



**OFFICIAL MINUTES  
RINCON CITY COUNCIL MEETING  
MONDAY, MARCH 22, 2021  
COUNCIL CHAMBERS  
107 W. 17<sup>TH</sup> STREET  
7:00 PM**

**Councilmember Present:**

Reese Browher  
Ann Daniel  
Patrick Kirkland  
W. Frederick Long  
Levi Scott, Jr.  
Michelle Taylor

**Present:**

Ken Lee, Mayor  
John Klimm, City Manager  
Raymond Dickey, City Attorney  
Dulcia King, City Clerk  
Jonathon Murrell, Police Chief  
Corey Rahn, Fire Chief  
Jason Stewart, City Planner  
Tim Bowles, Public Works Director

The meeting was called to order at 7:04 PM. The Oath of Office was given by Mayor Lee to Michelle Taylor. The Invocation was given by Councilmember Scott and Pledge to the Flag was recited.

**Approval of the agenda with the following:**

Addition of new business item 4A.

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

**Approval of the March 8, 2021 minutes with the following correction:**

New business item 3 motion to approve was made by Councilmember Scott.

Motion to approve: Councilmember Scott

Second: Councilmember Kirkland

Vote by Council: Unanimous

**New Business:**

**1. Effingham Herald requests a Special Events Permit for May 7, 2021.**

Kim Dennis with the Effingham Herald was present. Mrs. Dennis said they have moved into a new facility almost two years ago with the intent to lease it out for events. This is the first event and they want to keep it small. It is a ticket event with a max of 150 people. This event is the Barbeque, Beer, and Botox. Rusty Pig, and Effingham Smiles, will be two of the vendors. They will have live music and other vendors. The event will be on May 7<sup>th</sup> Friday evening from 7:00pm-10:00pm. Mayor Lee asked about parking. Mrs. Dennis said they have two parking lots with forty spots and there is parking along the frontage road, she will also reach out to her neighbors about parking there since they will be closed. The tickets are \$35 per person.

Motion to approve: Councilmember Scott

Second: Councilmember Daniel

Councilmember Browher said he went to an event at the Herald building and the space is beautiful.

Vote by Council: Unanimous

**2. Request for Council to issue a 10 day notice according to the ordinance for nuisance on property located at 719 C West Seventh Street and to pay all assessed fees.**

David Mattos, City inspector, said this case has been going on for two years. He needs to know what direction Council wants to go as far as the cleanup. The last time he came before Council he needed to know what direction they wanted to take, there was talk about a time limit. He is lost at what direction he needs to go and he has gone as far as he can with this case. Mayor Lee said he believes Mr. Johnson said he would make some progress is this correct and has any progress been made. Mr. Mattos said there was not a lot cleaned up some tractors have been moved but there are still tractors there. Councilmember Scott said when they started looking at the property we have assumed that this is grandfathered in, we made decision to go back and have him to start cleaning up but we did not give a deadline. His concern is that we have several other properties involved now and we need to make a decision, we need to give Mr. Mattos direction, we need to clarify and we need to come up with a timeline. Mayor Lee said this does not look like it can be done in ten days.

Mr. Johnson said he has removed three trucks and nine vehicles and some debris from around the trees. He has two parks truck and one that he drives from the highway you can only see one truck. Councilmember Kirkland asked Mr. Johnson would he be ok if Mr. Mattos comes to the property to look and see how much progress has been made, Mr. Johnson said yes. Mr. Mattos said the other question that comes up that he talked about with Council is tractors trailers in residential districts. Mayor Lee asked Attorney Dickey

can we change the ten day notice, Attorney Dickey said Council does not have to issue the ten day notice tonight. There was discussion about the pictures that were presented. Mayor Lee said he feels like there is a lot of work to do and does not think Mr. Johnson can realistically do it in ten days. Mr. Johnson said he cannot. Mayor Lee said we don't want to put something on you that is not realistic, it is up to Council to give him something realistic with an end time. Mr. Johnson said he can have everything done in 30 days, Councilmember Kirkland said maybe we should get Mr. Mattos out there so he can point out everything. Mr. Mattos said he does not think that it can be done in 30 days, six months seems like a better time frame. Attorney Dickey said why doesn't Council table it for 60 days for an update and at the update is nothing is being done at the Council meeting after that issue the ten day notice. Councilmember Scott said this will eliminate the going back and forth because there is a cost every time Mr. Mattos goes there. Mr. Mattos said there are already assessed fees in the amount of \$726.82. Councilmember Daniel asked what do we do about the about the fees do we collect now or in 60 days. Mr. Klimm would it be possible if Mr. Mattos goes meet with Mr. Johnson and explain to him what needs to be done and get it written down so everyone has a clear understanding. Councilmember Browner said we need something in writing so that we are all on the same page. Mr. Mattos said his other issue is the tractor trailer situation on residential property, he knows this has been talked about before. A motion was made to table for 60 days.

