



**OFFICIAL MINUTES
RINCON CITY COUNCIL MEETING
MONDAY, SEPTEMBER 13, 2021
COUNCIL CHAMBERS
107 W. 17TH STREET
7:00 PM**

Councilmember Present:

Reese Browher
Patrick Kirkland
W. Frederick Long
Michelle Taylor
Jesse Blackwell, Jr.

Councilmember Absent:

Levi Scott, Jr.

Present:

Ken Lee, Mayor
John Klimm, City Manager
Raymond Dickey, City Attorney
Dulcia King, City Clerk
Jonathon Murrell, Police Chief
Pete Smith, Asst. Fire Chief
Jason Stewart, City Planner
Tim Bowles, Public Works Director
Tommy Kee, WWTP
Monica Words, Finance Director

The meeting was called to order at 7:03 PM. The Invocation was given by Councilmember Browher and the Pledge to the Flag was recited.

Approval of the agenda with the following corrections:

New business item 2 will be a Public Hearing; new business item 1 is being removed from the agenda; new business item 3 should read Rincon-LMIG not TSPLOST, LI# 320.4100.549100; new business item 8 is being removed at the request of the presenter; and the addition of new business item 8A.

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

Approval of the August 23, 2021 minutes:

Motion to approve: Councilmember Blackwell

Second: Councilmember Taylor

Vote by Council: Unanimous

Public Hearing #1

Turn meeting over to public hearing officer, Raymond Dickey:

Public Hearing on the 2021 Millage Rate for the City of Rincon.

Open public hearing: 7:09 PM

Public input: Attorney Dickey said this is required by Georgia law as to whether there will be property tax in the City of Rincon. The City will roll their millage back to zero.

Close public hearing: 7:10

Turn the meeting back over to Mayor Lee.

Vote on the request to approve the 2021 Millage Rate for the City of Rincon.

Mayor Lee said the proposed millage was 7.46. Since 1998 the City has not had a property tax.

Motion to approve: Councilmember Kirkland

Second: Councilmember Long

Vote by Council: Unanimous

Public Hearing #2

Turn meeting over to public hearing officer, Raymond Dickey:

A petition has been filed by Steven Howard requesting a 10 ft. rear setback variance to place a back porch on the property located at 206 Boulder Court. The property is owned by Howard Premier Homes Inc. The property is zoned R-4 (Single Family Residential). (Map and Parcel # R2600054)

Open public hearing: 7:11 PM

Public input: Steven Howard, property owner was present. Mr. Howard said he is requesting a 10 foot variance. The lot is shaped oddly and it is very tight. The homeowners requested a back porch. He has a letter from the ARC and the Homeowners association saying they are ok with the back porch if Council approves it. The porch will not affect any

drainage in the neighborhood and fits in with rest of the homes in the neighborhood. Councilmember Kirkland said he drove by the property and asked Mr. Howard was planning on cutting a particular tree that is very close to the porch; Mr. Blackwell said it is two trees. He drove by also and one tree looks like it is split in two. Mr. Howard said he is willing to cut down the trees and he has a permit to build a fence. Jason Stewart said the Planning Board recommended approval based on the odd shape of the lot. Staff does not have concerns with the Board's recommendation. Tim Bowles mentioned that there was a water main that runs from Boulder Court to Fort Howard Road; Mr. Howard said the fence will stop 20 to 30 feet off the easement to leave access for the City. Councilmember Taylor asked was it just a cement slab, there is a slab and overhang.

Close public hearing: 7:17 PM

Turn the meeting back over to Mayor Lee.

