



**CITY OF RINCON
OFFICIAL MINUTES
RINCON CITY COUNCIL MEETING
MONDAY, MARCH 25, 2019
COUNCIL CHAMBERS
107 W. 17TH STREET
7:00 PM**

Councilmembers Present:

Reese Browher
James Dasher
Levi Scott, Jr
Kevin Exley

Councilmembers Absent:

Paul Wendelken
Ann Daniel

Present:

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

The meeting was called to order at 7:21 PM. The Invocation was given by Councilmember Exley and Pledge to the Flag was recited.

Approval of the agenda with the following additions:

New business items number 6A, 6B, 6C and 6D.

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

Approval of the February 18, 2019 minutes:

Motion to approve: Councilmember Browher
Second: Councilmember Exley
Vote by Council: 3 yes votes, Councilmember Scott abstained

Approval of the March 11, 2019 minutes:

Motion to approve: Councilmember Dasher

Second: Councilmember Browner

Vote by Council: 3 yes votes, Councilmember Scott abstained

New Business

1. Maxwell Engineering requests site plan approval for a dentist's office to be located at 499 S. Columbia Avenue; the property is owned by Newhall Newspapers, Incorporated. The property is zoned GC – General Commercial and is .89 acre. (Map# R2120017B00)

Jared Mock with Maxwell-Reddick and Associates was present. They are asking for approval of preliminary and final site plans. Mrs. Kelly said the Planning and Zoning Board recommended approval with two additions, that a screen be added for the poly carts and also they are still working on the building, so the condition that it has a brick façade with asphalt shingles. The dentist office will have full access from Brentwood Drive and Mrs. Kelly said she does have concerns about traffic being backed from Brentwood Drive to Highway 21. The plans were reviewed but once they got out there traffic was a lot different. Mr. Mock said he understands the concerns but in his experience something like that is generally caused by the four way stop that is there. He is not sure if moving the driveway is going to fix any kind of issue with that stop condition. Mrs. Kelly said that stop sign was added due to potential accidents. Councilmember Exley asked how many four way stops we have on that road, there are three. Council said we need to consider eliminating a stop sign. Mr. Mock said another issue with moving the driveway would be fire truck access, it may be harder for them to make that turn and according to International Fire Code any drive aisle over 150 feet that has a dead end needs to have an approved turn around or a through. There was a suggestion of right in and right out. Mr. Mock said he is not sure that will mitigate the fire access because you have to have 20 foot clear and the right in, right out is only 16 feet. The owners want full access not right in and right out. Chief Rahn said he thinks making that left out will cause problems. Councilmember Dasher said the dentist office will not cause the back up of the traffic, Mrs. Kelly said they could if someone is turning left out of the dentist office they can stop the traffic going towards Kroger by stopping in the middle of the road and backing up to Highway 21. Mayor Lee asked Chief Rahn would a right in, right out be ok as for the Fire Department, he said yes. Mr. Mock said if they can't get full access then the owners request to table the item. Councilmember Browner said we can't ignore staff recommendation, so that might be the thing to do to table. Mayor Lee said there are some questions that we need to address appropriately. Mrs. Kelly said this has never been done before but being out there today it was enough for her to make that recommendation. Councilmember Exley said he thinks there are more factors than the driveway to the dentist office; it's the red light and the three stop sign that are backing up traffic. Councilmember said we probably need to check on the synchronization of that light. Mrs. Kelly said that process will take a lot, some phone calls and letters because all of the lights will need to be changed. A motion was made to table until the next Council meeting.

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

2. First Reading of an Ordinance to Protect Groundwater Recharge Areas, Chapter 82, Article VI of the City of Rincon Code of Ordinances.

Mrs. Kelly said as we work through the storm water we have ordinances we need to put in place per EPD, one is to protect the ground water recharge area. This is a model ordinance and has been reviewed by the City Attorney. This is to meet the requirements for the storm water utility grant.

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

Mayor Lee recognized Boy Scout Shane Chabot who was in attendance working on one of his merit badges for Eagle Scout.

3. Request to approve Budget Amendment 2019-01 to amend the FY 2019 Budget for the purchase of three (3) License Tag Readers for the Police Department.

Chief Gerbino said the quote he recommends is from Applied Intelligent System.

Motion to approve: Councilmember Scott
Second: Councilmember Exley

Councilmember Browher asked when they would be in service. Chief Gerbino said within a month.

Vote by Council: Unanimous

4. Request approval to purchase three (3) Mobile License Tag Readers from Applied Intelligent Systems in the amount of \$43,730.00. LI #320.3200.542228

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

5. Request approval to amend the Personnel Policy Manual Section 80, Vehicle Use to include section 80.30 Vehicle Maintenance and Repair.

Mr. Klimm this deals with items that were discussed at a workshop. Staff has been inconsistent on maintenance and repair of the vehicles and this requires that records be kept and it is the responsibilities of the department heads. He would like to bring a standard of repair. Mayor Lee asked have we done homework to provide the recording

documentation, we need proper record keeping materials. Mr. Klimm said we have not provided that yet but he wants the same document in each department.

Motion to approve: Councilmember Scott

Second: Councilmember Dasher

Vote by Council: Unanimous

6. Request approval to amend the Personnel Policy Manual Section 006, Personnel Records to include section 06.04 Employee Records Control and Retention.

