilmember Browher asked about the streets in Bent Tree, Attorney Dickey said they are doing title searches. Mayor Lee asked about the bathroom on the golf course, Mrs. Kelly said she had to pass that off, Seth Zeigler and Travis Grubbs will be working on that. Councilmember Ricker asked how many booths the City has at Freedom Rings; Mrs. Kelly said we only have a table. Councilmember Ricker suggested having one for recreation sign ups, since we are now adding another sport. Councilmember Browher asked about the library roof, Mrs. Kelly said it should be fixed by this weekend, the cost was \$24,000.00. Councilmember Daniel mentioned golf is pulling in some real good number right now.

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

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

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

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

No action taken. Councilmember Scott left at 9:35 PM.

Adjourn:

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