

CITY OF RINCON
OFFICIAL MINUTES
RINCON CITY COUNCIL MEETING
MONDAY, DECEMBER 11, 2017
COUNCIL CHAMBERS
107 W. 17TH STREET
7:00 PM

Councilmembers Present:

Reese Browher
Paul Wendelken
Levi Scott, Jr. – Arrived at 7:05 PM
James Dasher
Christi Ricker – Arrived at 7:05 PM
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 Director
Phillip Scholl, Police Chief
Corey Rahn, Fire Chief
Linda Rahn, Finance Officer

The meeting was called to order at 7:04 PM. The Invocation was given by Councilmember Dasher and the Pledge to the Flag was recited.

Approval of the agenda:

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

Chief Scholl presented the Life Saver Award to Officers Hester, Smith and Sgt. Murrell. They were involved an emergency situation and saved a life and he wanted to honor them.

Approval of the November 6, 2017 minutes with the following correction:

The 2nd on the motion to approve the agenda was Councilmember Scott.

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

Approval of the November 27, 2017 minutes:

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

Public Hearing:

Turn meeting over to public hearing officer, Raymond Dickey:

Public Hearing to discuss the proposed FY 2018 City of Rincon Budget.

Open public hearing: 7:11 PM

Mr. Smith, said there are a few things that he needs to report: \$50,000 for the tank improvements can be removed from the 2018 budget, since that will be paid this year; from the Fire Department there is some turn out gear, that Council has already approved, we want to establish an account for turnout gear at a cost of \$32,536 which will occur in 2018 instead of 2017; the last item is far more complicated. As part of the service delivery agreement one of the items related to roads and recreation is that the County accrues monies on the taxes that they collect from the citizens of Rincon and the money is remitted back to us. We talked to County in March about the monies, but it was a brief conversation. We learned last Friday that the County has made a change and reduced those taxes in Rincon and raised it in the unincorporated. What that does for Council, is it causes a shortfall in the amount of \$270,000 in the budget. It is in the budget as Effingham County SDS payments, it also effectively is a tax deduction to the citizens of Rincon. It is complicated because it was a revenue item that we were anticipating and it will also be an issue in the future. Mr. Smith said he would like to recommend drawing funds out of the Sanitation Fund. By law we are required to pass a balanced budget, and this will get us through this year. Councilmember Wendelken asked do we know how the County can make this call; Mayor Lee questioned how you can reduce a millage without adjusting a service delivery. Attorney Dickey said the County has already sent it to the Tax Commissioner and it has already been done, so Council will have to rectify the budget this year and hopefully that will give us enough time to look at it and see what can be done. Councilmember Browher asked did they notify us, Mr. Smith said not that he is aware of. Mayor Lee said everybody has questions and until we can resolve them we need to pass this budget and we don't have much choice but to do that now. Councilmember Wendelken asked about the County meeting in December, Mr. Smith said he has tried to set one up repeatedly and has been unsuccessful. Councilmember Dasher asked the amount that we are pulling out to have a balanced budget; we had originally planned \$612,997.33 as the funds carried forward plus the \$270,000. There is a little over 1.2 million in that fund. Councilmember Wendelken said he is surprised, the County knew this was important almost \$300,000 that went into our budget. We need to find out how it affected each person bills.

Patrick Kirkland asked what does that mean for the reserves, Mr. Smith said we will not touch the General Fund reserve of 1.1 million but it will come from the Sanitation Fund reserve, almost \$900,000 from 1.2 million.

Close public hearing: 7:25 PM

Turn the meeting back over to Mayor Lee.

First reading of the proposed FY 2018 City of Rincon Budget.

