



**OFFICIAL MINUTES
RINCON CITY COUNCIL MEETING
MONDAY, FEBRUARY 24, 2020
COUNCIL CHAMBERS
107 W. 17TH STREET
7:00 PM**

Councilmembers Present:

Reese Browher
James Dasher
Patrick Kirkland
Levi Scott, Jr.
Ann Daniel

Councilmembers Absent:

Kevin Exley

Present:

Ken Lee, Mayor
John Klimm, City Manager
Raymond Dickey, City Attorney
Dulcia King, City Clerk
Corey Rahn, Fire Chief
Jonathan Murrell, Interim Police Chief
Chief LaMeisha Hunter Kelly, City Planner
Mike Osborne, Recreation Director
Tim Bowles, Public Works Director

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

Approval of the agenda:

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

Approval of the December 16, 2019 minutes:

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

Approval of the January 2, 2020 minutes:

Motion to approve: Councilmember Kirkland
Second: Councilmember Daniel

On the first page needs to change Councilmember Present to Councilmember Absent

Vote by Council: 4 yes votes, Councilmember Browher abstained

Approval of the January 13, 2020 minutes:

Motion to approve: Councilmember Scott
Second: Councilmember Daniel

Matthew Spaccerelli wanted to tell that the minutes from October 7, 2019 were missing from the website.

Vote by Council: 4 yes votes, Councilmember Daniel abstained

Old Business:

1. Second Reading on a petition for a Zoning Map Amendment filed by Scott Martin to rezone .46 acres located at 201 Richland Avenue from OC (Office Commercial) to R4 (Single Family Residential); the property is owned by Shirley Shearhouse. (Map # R2070067)

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

2. Second Reading of a petition for a Zoning Map Amendment filed by Michael Corey Rahn to rezone 3 acres located at 3470 Highway 21 South from GC (General Commercial) to R4 (Single Family Residential); the property is owned by Rahn M.C., Inc. (Map# R2700002)

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

New Business:

1. Effingham Health System Foundation requests a Special Events Permit with a fee waiver for a Car Show and Food Truck Festival at Freedom Park on Saturday, March 7, 2020.

Mrs. Kelly said last year was the first year for Gears and Grub and it was very successful. This is a great use of Freedom Park.

Josh Forbes with Effingham Health Foundation said this going to mirror what they had last year and they are expecting more attendees. A motion was made to approve the use and waiving the rental fee and deposit.

Motion to approve: Councilmember Daniel
Second: Councilmember Kirkland

Mrs. Kelly said the Foundation would like to have access to park a week in advance because they have to prepare.

Vote by Council: Unanimous

2. Request to sign CSX Encroachment Agreement and remit required payment of \$20,250.00.

Alec Metzger said the agreement is part of the extension of the water/sewer lines to Omni Trax property. Extending a 16 inch water main under the rail in a 20 inch steel casing and extending a 6 inch sewer force main in a 12 inch steel casing. CSX portion of the permit was the longest so we did it first this is the application, fees and insurance requirements Mayor asked Mrs. Kelly is there future opportunities to recoup these cost, Mrs. Kelly said yes.

Motion to approve: Councilmember Dasher
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 410 S. Columbia Avenue and to pay all assessed fees.

Mrs. Kelly said this involves Fort Howard Square Shopping Center. Mrs. Kelly had pictures of raw meat, trash and shopping carts behind the building. This has been going on for some time and they have sent several letters. What they have discussed with the property owner is that they need to do more site visits to see what is going on there. What really needs to happen is, that area needs to be enclosed. This has been going off and on for a couple of years. Mayor Lee said it looks like the issue goes the length of the property, Mrs. Kelly said yes.

Chris Meih with Fort Howard Square was present. He said they have sent out letters to tenants because they are responsible for their dumpsters and they are switching landscape vendors. There has been a dumping issue and scavenging at this property, and he asked for assistance from the City with all of the extra shopping carts. Mayor Lee asked would enclosing the dumpsters be a problem for his company, Mr. Been said they could consider that and they can look into moving the dumpsters closer to the restaurants and budgeting for enclosing for 2020. Mrs. Kelly said asked that you do require enclosure; at the very least if they have another violation within 30 days have them build an enclosure. Mrs. Kelly said just for this letter the City has incurred \$234.95 in fees.

There was discussion on how to contain the shopping carts. Mr. Meih said they will send out certified notice to the tenants again and would like a 3 month period to move the dumpsters. Mayor Lee said they could have someone get the shopping carts together in one location so they don't look like the pictures. Attorney Dickey said if Council wants to give him some time, they should at least have to pay the cost that the City incurred. Mrs. Kelly said if Council would like to do the 90 days we can monitor that. Mayor Lee asked would the 10 day notice give time to clean up, he see no need not to enforce the ten day notice since they have started cleanup. A motion was made to approve the 10 notice, pay fees and 90 days to follow through to allow them time to have the dumpster enclosed.