Vote on a petition filed by Steven Howard requesting a 10 ft. rear setback variance to place a back porch on the property located at 206 Boulder Court. The property is owned by Howard Premier Homes Inc. The property is zoned R-4 (Single Family Residential). (Map and Parcel # R2600054)

Motion to approve: Councilmember Blackwell

Second: Councilmember Browher

Vote by Council: Unanimous

New Business:

3. Sikes Brothers, Inc. request approval of pay request #1 in the amount of \$107,032.27 for the 2021 Rincon LMIG – Lockner Drive. LI #320.4100.549100

Alec Metzger, with EMC Engineering was present. Mr. Metzger said this is the first pay request and the road is open. They have to do a punch list, final inspection and then will come back for the final pay withdrawal and retainage. Councilmember Kirkland had a concern about the amount for traffic control, he feels like that is a lot of money for traffic control. Mr. Metzger said the way the contracts are done it is a combination of a unit cost and lump sum cost on items, the lump sum items they roll a lot of things into. Councilmember Taylor asked could they itemize a little better. Mayor Lee mentioned the loose gravel along the road. Councilmember Blackwell said that is true. He has walked the road and there is a lot of gravel and concrete along the edge of the road that needs to be addressed. Mr. Metzger said he will make a note of that and it will be a part of the close out process. Mayor Lee said he would like to see that cleaned up as soon as possible. Mr. Metzger said he will let Council know tomorrow.

Motion to approve: Councilmember Long

Second: Councilmember Blackwell

Vote by Council: Unanimous

**4. R.B. Baker Construction request approval of pay request #3 in the amount of \$3,266.55 for the 2021 Rincon TSPLOST - Georgia and Savannah Avenues.
LI #320.4100.549102**

Mr. Metzger said this is basically completed. They are working on the punch list and final inspection, EMC recommends approval.

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

Mayor Lee said we are redoing a lot of our streets; he thought a good thing to look at is our street signs. We should do an inventory of the street signs so we can get some replaced. Mr. Bowles said he usually makes those signs himself and will look into this.

**5. Southern Civil, LLC request approval of final pay request, #3 in the amount of \$1,000.00 for the OmniTrax Utility Extension Pump Station Upgrade.
LI #510.9501.541490**

Mr. Metzger said this is the final invoice. This will start the warranty period and closing out the project.

Motion to approve: Councilmember Kirkland
Second: Councilmember Taylor

Mayor Lee said he appreciated the score card but noticed they did not get a very good score and he read that they requested not to do business with the City of Rincon. Mr. Metzger said they have had some flow of information problems. EMC requested some information and they did not get it in a timely manner so Southern Civil's pay request was held.

Vote by Council: Unanimous

6. Request approval to purchase chemicals for the WWTP from CedarChem, LLC in the amount of \$16,425.00. LI #506.4335.531123

Tommy Kee said these are the same chemicals that they have been getting and they are out.

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

7. Request to approve the following appointments to the City of Rincon Planning and Zoning Board: Eric Hills and Kelly Durren.

Mr. Stewart said these are the two members that were recommended by Council members.

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

8A. Request approval to accept the Quitclaim deed from the Effingham County Industrial Development Authority (BROE) for the OmniTrax Lift Station.

Attorney Dickey said this is part of agreement with OmniTrax and the IDA. They are still discussing the easement which is not part of this. The only thing for approval tonight is the lift station. This is actually ownership of a piece of property that has the lift station.

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

9. Administrative Reports:

City Manager – Mr. Klimm said they have begun budgetary process and is looking at revenues. Shortly they will have the initial presentation ready; there is a city owned property at the corner of 10 Street and Highway 21 that is vacant, recently Mr. Bowles was in contact with a gentleman that is looking for a place to put his fresh produce stand and offered a proposal to the City through Mr. Bowles. He wanted to know if this is something that Council is willing to entertain, rental of the property short term, and if so he would discuss with Attorney Dickey. Mayor Lee said he knows there are a lot of details but likes the idea, money aside we might generate some revenue but to him it is more about providing a great service to the citizens of Rincon. He would like to see it investigated. Councilmember Browher said he agrees with the Mayor. It could be a decent catalyst to other vendor coming in, he would like to see once a month some type of farmers market coming there. Mr. Klimm said he will work with Attorney Dickey and Mr. Klimm and give an update and keep council informed. Councilmember Blackwell asked since this was a substation was an environmental assessment done on the property. Attorney Dickey said Georgia Power decommissioned that power grid so they were required to do those things, they had to assure there are no hazardous materials; Mr. Klimm said the only other item is he would like to put in a request to go to training at the end of September.

Mr. Klimm said Mike Osborne was supposed to be here but could not, Mr. Osborne said it is the time of year when he orders several uniforms and it is over \$5,000, he wants to make sure his uniforms come in, in an orderly fashion and would like to order them, Council gave the ok for Mr. Osborne to order the uniforms.

Mayor Lee asked Mr. Klimm about Picket Fences. He said he knows we talked about Picket Fences and we need to stay on this. Mr. Klimm said we are in negotiation with a property owner for an emergency exit out of Picket Fences. There are some wetlands involved and question on whether we can do it. But he will stay on it.

City Engineer – Alec Metzger said on 4th Street they are making progress on that, doing the milling. Doug Morgan has met with a couple of concerned people with the school and other people that live closer to Highway 21 so they will probably do that on the weekend to eliminate the traffic concerns; Middleground Road, they had the pre-construction meeting and gave them notice to proceed, they have to the end of the year to get it complete; on 4th Street they have to the end of November to complete.

Chief of Police – Chief Murrell said the Tahoes that they ordered in February have finally come in, it will be a little while before they hit the streets. Mayor Lee asked about commercial burglar alarms and mentioned that there were 44, he thinks we need to put something in place for the excessive alarms. Councilmember Kirkland asked about traffic stops in school zones, Chief said he cannot say they are making a lot, the main concern is traffic control.

Building/Zoning Dept. – Mayor Lee asked Mr. Stewart where was he with hiring a new clerk, he said they will interview in the next week or so.

Water/Sewer/Public Works – Mayor Lee asked about manhole cover in Warrenton Subdivision. Mr. Bowles said Waste Pro contracted with Rahn's to repair the damage. Councilmember Taylor asked about the recycling pickup, she has not had her picked up in 3 weeks, Mr. Klimm will look into this.

Wastewater – Mayor Lee asked about treated average for the month of August. Mr. Kee said in the past six months it has been up, he thinks we have options as far as not reaching the limit. He does not think we are in trouble, he thinks we are doing the right things at the right time to head that off. Councilmember Kirkland asked does the reuse on the golf course subtract from that number, Mr. Kee said yes.

Mayor and Council – Councilmember Browher asked about the follow up on the ditches at 302 and 304 Lexington and corner of 7th Street, Mr. Klimm said they went to look at them and it was cut. Mr. Bowles said he did talk to Frank Owens, the owner about digging out the ditches but Mr. Owens would need to replace the driveway culvert because it is caving in. Councilmember Browher asked Dulcia King about the procedures for absentee and early voting. Ms. King explained that the procedure for early voting, about four of the employees at City Hall will be trained as poll workers; we have a locked ballot box that stays in the City Clerk's office during the day and will be locked in the vault at night. Councilmember Browher asked will one person handle the elector, Ms. King said it will be herself, but if she is not there it will be one of the trained poll workers. He asked what about the key to the ballot box, the key will be with the City Clerk. Councilmember Kirkland asked about edging the sidewalks and curbing when the grass is cut. Mr. Bowles said because lack of manpower he will have send the contract crew back out to edge. Mayor Lee said at last meeting we were talking about some of the problems we were having with the Georgia Department of Labor, he reached out to the Governor and forwarded a letter composed of cases to the Governor's Office and Mr. Klimm and Attorney Dickey have call scheduled tomorrow with the DOL. Hopefully this will resolve the issues.

Mayor Lee reminded Council of Mr. Klimm's evaluation which will be done at the next meeting.

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

No executive session.

Adjourn:

Motion: Councilmember Kirkland
Second: Councilmember Blackwell
Vote by Council: Unanimous