Motion to approve with the noted changes listed by the City Manager: Councilmember Browner

Second: Councilmember Ricker

Vote by Council: Unanimous

New Business:

1. Presentation by Tyler Technologies.

Mr. Smith said we are having a go to meeting with Patrick Morales, lead project manager with Tyler Technologies. Mr. Morales said he will be going through the stakeholder presentation and introduced his team. He discussed the project and implementation overview. They want to increase end user proficiency and productivity, and complete the implementation on time and on budget. The applications included are Core Financials, Permitting and Land Management and Utility Billing. They started working with the City in May 2017, Core Financials will go live in February 2018; Permitting and Planning will go live in March 2018, Utility Billing will go live in April 2018. For every phase there are six stages, they are in the middle stage on all three phases.

Patrick Kirkland, asked Mr. Morales is there a requirement to protect personal identifiable information. Mr. Morales said the online portal has security encryption data through the website.

2. Presentation by Dewitt Insurance for consideration of the City's Health Insurance Coverage.

Melissa Stille, Dewitt Insurance, said she has previously the Health Insurance went up about 9% but we will be saving since we are bundling health, vision and dental. Since we are going with Humana Dental and Vision, the vision will go up for employee/child and Family, the dental will go down. Councilmember Ricker asked about Go365 and the discount for that, Mrs. Stille said we are going to do a Go 365 meeting in late January, if an employee reached silver level they could save the City 7% and gold level will save 15%. Councilmember Wendelken asked if the health had gone down, Mr. Smith said the quote is lower than what was budgeted, we budgeted a 15% increase.

Motion to approve a group maintenance request from Humana: Councilmember Ricker

Second: Councilmember Scott

Councilmember Wendelken asked Mrs. Stille, if an employee does not take vision and dental will they get the bundle discount, she said she thinks it is across the board, but will check.

Vote by Council: Unanimous

3. Appearance by Archie Mungin to discuss the use of property located at 1226 N. Columbia Avenue.

Mr. Mungin said he would like to get a variance so he can rent his building instead of operating it himself. He was using a stall but was only running about three trucks, so now he wants to rent to Mr. McBride. Mayor Lee asked was the property being used for something other than what it was designated for, Mr. Mungin said he is going to stop operation of his business in a couple of months and he wants to rent the building.

Mrs. Kelly said Mr. Mungin's business type was not a condition for GC, so he came before Council in 2014 and asked for a conditional use. He was granted the conditional use in April 2014 with six conditions. He applied for a parking variance in July Council, so instead of 23 spaces required by the ordinance Council agreed to only five parking spaces because of the nature of his business. She was notified of an excess number of vehicles, and then Mr. McBride came and said he has been operating in the building for three months. What Mr. Mungin wants to do needs to go before Council and if he does anything it will need to be advertised again as a Public Hearing. Attorney Dickey said under no circumstance is this a variance case, what they are trying to do is work on diesel trucks and that is Industrial. He needs to apply for a zoning change or Council will need to amend the Zoning Ordinance to add diesel repair to GC.

Councilmember Daniel, asked Michael McBride was he renting the building; Mr. Mungin said he is renting a bay. Mr. McBride came in to get a business license and he could not get one because the building was not supposed to be used for that purpose, Mr. McBride works on trucks and buses. He plans to rent the entire building. Attorney Dickey said nothing can be done tonight, Council will have to go through the rezoning process or have to change GC to allow heavy truck repair.

Councilmember Browner said the last time this came before Council the neighbors were very concerned this is why we put those conditions on the property. Councilmember Scott said you don't want to change your zoning because that will create another issue; we have to go back and readdress Mr. Mungin because this was set up just for the owner. Attorney Dickey said you have a conditional use that is tied to the owner, you can't change that to fit what they want; you will have to create a new one. If you are going to create a conditional use to work on diesel trucks you might as well rezone the property.

Corey Rahn said he did not know Michael McBride up until three months ago, he towed a big truck from Garden City for Mr. McBride, and there is a need for his business in this area.

Council asked Mr. McBride to come up with a concept or a plan to see if there is anything they could do for him. Councilmember Browner asked could we have a conditional use with a timeframe attached to it, the conditional is only allowable until Mr. McBride moves. Attorney Dickey said there is a point of no return when you go with these conditional uses.