Mr. Klimm said the intent is to memorialize the issue of employee records control and retention. In the past records have been lost and removed. He wanted to clarify the City Clerk is the keeper of the employee records and no employee or person should remove documents from a file. The only way an item can be removed from an employee file is in accordance with the retention schedule. This memorializes the practice that no employee or person has the right to remove anything from an employee file. We have to make sure our files are complete and documents are not lost. It gives the City Clerk the only authority to remove items without the permission of the City Council. Attorney Dickey said this is a start and it rehashes what is in the Charter and duties of the City Clerk. It need to be stronger and put in ordinance form, that it applies to anyone and if determined something is removed it is a violation of law. Mrs. Kelly asked does this address the duplicate files, Mr. Klimm said the point there needs to be a central repository that has all the documents. Mayor asked Ms. King about HIPPA protection. Attorney Dickey we are not subject to HIPPA everything needs to be in the central file. If someone requested medical records we would redact everything in it except the letterhead. Councilmember Exley asked about the timeline on the ordinance, Attorney Dickey said they are working on it.

Motion to approve: Councilmember Browher

Second: Councilmember Scott

Vote by Council: Unanimous

6A. Request to surplus Fire Engine Rescue One, a 1996 Ford.

Chief Rahn said they purchased this vehicle new in 1996 and it is not getting used at all now. Mayor Lee stated the reason it is on the agenda tonight is because there is an auction this weekend.

Motion to approve: Councilmember Scott

Second: Councilmember Exley

Vote by Council: Unanimous

6B. Consider a motion to set the Jose Ramirez termination appeal hearing date for April 4, 2019 at 9:30 AM, said hearing to be conducted at Council Chambers.

Motion to approve: Councilmember Exley

Second: Councilmember Browher

Attorney Dickey wanted it on record that Mr. Ramirez and his attorney asked that the hearing not be set anytime in February and this is the first opportunity that they said they were available.

Vote by Council: Unanimous

6C. Consider a motion to appoint Leon Zipperer, Brett Bennett and LaMeisha Kelly as the individuals to hear the Jose Ramirez appeal.

Motion to approve: Councilmember Dasher

Second: Councilmember Exley

Vote by Council: Unanimous

6D. Consider a motion to establish the parameters for the Jose Ramirez termination appeal as follows:

- a. The hearing panel shall only decide whether to uphold or reverse the termination of Jose Ramirez. This decision shall be based on information received at the hearing concerning the grounds for termination listed in Mr. Ramirez's separation and termination documents.**
- b. The panel shall only receive information at the hearing that directly relates to the grounds of termination stated in Mr. Ramirez's separation and termination documents.**
- c. If the hearing panel determines that Mr. Ramirez committed any one of the grounds for termination as stated in Mr. Ramirez's separation and termination documents, then in that event, the hearing panel must uphold the termination of Mr. Ramirez. If the hearing panel determines that Mr. Ramirez did not commit any of the grounds for termination as stated in Mr. Ramirez's separation and termination documents, then in that event, the hearing panel must reverse the termination of Mr. Ramirez.**
- d. The Ramirez termination appeal hearing shall be recorded by a Georgia certified court reporter/stenographer.**

Motion to approve: Councilmember Browner

Second: Councilmember Exley

Vote by Council: Unanimous

7. Administrative Reports:

City Manager - Mr. Klimm said he able to attend the Georgia City/County Managers Association meeting there was a fascinating presentation about workforce he would like to present to Council along with human resource employee compensation and other issues he

would like to present to Council at a workshop; he met with Lost Plantation Home Owners Association and they are interested in direction of the golf course; bids for the

outsourcing of the management of the golf course are due Friday; he received an invitation from vice president of Picket Fences Home Owner Association, they are having their annual meeting on April 4th at 6:30 PM at the Rincon United Methodist Church. Mayor Lee said it looks like a workshop is needed for next Monday.

Chief of Police – Chief Gerbino said there are four community outreach programs that they are active in, Coffee with a Cop, a prescription drug take back program, a neighborhood watch partnership and a professional recruitment initiative. Mayor Lee asked do we have any active neighborhood watches, Chief Gerbino said not at this time but there is an uptick. Councilmember Dasher talked about the camp out at Chick fil A, Mrs. Kelly said they have planned for it, from 5pm on Wednesday to 6am Thursday morning there will be two officers present, and another two for breakfast and lunch. This will be an additional cost to Chick fil A.

Building/Zoning Dept. – Mrs. Kelly said she sent a note that the Quarterly Elective Officials meeting is April 4th; she would like to discuss the food truck ordinance at the workshop; also she was asked to check on the situation with Kona Ice and found out that they were not permitted to be at the Clarence Morgan Park. Councilmember Dasher asked when and where it the quarterly meeting, Mrs. Kelly said from 5:30 PM to 7:00 PM at the Effingham County Admin Building.

Recreation Dept. – Councilmember Browher asked when the circus will be in town, Mr. Osborne said April 12th, 13th, and 14th.

Mayor and Council – Councilmember Dasher asked about update on website, Mrs. King said there should be something to look at by the second week in April. Councilmember Dasher asked about the walls in City Hall, Mr. Klimm said we have a plan to use the inmates, we are also getting the doors fixed. Mrs. Kelly said the fire fees should be on the May bills.

Adjourn:

Motion to adjourn: Councilmember Scott

Second: Councilmember Browher

Vote by Council: Unanimous