



**CITY OF RINCON
OFFICIAL MINUTES
RINCON CITY COUNCIL MEETING
MONDAY, OCTOBER 8, 2018
COUNCIL CHAMBERS
107 W. 17TH STREET
7:00 PM**

Councilmembers Present:

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

Councilmember Absent:

Kevin Exley

Present:

Ken Lee, Mayor
John Klimm, City Manager
Raymond Dickey, City Attorney
Dulcia King, City Clerk
Corey Rahn, Fire Chief
Pete Smith, Asst. Fire Chief
LaMeisha Hunter Kelly, City Planner
Tim Bowles, Public Works Director
James Jefferson, Finance Director

The meeting was called to order at 7:09 PM. The Invocation was given by Councilmember Browher and Pledge to the Flag was recited.

Mayor Lee recognized Boy Scout Chris Larson whom was in attendance to earn his Community and Citizenship Merit Badge. He is trying to become an Eagle Scout.

Approval of the agenda with the following additions:

8A, Request to utilize the Coastal Regional Commission to complete the 2019 Comprehensive Plan Update and 8B Request to accept 2018 DNR Coastal Incentive Grant in the amount of \$74,800.00 for the City of Rincon Storm Water Utility Study.

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

Approval of the September 10, 2018 minutes:

Motion to approve: Councilmember Daniel

Second: Councilmember Wendelken

Vote by Council: 3 yes votes, Councilmembers Scott and Daniel abstained

Approval of the September 24, 2018 minutes with the following corrections:

On the vote for the petition filed by Louis Manchisi Councilmember Dasher voted no, not yes, under new business item 1 parishioners was spelled incorrectly and Mr. Klimm was not present at the meeting.

Motion to approve: Councilmember Scott

Second: Councilmember Daniel

Vote by Council: Unanimous

Old Business

1. Request approval to amend the Personnel Policy Manual to include Section 085, Secondary Employment. (Tabled at the 9/24/2018 meeting)

No action taken.

Public Hearing #1

Turn meeting over to public hearing officer, Raymond Dickey:

Public Hearing on a request from Ernest Communities, LLC for a Master Plan revision for Williamsburg Townhomes. The property is located on Fort Howard Road. The property is zoned MXU and owned by Ernest Communities (Map #R2240001C)

Open public hearing: 7:15 PM

Attorney Dickey all proponents will be allowed a minimum of 15 minutes and anyone who opposes will also be allowed a minimum of 15 minutes. No one was present from Ernest Communities. Mrs. Kelly presented the original master plan submitted by Ernest Homes with the project, which showed office commercial in the front and townhomes on the right. What Ernest Communities is proposing is the area designated office commercial will now become townhomes and the number of townhomes will increase from 54 to 78.

Dana Barnwell, 500 Stephanie Avenue said she has lived there for 18 years and would like to see the owner maintain the original master plan approved in the early 1990's.

Tom Mazurski 228 Stephanie Avenue said he is opposed and the addition of condos will increase traffic. There is plenty of opportunity for accidents. The owner took trees beyond the 30 foot barrier and she bulldozed the berm. He opposes this because of safety issues and would like to see it go back to original master plan.

Doc Pahls 213 Stephanie Avenue talked about the 13 green and how the trees were removed at the big hook that lines up at top the 13 green. There you will have a bunch of townhomes and a bunch of kids screaming where there used to be peace and serenity of a beautiful golf course. This will affect the golf course.

Linda Boyette 222 Stephanie Avenue said when you turn into the entrance you will have people coming out of the townhomes and there are trees in the median and you will not be able to see. This will be a very big accident area.

Caren Blackwell 301 Stephanie Avenue said she brought her home in 1996. She was presented master plan with the buildings in the front and the 54 condos on the side. Since then she has been coming to the meetings for 20 years trying to get the owner to stick to the master plan. She just wants her to stick to the master plan.

Close public hearing: 7:30 PM

Turn the meeting back over to Mayor Lee.

Vote on a request from Ernest Communities, LLC for a Master Plan revision for Williamsburg Townhomes. The property is located on Fort Howard Road. The property is zoned MXU and owned by Ernest Communities (Map #R2240001C)

Motion to deny: Councilmember Scott
Second: Councilmember Dasher

Councilmember Browher said he abstained because he lives in Williamsburg and did not want there to be an appearance of impropriety, but he is against it.

