



**OFFICIAL MINUTES
RINCON CITY COUNCIL MEETING
MONDAY, JUNE 22, 2020
COUNCIL CHAMBERS
107 W. 17TH STREET
7:00 PM**

Councilmember Present:

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

Councilmember Absent:

James Dasher

Present:

Ken Lee, Mayor
John Klimm, City Manager
Raymond Dickey, City Attorney
Dulcia King, City Clerk
Jonathan Murrell, Interim Police Chief
Pete Smith, Asst. Fire Chief
LaMeisha Hunter Kelly, City Planner
Tim Bowles, Public Works Director
Derrick Cowart, Finance Director

The meeting was called to order at 7:05 PM. The Invocation was given by Councilmember Browher and the Pledge to the Flag was recited.

Approval of the agenda with following new business items:

9A, Request to appoint board member to the Planning and Zoning Board; 9B, Y-Delta requests approval of Pay Request #6 in the amount of \$106,280.51 for the 7th Street Utility Improvements project; 9C, Request to approve a resolution for the Modification of GEFA Loan DW2016019 (Lower Floridan Well and Wellhouse) to reflect payment-free period from July 1, 2020 to December 31, 2020; 9D, Request to approve a resolution for the Modification of GEFA Loan CW16001 (WWTP Headworks) to reflect payment-free period from July 1, 2020 to December 31, 2020; 9E, Request to approve the City of Rincon Police Department Pursuit Policy; and 9F, Request to approve the City of Rincon Police Department Preliminary Breathe Test Policy.

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

Mayor Lee recognized LaMeisha Kelly for 13 years of service. Mrs. Kelly has turned in a letter of resignation and her last day will be July 3, 2020. Council and staff expressed how much Mrs. Kelly has done for the City.

Approval of the June 8, 2020 minutes:

Motion to approve: Councilmember Daniel
Second: Councilmember Kirkland
Vote by Council: 4 yes votes, Councilmember Browher abstained

Old Business

1. Request to appoint a Rincon representative to the Effingham County Board of Health. (Tabled at the June 8, 2020 meeting)

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

Councilmember Scott recommended Monica Griffin Johnson.

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

New Business:

1. Request filed by Burns Forestry, Incorporated for Final Site plan approval for a commercial development located at 251 Highway 21 (Dasher's Creek). The property is owned by Joseph Burns. The property is zoned OC- Office Commercial (Map and parcel #R2090001).

Mrs. Kelly said this is the final site plan. The Planning and Zoning Board did recommend approval with signage to prevent the trucks from turning left onto Carolina Avenue. Travis Bazemore with EMC Engineering and Joseph Burns were present. Mr. Bazemore said the main concern at the last meeting was traffic and Council asked them to come up with some ways to handle some of the traffic when the lots get developed, Council will see each site plan for each lot and will have more opportunity to handle traffic in the future. What they looked at doing, the best scenario, is limiting truck traffic with signage. Each lot will also have a signage. There also is existing signage on Carolina Avenue. Mrs. Kelly said one thing they talked about was requiring a raised concrete bed, left only, but that would impede people turning in off of Carolina Avenue. As the lots are developed Council could

require more. Councilmember Browher asked about the road, Twelfth Street, and will they deed it to the City. Mr. Bazemore said yes. It will be built to City standards.

Motion to approve: Councilmember Scott
Second: Councilmember Daniel

Browher appreciate them for coming in and presenting this plan

Vote by Council: Unanimous

2. Request filed by Terry Proctor of TLP Investment Properties, LLC for Final Site plan approval for a building addition located at 1212 Patriot Drive. The property is owned by TLP Investment Properties, LLC. The property is zoned GC-General Commercial (Map and parcel # R2180002).

Mrs. Kelly said Planning and Zoning recommended approval with the condition that should Mr. Proctor acquire a tenant or the building is subdivided the new tenant or unit will have to have an additional sewer tap, water tap and grinder pump. The other outstanding condition was the gravel parking lot; it is showing that it will be paved. A motion was made to approve with the condition should the building acquire an additional tenant or be subdivided that a sewer tap, water tap and grinder pump will have to be installed.