Motion to approve: Councilmember Scott

Second: Councilmember Browher

Vote by Council: Unanimous

4. Request for Council to issue a 10 day notice according to the ordinance for nuisance on property located at 204 Richland Avenue and to pay all assessed fees.

Mrs. Kelly said this file goes back to 2016, the owners have been renovating themselves. There is insulation on the ground and this is a serious code violation and environmental issue. The length of time and how they store the material is a problem. The fees incurred are \$239.95.

Mr. Wing said the insulation is in a dumpster bag, and has picked up and moved onto a trailer. He has just gotten back from deployment and they are not dirty people. They had some lawn equipment outside but no derelict vehicles. Mrs. Wing said they had to tear down a carport that housed a lot of their lawn equipment. Mr. Wing said every time they have a notice they comply and fix it. Everything is cleaned up now. All work done on the house has been permitted by the City. Mayor Lee asked when did we first have issues with this property. Mrs. Kelly said 2016, but the issue is how they keep getting to where we have to enforce the ordinance to clean up. You can let something be staged to long where it becomes a nuisance. Mrs. Wing feels like they are being harassed, the neighbors beside them have no complaints and has code issues also but don't comply. Councilmember Scott said if we act on something most likely we have complaints. At the end of the day staff has to make sure the ordinance is followed.

Mr. Wing said this is the second notice but they have no recollection that they had a first notice. Mrs. Wing said there was a conversation and a letter was hand delivered. Mrs. Kelly said from now on they will put them all in the mail.

Matthew Spaccerelli said he does not know these people and when he saw this on the agenda he drove around the area to see what is going on; he does not think a wheel barrow is a nuisance. That definition can be vague. Later that night he took pictures of Macomber Park and there were pallets, tires and plastic. Councilmember Scott said we will address that. A motion was made to proceed with the 10 days notice and assess fees of \$239.95 and 30 days to clean the property.

Motion to approve: Councilmember Scott
Second: Councilmember Browher

Councilmember Kirkland asked if they can make multiple payments. Mr. Spaccerilli said he will pay the fee for them.

Vote by Council: 4 yes votes Councilmember Daniel voted no

5. Request for Council to issue a 10 day notice according to the ordinance for nuisance on property located at 210 Howard Avenue and to pay all assessed fees.

Mrs. Kelly said no one from the property came to the meeting. The fees are \$510.42.

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

6. Request approval for annual renewal of the Hach Maintenance Agreement for Analyzers in the amount of \$20,652.00. LI# 505.4440.521200

Mr. Bowles said this is an upgrade and maintenance agreement. It will save us money and the maintenance is included for three years on the new analyzers.

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

7. Request to approve BA 2020 - 01 to amend the FY 2020 Budget for the purchase of Backstop Netting for Macomber Park.

Mr. Osborne said he noticed balls were going through the backstop netting, this is on the new side of the complex. He does have the money in SPLOST.

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

8. Request to approve \$14,200 for the purchase of Backstop Netting for Macomber Park from All In One Fence, LLC. LI# 320.6100.542542

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

9. Approval of a Resolution to update the signature cards for the City of Rincon Ameris Bank accounts.

This is to update the Ameris Bank accounts, add Patrick Kirkland and remove Kevin Exley.

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

10. Discussion of Public Works Organization.

Mr. Klimm said during the budget discussion a question arose about the lack of an assistant Public Works Director, the job description is in the packet. We can have discussion about this on Thursday night at a workshop.

11. Administrative Reports:

City Manager – Mr. Klimm said he provided an email that he sent to the County about several items, TSPLOST, Fire, Service Delivery and temporary water agreement; there has been progress with the retreat items; invited new finance director to meet Council on Thursday; Public Works have completed filling the potholes on Plantation Way.

1:38:37 Chief of Police – Interim Chief Murrell said he has been in contact with CSX, they will working on the crossing on 15th Street an March 5th from 2PM – 6 AM and they will follow the same procedure as last time, shuttle and fire truck on the other side of the tracks; there was an armed robbery at Pizza Hut, a commercial robbery at Chevron, Mayor Lee asked about the pawn shop robbery, Interim Chief said that is still in progress.

Building/Zoning Dept. – Councilmember Browher thanked Mrs. Kelly and her department for their handling of code compliance.

Recreation Dept. – Councilmember Browher asked Mr. Osborne to pick up around the parks.

Mayor and Council – Councilmember Browher asked about the crater on the road next to Burger King; Dasher asked can we serve him notice; he has been served several years ago. Mrs. Kelly said he has said he is not going to fix it. Attorney Dickey said we can send notice to the other businesses because of the deed, Burger King and the shopping center. Attorney Dickey said we have to be very careful about going onto private property.

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

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

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

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

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

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

No action taken.

Adjourn:

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