



**CITY OF RINCON
OFFICIAL MINUTES
RINCON CITY COUNCIL MEETING
MONDAY, MARCH 12, 2018
COUNCIL CHAMBERS
107 W. 17TH STREET
7:00 PM**

Councilmembers Present:

Paul Wendelken
Reese Browher
James Dasher
Levi Scott, Jr.
Kevin Exley

Councilmembers Absent:

Ann Daniel

Present:

Ken Lee, Mayor
W.E. Smith, Jr., City Manager
Raymond Dickey, City Attorney
Dulcia King, City Clerk
Phillip Scholl, Police Chief
Jose Ramirez, Police Lieutenant
Corey Rahn, Fire Chief
Pete Smith, Asst. Fire Chief
LaMeisha Hunter Kelly, City Planner
Tim Bowles, Public Works Director
Linda Rahn, Finance Officer

The meeting was called to order at 7:03 PM. The Invocation was given by Councilmember Browher and the Pledge to the Flag was recited.

Approval of the agenda:

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

Presentation:

Chief Scholl recognized former officer Michael Giaquinto for his work as a K-9 handler, and thanked him and Corporal Crosby for their work with the K-9 unit.

Statesboro K-9 Officer Brielly who is a member of the Georgia Police K-9 Foundation presented Sergeant Senna with a plaque. The foundation assist retired K-9's with medical expenses when they retire.

Lieutenant Ramirez recognized community partner, Webb Animal Clinic for their help in sponsoring a K-9 medically and presented them with a plaque. Lieutenant Ramirez also presented a plaque to Mr. Giaquinto for his help in building the first City of Rincon Police Department K-9 unit.

Mayor Lee thanked everyone who had a part in establishing the K-9 unit and who supported us.

Approval of the February 26, 2018 minutes:

Motion to approve: Councilmember Browner

Second: Councilmember Dasher

Vote by Council: 4 yes votes, Councilmember Wendelken abstained

Chief Scholl introduced a new police officer Brittany Hadden who graduated from Savannah Technical College.

Old Business:

1. Request to approve amended Council General Policies. (Tabled at the 2/26/2018 meeting)

Motion to remove from table: Councilmember Scott

Second: Councilmember Wendelken

Vote by Council: Unanimous

Mrs. Kelly went over the changes. The language from the Police Department has been added, some language had to be cleaned up, and item 32, about new hires was added.

Motion to approve: Councilmember Wendelken

Second: Councilmember Exley

Mayor Lee asked Mr. Smith how he was planning to communicate this. Mr. Smith said he has gotten with the department heads already and told them to learn them.

Vote by Council: Unanimous

2. Request approval to pay Tyler Technologies \$1,600.00 for additional equipment. (Tabled at the 2/26/2018 meeting)

Motion to remove from table: Councilmember Scott
Second: Councilmember Wendelken
Vote by Council: Unanimous

Councilmember Scott had concerns about the item, if it was a deduction or payment. Mr. Smith said when he sent this out, he read it wrong, and it is a deduction. The deduction was for a cash draw and bar code scanner. The motion was for a deduction of \$550.00.

Motion to approve: Councilmember Scott
Second: Councilmember Exley

Councilmember Scott asked Mr. Smith did he understand that before the approval of the agenda they should have been aware of this change.

Vote by Council: Unanimous

New Business:

1. Effingham Habitat for Humanity requests a \$2,100.00 reduction in building and tap fees for a new home located at 805 West 7th Street.

Jimmy Rutland, Executive Director of Habitat for Humanity said they have already paid for the building permit and is asking for a reduction of trade fees and the removal of tap fees. Mayor Lee asked if the request was for a reduction in building fees of \$800.00 and water tap fees of \$1,300.00, Mr. Rutland said yes. Mrs. Kelly said Council does have the discretion to waive these fees and Habitat for Humanity has been a good partner with the GICH program to encourage infield housing. Mr. Rutland said they will build in revitalization areas; the house they are building on 7th Street will probably be valued around \$146,000. Councilmember Browher asked about the \$800 and wanted to know if we are being consistent. Mrs. Kelly said we were being consistent.

Motion to approve: Councilmember Scott
Second: Councilmember Browher

Councilmember Dasher thanked Jim Presnell for his work with Habitat.

Vote by Council: Unanimous

2. Brandon Bazemore request to appear before Council to discuss Plantation Drive.

Mr. Bazemore said he has lived on Plantation Drive since 1999. There has been an issue of who owned the Circle and wooded area. He used to cut it until someone pointed out he could get into trouble for going onto someone's property. Mr. Bazemore said in 2007 former City Manager Barton had worked out the problem and said the roads were turned over to the City by Mr. MaComber. The City used to cut the grass up until last spring, and now they said they don't own it. He has been working with Mr. Smith to resolve this issue. Mrs. Kelly said we had done the research and Janis Bevill has even done some research.