Vote by Council: 4 yes votes, Councilmember Browher abstained

Public Hearing #2

Turn meeting over to public hearing officer, Raymond Dickey:

Public Hearing on a petition filed for a Zoning Map Amendment for a one-acre parcel located at 3504 Hwy 21 S, to amend the zoning from AR-2 (Agricultural Residential) to R-4 (Single Family Residential); the property is owned by Melanie L. Rahn (Map #04300022)

Open public hearing: 7:33 PM

Mrs. Kelly said the next four public hearings and votes are for properties being annexed and petitions have been signed by the owners of the property. Attorney Dickey asked was there anyone present on behalf or opposing the public hearing. No one was present.

Close public hearing: 7:34 PM

Turn the meeting back over to Mayor Lee.

First Reading of an Ordinance for a Zoning Map Amendment for a one-acre parcel located at 3504 Hwy 21 S, to amend the zoning from AR-2 (Agricultural Residential) to R-4 (Single Family Residential); the property is owned by Melanie L. Rahn (Map #04300022)

Motion to approve: Councilmember Daniel

Second: Councilmember Browher

Vote by Council: Unanimous

Second Reading of Ordinance to annex 1 acre located at 3504 Hwy 21 S; property is owned by Melanie L. Rahn (Map# 04300022)

Motion to approve: Councilmember Scott

Second: Councilmember Wendelken

Vote by Council: Unanimous

Public Hearing #3

Turn meeting over to public hearing officer, Raymond Dickey:

Public Hearing on a petition filed for a Zoning Map Amendment for a one-acre parcel located off of Hwy 21 S, to amend the zoning from AR-2 (Agricultural Residential) to R-4 (Single Family Residential); the property is owned by Melanie L. Rahn (Map #04300020)

Open public hearing: 7:36 PM

Attorney Dickey asked was there anyone present on behalf or opposed to the petition.

Close public hearing: 7:37 PM

Turn the meeting back over to Mayor Lee.

First Reading of an Ordinance for a Zoning Map Amendment for a one-acre parcel located off of Hwy 21 S, to amend the zoning from AR-2 (Agricultural Residential) to R-4 (Single Family Residential); the property is owned by Melanie L. Rahn (Map #04300020)

Motion to approve: Councilmember Scott

Second: Councilmember Dasher

Vote by Council: Unanimous

Second Reading of Ordinance to annex 1 acre located off of Hwy 21 S; property is owned by Melanie L. Rahn (Map# 04300020)

Motion to approve: Councilmember Wendelken

Second: Councilmember Dasher

Vote by Council: Unanimous

Public Hearing #4

Turn meeting over to public hearing officer, Raymond Dickey:

Public Hearing on a petition filed for a Zoning Map Amendment for a 1.25-acre parcel located at 3512 Hwy 21 S, to amend the zoning from AR-2 (Agricultural Residential) to R-4 (Single Family Residential); the property is owned by Mark and Annette Bryant (Map #04300025)

Open public hearing: 7:39 PM

Attorney Dickey asked was there any one present on behalf of the petition or opposed to the petition. No one was present.

Close public hearing: 7:39 PM

Turn the meeting back over to Mayor Lee.

First Reading of an Ordinance for a Zoning Map Amendment for a 1.25-acre parcel located at 3512 Hwy 21 S, to amend the zoning from AR-2 (Agricultural Residential) to R-4 (Single Family Residential); the property is owned by Mark and Annette Bryant (Map #04300025)

Motion to approve: Councilmember Daniel

Second: Councilmember Scott

Vote by Council: Unanimous

Second Reading of Ordinance to annex 1.25 acres located at 3512 Hwy 21 S; property is owned by Mark and Annette Bryant (Map# 04300025)

Motion to approve: Councilmember Browher

Second: Councilmember Scott

Vote by Council: Unanimous

Public Hearing #5

Turn meeting over to public hearing officer, Raymond Dickey:

Public Hearing on a petition filed for a Zoning Map Amendment for a one-acre parcel located at 3510 Hwy 21 S, to amend the zoning from AR-1 (Agricultural Residential) to R-4 (Single Family Residential); the property is owned by Richard Bohannon, William Bohannon, Jr., and Jack Bohannon (Map #04300024)

Open public hearing: 7:41 PM

Attorney Dickey asked was there any one present on behalf of the petition or opposed to the petition. No one was present.

Close public hearing: 7:41 PM

Turn the meeting back over to Mayor Lee.