Mrs. Kelly asked Council if they wanted to consider allowing him to operate under those conditions for the next sixty days until Council has time to work this out. Attorney Dickey said that will violate the conditional use. Attorney Dickey also informed Council Mr. Mungin said he would consult with his lawyer.

Mr. Mungin wanted to know if he wanted to operate an auto repair would he be allowed to do so, the answer is yes. Corey Rahn wanted to know what the difference was they both use diesel. Mrs. Kelly said you can't have big truck repair in general commercial, you can't have Chick-fil-A next to a diesel repair shop.

Councilmember Scott wanted to know why they can't operate until he comes back with a concept. Councilmember Daniel said we would be violating our own laws. Mr. McBride will come back before Council with a concept.

No action taken.

4. Request payment of GMA Telecommunication and Right of Way Management Invoice in the amount of \$5,315.23. LI# 10.4102.2202

Mrs. Kelly said this is for the year 2018, in the past 60 days they have already identified \$4000.00 that we are owed.

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

5. M.C. Rahn Services requests approval of Pay Request #2 in the amount of \$28,000, for work completed on the Laurenwood Drainage project. LI# 10.4430.4415

Mrs. Kelly told Council the engineer has recommended payment.

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

6. Request Approval of Budget Amendment 2017-19 to provide funding for Water Tank improvements.

Mr. Smith said the work has been completed on the tank and needs to be paid in 2017 not 2018.

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

7. Request Approval to pay Caldwell Tanks Inc. for additional tank improvements in the amount of \$50,000.00.

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

8. Request for Council to reject the bid received for the Solar Proposal at the Waste Water Treatment Plant from Hannah Solar.

Mr. Smith said he is recommending rejection of this proposal and go out for the larger solar project in the Spring.

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

9. Administrative Reports:

City Manager – Mr. Smith said he emailed Council earlier about getting the work done on Ridgewood Avenue, he would like to proceed and have some work done there. He has had the City Attorney working on the proper easement that would allow us to pull the debris from the drainage structure to get the pond drained. The reason we are doing this is because the drainage structure is a part of our system that drains that neighborhood. We have prices at \$5,000 and \$3,650, there is funding in the drainage account. Mr. Smith also said he went to the Mayor’s Christmas Motorcade; he thanked the employees that did the work for the Employee Appreciation dinner; and he attended the Annual Senior Lunch.

Chief of Police – A written report was submitted.

Fire Department – A written report was submitted. Chief Rahn said received a question from a couple of Councilmembers about Good Intent Calls, this is a false alarm that was cancelled by the alarm company before Fire gets to the scene; As of the end of November they have ran 2,022 calls.

Building/Zoning Dept. – Mrs. Kelly said on Thursday they had a GEFA visit and received a glowing GEFA visit, the GEFA representative was so impressed with our files that she will use them as a model for other communities; the FEMA visit is tomorrow to wrap up Hurricane Irma; on Thursday we will have a storm water lunch and learn with the Public Works department as requirement with our Watershed Protection plan, which is connected to our Waste Water Treatment permit. She discussed the Hurricane Matthew financial report.

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

Finance – No written report.

Mayor and Council – Councilmember Dasher asked about the meter at WWTP, Mr. Smith said it should be here by January. Councilmember Browher thanked staff for the handling of Ridgewood Avenue, Councilmember Browher also asked about the mortgages taxes that the City was supposed to collect; Attorney Dickey said we are still looking into that.

Councilmember Dasher asked about the \$270,000, he wanted to know where that number came from; Mr. Smith said it was from previous years. There was discussion on the tax digest and the \$270,000 that the County is taking back.

Patrick Kirkland asked is there any movement on the storage lot; Attorney Dickey said there are still some GIRMA questions that are outstanding. It should be ready by the first of the year.

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

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

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