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

3. Request filed by Lamar Crowell of K7 Properties, LLC, for Preliminary Site plan approval for Hickory Knob Subdivision, Phase 12. The property is owned by K7 Properties, LLC, also known as Keystone Homes, Inc. The property is zoned R-5 (Residential – One unit detached conventional house). (Map and Parcel # R2630002A00)

Mrs. Kelly said the Planning and Zoning Board is recommending preliminary site plan approval. When COVID 19 hit and during that time Keystone Homes and their engineers have addressed all of the comments on their plans, so because of COVID 19 staff and the Planning and Zoning Board also recommend the final site plan approval. A motion was made to approve preliminary and final site plans.

Motion to approve: Councilmember Browher
Second: Councilmember Daniel

Councilmember Long asked does this water still go through Kate's Cove. Neil McKenzie, with Coleman Company was present; Mr. McKenzie said yes it does. Councilmember Long said every time they add a phase the water is routed through Kate's Cove subdivision and the pond keeps getting fuller and every time it rains the water goes over the dam so we need to look and see how much water we are going to pump through that way. Mr.

McKenzie said this was started in 2008 there is a portion of a pond that was dug, he asked was Councilmember Long talking about storm water, he was; Mr. Mckenzie said they are expanding that pond, they will not discharge more than what is out there and in fact we will discharge less. Councilmember Long said Kate's Cove has discharge from Madison Oaks Subdivision that comes right on down the line. He will need to have an evaluation of all the ponds down that strip before dumping into Kate's Cove, not just Hickory Knob but all the ponds down that way. Mr. McKenzie said for the purpose of this phase with the modeling and onsite retention capability the discharge from this phase will not negatively impact Kate's Cove. Councilmember Long said we have to make sure we are not putting anymore stress on the pond that is there. He personally needs to see a study. Mrs. Kelly asked Mr. McNeil what model did he use, he said their model was just localized just on Hickory Knob Phase 12 they did not account for any other upstream development. Mrs. Kelly asked did Council want the City Engineer to do a storm water analysis of all in the subdivisions, Councilmember Long said how much water goes down the ditch. Councilmember Long said of all water that goes down the ditch. Mrs. Kelly suggested Council have a workshop because of the different problems that need to be resolved. Councilmember Browher withdrew his motion. Mr. Mckenzie said if the analysis uncovered issues with the drainage whose responsibility would it be to complete the repairs. Councilmember Long said he is not saying it is all their problem. Both motions were withdrawn. Mr. Mckenzie asked was there anything they can do to move this project along. Mrs. Kelly said Council would need the opportunity to talk to the Engineer. A motion was made to approve the preliminary site plans with appropriate storm water analysis.

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

4. Lamar Smith Signature Homes request to end the one-year maintenance period for Picket Fences Phase 4 and to release the maintenance bond.

Mr. Bowles said they did a final walk through and all punch list items have been addresses.

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

5. Pay Request from Geosyntec Consultants in the amount of \$5,683.03 for Rincon Watershed Protection Plan Long Term Monitoring. LI# 505.4440.522330

Mrs. Kelly said she request approval, Geosyntec have done a wonderful job. Mrs. Kelly also recognized and thanked Mr. Bowles, Krey Lowther and Jenny McCardle for their hard work with the project.

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

6. Request to approve Budget Amendment BA 2020 - 04 to amend the FY 2020 Budget to set up the budget for the Omnitrax Project.

Derrick Cowart said this is for project that was approved and he needs to set up a budget.

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

7. Request to approve Budget Amendment BA 2020 - 05 to amend the FY 2020 Budget to carry forward funds from fiscal year 2019 to cover encumbered project cost.

Mr. Cowart said this is to carry over monies from the 2019 budget for project that have been started but not completed.

Motion to approve: Councilmember Daniel
Second: Councilmember Browher

Councilmember Scott asked are we looking at projects long range to make sure this does not happen again, Mr. Klimm said yes his plan is to have a workshop in July to discuss this.

Vote by Council: Unanimous

8. Request to approve Budget Amendment BA 2019 - 13 to amend the FY 2019 Budget to adjust the Project Budgets for 2011 and 2016.

Mr. Cowart said this is to adjust the 2011 referendum, adjusting it back down to fund balance and with 2016 referendum he did new revenue projections.

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

9. Approval of the reappointment of Mr. Herb Jones to serve as the non-public representative of Effingham County and the cities of Guyton, Rincon and Springfield for the Coastal Regional Commission Council.