First Reading of an Ordinance for a Zoning Map Amendment for a one-acre parcel located at 3510 Hwy 21 S, to amend the zoning from AR-1 (Agricultural Residential) to R-4 (Single Family Residential); the property is owned by Richard Bohannon, William Bohannon, Jr., and Jack Bohannon (Map #04300024)

Motion to approve: Councilmember Scott

Second: Councilmember Daniel

Vote by Council: Unanimous

Second Reading of Ordinance to annex 1 acre located at 3510 Hwy 21 S; property is owned by William Bohannon, Jr, Jack Bohannon, and Richard Bohannon

Motion to approve: Councilmember Dasher

Second: Councilmember Wendelken

Vote by Council: Unanimous

New Business

1. P. C. Simonton requests approval of Pay Request #30 in the amount of \$2,840.00, for engineering services associated with the WWTP Headworks replacement. LI# 506.4335.542504

Marcus Sack said this is for the continuing services working with internal reuse system.

Motion to approve: Councilmember Daniel

Second: Councilmember Scott

Vote by Council: Unanimous

2. Request to renew 12 month subscription with Spatial Engineering for RightSpot digital database, in the amount of \$5,800.00. LI# 100.7400.531133

Mrs. Kelly said this is the annual subscription. There is plans for a retreat and maybe she will be able to show Council how much has been accomplished. Mayor Lee asked was this our third year, Mrs. Kelly said it has been five.

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

3. Request for Council to issue a 10 day notice according to the ordinance for nuisance on property located at 309 A East Fifth Street.

Mrs. Kelly said they have gone through the process, made phone calls and letters have been sent to the tenants and property owners. The letters for the property owner have not been accepted, there had been no response from either party.

Motion to approve: Councilmember Daniel
Second: Councilmember Scott

Councilmember Browher asked about the expense we incur. Mrs. Kelly said it is \$6.75 for each certified letter. Jenny McCardle goes out every day 5 days a week; it takes her about 10 to 15 minutes to research the code and print the letters. Mrs. Kelly said we are heading in the direction to need a full time code enforcement officer; it would save some cost because they would have more enforcement powers. Councilmember Browher said we need to take a look at how to recoup some of this money for others transgressions..

Vote by Council: Unanimous

4. Request approval to surplus three Police Department patrol vehicles.

Mr. Klimm said the interim Chief Ramirez is out of town, but he has determined these vehicles have used their useful life. Each of them has a high amount of maintenance to keep them on the road and have been determined to be unsafe. Attorney Dickey said if these vehicles are unsafe then we cannot send them to be auctioned off. There was discussion on the other possible uses for the vehicles. Mr. Klimm said we would be happy to get the maintenance records for the vehicles. The item was tabled.

Motion to table: Councilmember Dasher
Second: Councilmember Wendelken

Councilmember Wendelken said we need to look at what we consider high mileage; these vehicles only have 112,000 miles.

Vote by Council: Unanimous

5. Request approval to pay MR Systems \$7,462.27 for repairs to the 9th Street Lift Station SCADA Panel. LI# 506-4325-541401

Mr. Bowles said there was some type of damage, he is not sure. But they had to replace parts to get the station back online.

Motion to approve: Councilmember Browher

Second: Councilmember Scott

Vote by Council: Unanimous

6. Request approval to pay TJS Deemer Dana LLP \$12,173.09 for accounting services. LI# 100.1510.521200

Mr. Jefferson said this is for allocations that were done wrong on the 2018 Budget and to reconcile the Golf revenue. Mr. Klimm said this bill pre-dated Mr. Jefferson working here. It was not just the typical reconciliation, but we asked him to try and reconcile the golf records. We are transitioning away from TJS Deemer Dana, but as Mr. Jefferson has questions he will need to contact them.

Motion to approve: Councilmember Daniel

Second: Councilmember Browher

Councilmember Wendelken asked about the previous beginning balance on the invoice, did we budget for much. Mr. Klimm said we will do a budget amendment to cover these cost.

Vote by Council: Unanimous

7. Request to approve the following policies for the Non-Criminal Justice ORI process:

- **Man-made/Natural Disaster Policy;**
- **Disciplinary Policy;**
- **Media Protection Policy; and**
- **Applicant Privacy Notification Policy.**

Mrs. Kelly said these policies are required by GBI as the City requires finger print background checks for certain personnel purposes and also for the alcohol licenses. These are the model policies that have been reviewed by the City Attorney and will apply City wide.