Councilmember Scott told Mr. Bazemore we have to know who owns the property because the City can also get in trouble for working on someone's property. Mr. Bazemore said he was told it was purchased at a tax sale but he does not believe that, the County says the City owns it. Attorney Dickey said he has been the City attorney since 2002, and never told Mr. Barton the City owned the street. He said there are problems as you go down the road. What he has found is that Mr. MaComber had a large tract of land. We traced meets and bounds, but a surveyor will probably have to survey the road because this road has never been listed with the tax office. Mr. Ows did buy property at a tax sale and the roads in Warrenton were included in that sale and the tax office believes the road in question was a part of that sale but it was not. When you go back and trace it the road in question was never taken out of that larger tract of land. The tax office agrees with us, the tax sale did not include this road; the road is still part of the larger tract. Someone will have to pay a surveyor so the road can get a tax id number, and the tax office can tax. We cannot find any deed where that road was deeded to the City of Rincon. It is currently in the corporation that Mr. MaComber owns. Every deed with meets and bounds has to be filed with the Superior Court and there is no record of this sale. There was some discussion on meets and bounds. Mrs. Kelly said Mrs. Bevill, the chief tax appraiser said she remembered it started out as a dirt road and then one day it was paved, that is how things were done back then. She said officially going through the process she never remembers that happening. Councilmember Exley asked what the next step is, Attorney Dickey said if you want ownership Mr. MaComber will need to execute a quit claim deed to the City. Mrs. Kelly asked Council if they wanted the surveyor to get started or to get a quote for the survey. Mayor Lee said we will need a quote.

No action taken. Councilmember Dasher asked for it to be on the next agenda.

3. Request for Council to issue a 10 day notice as outlined in the Nuisance Ordinance on property located at 728 West 7th Street.

Juanita Tinker Covington was present she said she has a roofing company that she runs out of her home, but her trailers are located in Chatham County. She did have some trailers at her house because she was doing spring cleaning and throwing things away. Mrs. Kelly said she has had several issues with Mrs. Covington and this property when she got a building permit. The building was not in the right location and they had to issue a stop order because she did not have an electrical permit. Mrs. Kelly said she had stated to Mrs. Covington that this is a residential property and the home business had to adhere to the ordinance. Mrs. Covington talked about her electrical problems, she was not told be the electrician that she needed a permit for them to fix the issue and she did pay the \$250 fine for not having the permit. Councilmember Scott said he sees the issues, the trailers that were on the pictures that Mrs. Covington provided are not the ones he sees when he drives by. Mrs. Kelly said we have had a complaint about the building materials on the property. Mayor Lee asked about the trailers on the property, she said it was a friend's personal belonging that was being delivered. They were delivered on Tuesday, unloaded on Wednesday and gone by Thursday. Mayor Lee asked would she have a problem getting into compliance she said there is nothing in front of the house now. Mrs. Kelly asked Council to issue the ten day notice and if everything has been removed she will get back to Council.

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

4. Caldwell Tanks, Inc requests approval of Pay Request #6 in the amount of \$38,941.56, for Lower Floridan Wellhouse and Main project. LI# 40.6260.441
HHNT was not present. Mayor Lee asked staff if there was any question about the completion of the work. Mrs. Kelly and Mr. Bowles said no.

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

5. Parkson Corporation, LLC requests approval of Pay Request #2 (Final Payment) in the amount of \$17,992.20, for the WWTP Headworks project equipment. LI# 50.7280.4411

Marcus Sack said this is the final payment; it will take care of the screens at the Headworks.

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

6. P. C. Simonton requests approval of Pay Request #25 in the amount of \$4,460.00, for engineering services associated with the WWTP Headworks replacement. LI# 50.7280.4411

Mr. Sack said they are getting near the end of the project.

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

7. Approval of a Mutual Aid Agreement between the City of Rincon and the City of Savannah.

Attorney Dickey said these documents have gone out to several government entities from the City of Savannah and some lawyers have raised questions about the content. He would like Council to table this until the next meeting.

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

8. Request approval of an agreement between Lewis and Clark Circus and the City of Rincon to have a Circus at Freedom Park from March 23 - 24, 2018.

Mr. Smith said this is the third year and this is the same contact as previous years.