Mayor Lee said Mr. Jones has served for a number of years and is still willing to serve.

Motion to approve: Councilmember Scott
Second: Councilmember Daniel

Councilmember Kirkland asked if Mr. Jones could come in and give some information about the CRC; Mayor Lee invited Councilmember Kirkland to the meetings. They have one every month.

Vote by Council: Unanimous

9A. Request to appoint board member to the Planning and Zoning Board.

Mrs. Kelly said two people submitted applications, Jan Southern and Betty Mydell. Mrs. Mydell was present. A motion made to appoint Betty Mydell.

Motion to approve: Councilmember Browher

Second: Councilmember Scott

Vote by Council: Unanimous

9B. Y-Delta requests approval of Pay Request #6 in the amount of \$106,280.51 for the 7th Street Utility Improvements project. LI# 320.4325.541204 and #320.4440.541425

Mrs. Kelly said Councilmember Scott had some questions about the project and asked did he get those answered. Councilmember Scott said he received a drawing and was not satisfied with the drawing. He believes there are too many 45's. Mr. Bowles said the 45's are better than using 90's. Mrs. Kelly recommended tabling the item until Councilmember Scott could go in the field with Mr. Bowles and the Engineer.

Motion to table until July 13, 2020: Councilmember Daniel

Second: Councilmember Long

Councilmember Scott asked Mr. Bowles if something were to clog up whose responsibility would it be. Mr. Bowles said as long as we have the easement it would be the City, if the easement reverts back to the homeowner it would be their responsibility. Mrs. Kelly said we do not have easement for the individual residents.

Vote by Council: Unanimous

9C. Request to approve a resolution for the Modification of GEFA Loan DW2016019 (Lower Floridan Well and Wellhouse) to reflect payment-free period from July 1, 2020 to December 31, 2020.

Mrs. Kelly said this item and the next reflects a new promissory note, because of Covid-19 and the CARES Act there will be no monthly loan payments or interest payments from July to December.

Motion to approve: Councilmember Browher

Second: Councilmember Scott
Vote by Council: Unanimous

9D. Request to approve a resolution for the Modification of GEFA Loan CW16001 (WWTP Headworks) to reflect payment-free period from July 1, 2020 to December 31, 2020.

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

9E. Request to approve the City of Rincon Police Department Pursuit Policy.

Attorney Dickey said the City is looking at all police policies including the pursuit policy and deadly force, which we will look at next. This meets standards throughout the state and national. As of right now the City is in a good position for what we have.

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

9F. Request to approve the City of Rincon Police Department Preliminary Breathe Test Policy.

Interim Chief Murrell said nothing has changed since the last time Council has seen this, the previous policy was way too restricted and not up to standards nationwide.

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

10. Administrative Reports:

City Manager – Mr. Klimm told Council that Mr. Osborne had a discussion with the fireworks vendor and they can credit the \$7500 deposit that is required if we can't have a fireworks show because of the pandemic. Mayor Lee said he feels more comfortable with this arrangement; Mr. Klimm said he will be on vacation this week; he has received applications for the City Planner position and would like to have a panel; and he is proposing a mid-year budget review workshop at the golf course on July 20th.

Fire Department - Mayor Lee asked about volunteer fire fighters; Assistant Chief Smith said they have the same original fire fighters.

Building/Zoning Dept. - Mrs. Kelly informed Council that she is working on a transition plan.

Finance – Councilmember Kirkland asked about Lost Plantation Golf Course; Mr. Klimm said there is no significant difference.

Mayor and Council – Councilmember Browher thanked staff for working to get the road by Burger King fixed.

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

Motion: Councilmember Kirkland

Second: Councilmember Daniel

Vote by Council: Unanimous

Motion to return to meeting: Councilmember Daniel

Second: Councilmember Scott

Vote by Council: Unanimous

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

Motion to approve: Councilmember Scott

Second: Councilmember Browher

Vote by Council: Unanimous

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

Approval of recommendation of City Manager to appoint Jonathan Murrell as the Chief of Police.

Motion to approve: Councilmember Scott

Second: Councilmember Kirkland

Vote by Council: Unanimous

Adjourn:

Motion: Councilmember Daniel

Second: Councilmember Scott

Vote by Council: Unanimous