Motion to approve: Councilmember Scott

Second: Councilmember Dasher

Vote by Council: Unanimous

8. Discussion on the Lower Floridan Well.

Mr. Bowles said as requested he contacted P.C. Simonton for insight on Rowe's Well Drilling recommendation for the Lower Floridan. Mr. Sack sent a letter saying he recommends we take Rowe's recommendations for the repair of that well. Mr. Sack said sand is the reason

that Rowe made the recommends. The recommendation is to install a screened gravel pack and that should keep the sand out. Mayor Lee confirmed the cost, \$62,602.00 for the first three years and then a maintenance charge up to the tenth year. Mr. Bowles said that is correct and if anything needs to be done to the well, the pump, the motor or the riser pipe, Rowe will take care of that at no additional cost. Mayor Lee asked if the cost for the first three years was going to be 187,806.00, Mr. Bowles said yes we are paying for it over the course of three years and includes the warranty. Mr. Bowles said we need to do something one way or the other because we have PINCO waiting on us. The tank is empty and needs to be sanitized and put into use. Councilmember Browher asked what is the guarantee, what if we do this and still have an issue. Mr. Bowles said it has a success rate of 95%. Mayor Lee asked about an agreement, Attorney Dickey said if it is approved we will work on the agreement. Councilmember Browher asked if we have identified where the money is coming from. Mrs. Kelly said we will see if there is more GEFA money and if not we have water money in operations and SPLOST. Staff will look at the contract and the funds.

8A. Request to utilize the Coastal Regional Commission to complete the 2019 Comprehensive Plan Update.

Mrs. Kelly said the three Cities have met with the County representative and the recommendation is to utilize the Coastal Regional Commission to complete the Comp Plan. How the State works with the Coastal Regional Commission is they will provide the money to complete the base plan, but we need the additional elements and Rincon's portion of the joint plan will be \$15,000.00. The County has moved forward and signed the contract and will send an intergovernmental agreement for the City to pay their portion.

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

8B. Request to accept 2018 DNR Coastal Incentive Grant in the amount of \$74,800.00 for the City of Rincon Storm Water Utility Study.

Mrs. Kelly said Wade Burchem with Integrated Science worked with us, we submitted a grant application and we were awarded the grant. The City will have a match but we will be able to budget that in our 2019 budget. We need the study because the State is pushing everyone in that direction.

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

9. Administrative Reports:

City Manager – Mr. Klimm said he asked the Fire Chief to give an update about the upcoming storm; he wanted to mention next Monday's Council Retreat, he needs to know

Council goals and priorities. He would also like to know if there are any major projects for 2019, next year will be a catch up year for projects; he attended a conference and wants to talk to Council about ideas for the Police Department operations, data base management, and performance base budgeting; he has researched possible improvements to the website, has three bids, would like to present those at a workshop; he presented Council with a folder about the golf course and wants to share information from the National Golf Association; Mr. Klimm said he and Councilmember Dasher went to Comcast , they have received complaints from residents about internet, and met with the community relations person and head of technology. He is not impressed with the response since their visit, there is a company that is interested in sitting down with Council to talk about expanding into Rincon; he attended the County Elected Official meeting; he also traveled to Statesboro for the District 12 meeting; Attorney Dickey trained employees on sexual harassment; and he will be speaking at First Baptist Men's Club.

Mr. Kirkland asked about a selection for Police Chief. Mayor Lee said it is pending.

Fire Department – Chief Rahn gave an update on Hurricane Michael, it will hit Florida as a Category 2 Hurricane. We are in the area of favorable power outages and major thunder storm. We will see something Wednesday afternoon to Thursday night.

Building/Zoning Dept. – Mrs. Kelly said they are working with Recreation to promote the Food Truck Festival. She heard there was concern about the health department from the vendors but they will not have to go through the health department; the grant that she announced was due to the State having interest in Rincon, they came to us.

Water/Sewer/Public Works – Councilmember Browher asked about cleaning of curbing from 4th Street to the north city limits, Mr. Bowles said we are shorthanded but will work on it. They are working on the median and sidewalks; he did find one van online but it was too expensive; Councilmember Browher asked why the inmate crew can't work on the curbing. Mr. Bowles said they can't work on the street; they would have to have traffic control. Councilmember Browher asked is this can be worked on or put on the next agenda; Councilmember Dasher asked about the Public Works part time position, Mr. Bowles will get with Cristina tomorrow.

Finance – Mr. Jefferson said he has established a new operating procedure for revenue collection; he has been working to reconcile the 25 bank accounts that we have; found out some revenue has not been posted; met with bank representatives to improve our banking; addressing the improper posting of expenses and timely posting of transactions; he attended Tyler training in Texas; will meet with the County about revenue due to the City and is prepping for the 2019 budget;

Mrs. Kelly asked Council about first meeting in November which will fall on Veteran's Day. The meeting will be changed to Tuesday.

Mayor and Council - Councilmember Browher asked has there been any change on Plantation Drive. There has been none.

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

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

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

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

Appoint and employee Mark Gerbino as the Police Chief.

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

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

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

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

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

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

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

No action taken.

Adjourn:

Motion to adjourn: Councilmember Scott

Second: Councilmember Daniel

Vote by Council: Unanimous