Motion to approve: Councilmember Dasher

Second: Councilmember Wendelken

Chief Scholl asked about security, the Circus will handle security. Councilmember Wendleken said he thinks we left money on the table with tickets sales and we need to capitalize on this and sell at several locations.

Vote by Council: Unanimous

9. Discussion of proposal from Waste Management for the current solid waste contract.

Mr. Smith informed Council that a background was in the agenda packet along with the counteroffers that were sent to Waste Management. John May with Waste Management was present. Waste Management's offered a \$12.97 proposed fee, recycling program, a three year extension with a CPI cap of 2.25%. There was some discussion of the CPI and extension. Councilmember Wendleken said the major advantage is Waste Management would not have to bid, avoiding having to buy new carts and he thinks that could be factored into the rate. He would also like to see something hold steady for three years. Councilmember Wendelken said if Waste Management has to bid the cart charges would eat up their cost. Councilmember Dasher asked that the proposal of, \$12.49, two year extension and no CPI, be put in writing by the City Manager.

10. The Fire Department request approval to surplus a 1993 Ford F-350 pickup truck.

Chief Rahn said this is truck number one, but they have found another use for it in the City and will transfer it to the WWTP, but the transmission is not good.

No action taken.

11. Administrative Reports:

City Manager – Mr. Smith said some checks came in recently, a franchise fee check from Georgia Power for \$379,000 plus and from the tower lease in the amount of \$74,300; we rented a fire truck to the warehouse for eight days at \$200 an hour, we still have to bill them and do a budget amendment; he talked to Civic Plus about the website, Civic Plus focuses on government websites; humming bird butterfly project, is doing an additional application for a 500 grant for signage and brochures; Councilmember Browher asked about the rocket from the park, Mr. Smith said they should have it by April 1st.

Mr. Patrick Kirkland asked about the new city limits signs, Mr. Bowles said they are ready but we have to get a city limits survey; Mayor Lee asked Mr. Smith to contact the County about the trash on the side of the road on 9th Street from railroad tracks to City limits sign.

Chief of Police – Chief Scholl, informed Council that he had ran a 2 x 4 Prom Promise ad in the Effingham Herald; Councilmember Dasher asked how many shift officer is he in need of, Chief Scholl said one.

Fire Department – Chief Rahn said at the end of February they went through the interview process for an open position, and he will get two names to Mr. Smith tomorrow.

Building/Zoning Dept. – Mrs. Kelly said she spoke with owner of Popeye’s and they will be opened on March 19th; they had a great meeting with the Health Department and County entities where they discussed the health inspection process and food trucks, they will meet again in 30 days to talk about a food truck ordinance; she mentioned that Council may want to talk about health department waiver that they sign for events.

Mayor Lee asked about the code letters in March, Mrs. Kelly said they did the ones that had been brought up earlier. Councilmember Exley thanked the department heads and had a good lunch session; he also recommended Patrick Kirkland for the Planning and Zoning Board; he thinks the City is missing some money on the food truck business; also Councilmember said we need backdoor service on garbage for the elderly. Councilmember Dasher asked Mrs. Kelly if she could contact Fort Howard Square and get them to clean behind their property. Councilmember Browher asked when did the code letters get mailed, Mrs. Kelly said last week. He also asked about Chick fil A, Mrs. Kelly said the contact is on maternity leave. There is a complex process that she needs to map out with Attorney Dickey because Jemsite wants their paperwork timed exactly with Chick fil A, but Chick fil A wants Jemsite to sign first. Councilmember Browher said he knows we have bent over backwards and even he has talked to Chick fil A several times. Councilmember Exley about the parking for Jalapenos, Mrs. Kelly said the parking is connected to Kroger.

Water/Sewer/Public Works – Mr. Bowles informed Council the 2006 Ford 350 went to auction with a \$5000 reserve, the was offered was for \$4750; Mr. Bowles talked about the Ridgewood drainage pond, the box has been opened up, the water is flowing and it is 99% drained. The owner needs to understand maintaining that pond is his responsibility, the pond will drain now.

Mayor Lee noted he did not see any surface water usage on the monthly report. Attorney Dickey said we hadn’t been buying since Wesley Corbitt, it has been about 3 or 4 years. Attorney Dickey said since we have gotten the new permits it is more as an alternate source and as long as we don’t run into a permit violation it should be good. Councilmember Browher asked about the drain with the collapsed pipe at the Edwards property, Mr. Smith said Mr. Bowles said he is going to force some water through the pipe. Mr. Bowles said since the pond is drained the water has some place to go.