Motion to table: Councilmember Kirkland

Second: Councilmember Taylor

Vote by Council: Unanimous

### **3. Request the approval for Blue Line Solutions to install Automated Speed Enforcement Technology (ASET) in the Rincon Elementary school zone on Fort Howard Road and the Rincon Learning Center school zone on North Columbia Avenue.**

Ryan Moore with Blue Line Solutions was present. Chief Murrell said Effingham County and Guyton has approved this and Springfield has it on their agenda. There is no cost to the City, a report will be sent every month, the City will receive 65% and they will take care of all of the equipment. Councilmember Kirkland asked does the Chief have access to view the cameras if there was an emergency, Mr. Moore said yes. Councilmember Browner asked if the license plates readers are reading license plates 24 hours per day, yes. Councilmember Browner said he has concerns with privacy and asked Attorney Dickey has this been challenged in court, Attorney Dickey said no not yet. Councilmember Browner asked Chief Murrell have they done an independent study, he said no he doesn't know how he would go about doing that on Highway 21 unless DOT does it. Councilmember Browner said he is

not saying it is not an issue but he has not heard of there being an issue of speeding in the school zone. He would be happy with giving the chief an officer or two because that is a lot more effective; if we are writing tickets the money is coming back to us. He has concerns about taking pictures; it does not sit well with him. Chief Murrell said the three readers that we have now are the exact same. Mr. Moore said they will work with the Public Information Officer, they will mail letters, put it in the newspaper however big the City wants to do it. They will give the City speed signs outside of the school zone letting people know what their speed is before you get the school zone so there will be three warnings before you come in the school zone.

Resident Matthew Spaccarelli asked about lawsuits. He said he did research and found that in Gerard, Ohio 7,733 were issues in error and saw lawsuits that are pending that the cities spend money to defend. His suggestion is to err on the side of caution; he thinks the police do a good job of writing tickets. Attorney Dickey suggested Mr. Spaccarelli email the information to the City Clerk.

Councilmember Kirkland said that he is all for this; Councilmember Browher said he would feel comfortable if we talk to this City that Mr. Spaccarelli referenced. Attorney Dickey said Georgia statue said this is not a criminal matter it is a civil matter. Georgia created this law for Georgia for school zones.

Mayor Lee asked if we approve contingent upon Attorney Dickey's review where does that leave us. Attorney Dickey said you can come back and revoke. A motion was made to table until April 12, 2021.

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

#### **4. Request approval to encumber \$1,613,858.20 in budgeted capital expenditures.**

Mr. Klimm said this request is to take the unexpended money for projects you approved in the past and encumber for 2021.

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

#### **4A. Request approval of the Service Delivery Stipulation Agreement between the City of Rincon, City of Springfield, City of Guyton and Effingham County.**

Remove from table: Councilmember Scott  
Second: Councilmember Daniel  
Vote by Council: Unanimous

Mr. Klimm said we have finalized the agreement and we are waiting the County's approval, they have not sent it back yet. There was one paragraph we put in and they had issue so we will take it out. A motion was made to table until April 12, 2021.

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

## **5. Administrative Reports:**

**City Manager** –Tommy Kee and Marcus Sack will be ready in the next week or two to give an update on the expansion of the WWTP; also time is ticking in terms of the agreement

signed between the City and the County for the Fire Department to come back in to the City, we need to discuss renovation and expansion of Station One.

**Chief of Police** – They have filled a position; Councilmember Daniel asked was the new vehicles in, no.

**Water/Sewer/Public Works** – Councilmember Kirkland mentioned that residents have approached him about striping the sides of the street leading up to the golf course; Mr. Bowles said he would get a cost for this.

**Mayor and Council** – Councilmember Browher asked was Public Works still picking up yard debris and adding the charges to the water bills. Mr. Bowles said they have not done that since Waste Pro came on board.

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

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

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

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

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

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

No action taken.

**Adjourn:**

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