Finance – Mrs. Rahn informed Council that they have not been able to accept credit cards in Utility Billing. They were told by EmGov that they would work on it this weekend. They are working with Semitsu.

Mayor Lee asked about January financials, Mrs. Rahn said she is in between two systems and thought Council would give her a reprieve until after the conversion. She has not been trained in Tyler yet and she is doing every entry manually. Councilmember Dasher asked who would be the backup for Tyler, Mr. Smith said each department would be responsible for their areas but Mrs. Rahn would be more knowledgeable across the board. Councilmember Exley asked Mr. Smith since we don't have January financials and we are moving into March has any department heads talked to him about missing their number. Mrs. Rahn said the department heads have been good with keeping up with their numbers. Councilmember Exley wanted to know what we are doing to make sure we don't get too far behind. Mrs. Rahn said she can print out a report of what she has in the old system; it would not be a fine tuned report. There was more discussion on the Tyler Technology project. Councilmember Exley asked did Tyler let us know that we would not have good hard numbers to go by during the conversion; Mr. Smith said he thinks there may be more information there and he will check.

Mayor and Council – Councilmember Browher asked about HVAC units at the Police Station, Chief Scholl two have been replaced by Dyess. Councilmember Dasher asked about WWTP total reuse, he said it seems nonexistent. Mr. Smith said he will follow up. Councilmember Exley said he was supposed to get a goal and release water to certain areas, because he said he could run the water for six hours. Councilmember Wendelken wanted to know about the affluent coming out. He does have the exit meter now.

Mr. Kirkland informed Council that the Willowpeg HOA asked him to come up, they are in the process of replacing their signs and wanted to know if the City wanted to put up something alongside the Willowpeg signs, directing people to the Golf Course. Councilmember Exley asked Mr. Kirkland if he brought it up with the HOA about leasing the rental area at the Golf Course. Councilmember Browher asked how much time, resources and are we going to spend on this project, we need to get a resolution.

Councilmember Browher asked with the new website will we be able to pay utility bills, Mr. Smith said yes; he also asked again about an energy audit on all of the buildings, Mr. Smith said he will look into it. Councilmember Dasher asked Mrs. Kelly about street lights on Fort Howard, she will look into it.

Mr. Rahn said she wanted to discuss two things. She said there is \$125,000 cumulative bad debt that starts from 2010 until now; we have not done anything to our bad debts over time. Initially she did not want to bring this into Tyler, but she found out we can bring the bad debts in and they can write a program that will write it off. Mrs. Rahn would like to write these accounts off because she does not believe GMA would take anything that is six months past due. Mrs. Kelly said we have had GMA down before and she thinks they may go back five to seven years. Mrs. Kelly encouraged her to contact GMA herself to find out how they do debt collections. Mayor Lee we need to establish parameters. Councilmember Wendelken said Council has been accused of micro managing, we trust and depend on staff and things are not happening like they are supposed to be. We are going to have to start managing. Councilmember Browher asked what are we doing now about the debts, do we need to raise deposits. Mrs. Rahn said we are doing cut offs every month, when she got here cut offs were not being done and haven't been since May 2016 to

December 2016. There was discussion of the cut off process. Mrs. Rahn also discussed the billing for the apartment complexes that pay for the entire complex; she wanted direction on how to proceed with the billing for these. Mrs. Rahn said there is a compound meter at each building that charges a minimum charge for water times two, the sewer is only charging one time but is also charging for consumption. She would like direction from Council. There was some discussion on the billing, compound meters and tiering. Mrs. Kelly talked about EPD standards and said we should have every unit metered, maybe Mr. Bowles would have input on why there are compound meters. This will be discussed in a workshop.

Mrs. Kelly gave an annexation update. She said she said there were thoughts among the County Commission that they were not given notice about the legislative annexation. There are three pockets that need to be cleaned up, Commercial Drive and Highway 21, Highway 21 by Webb Animal Clinic and Highway 21 by Rahn's Wrecker Service. Between the three areas there was always one person that would not sign so that is why it was going to be done by legislation. There was a lack of communication with the County; the sheriff sent a letter because he wanted to make sure he was not in the middle of the battle. Attorney Dickey said we can do the 60% annexation. Mrs. Kelly was directed to pull the legislative annexation and do the 60%.

Mayor Lee said he and Councilmember Dasher reached out to Seth Zeigler about the goose dog and Mr. Zeigler said he would be available for a year as often as we needed, but no longer than a year. Mayor Lee said the consensus is to go get the goose dog.

Chief Rahn discussed a payroll issue with the Council.

Adjourn:

Motion to adjourn: Councilmember Dasher

Second: Browner

Vote by Council: