



**CITY OF RINCON
OFFICIAL MINUTES
RINCON CITY COUNCIL MEETING
MONDAY, JUNE 25, 2018
COUNCIL CHAMBERS
107 W. 17TH STREET
7:00 PM**

Councilmembers Present:

Levi Scott, Jr.
Paul Wendelken
Reese Browher
Ann Daniel

Councilmember Absent:

James Dasher
Kevin Exley

Present:

Ken Lee, Mayor
LaMeisha Hunter Kelly, City Planner/ Interim City Manager
Raymond Dickey, City Attorney
Dulcia King, City Clerk
Jose Ramirez, Police Lieutenant
Corey Rahn, Fire Chief
Mike Osborne, Recreation Director
Josh Williams, Lost Plantation Golf Course Manager

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

Approval of the agenda:

A motion was made by Councilmember Daniel to approve the agenda. The motion was amended to move executive session up to item number one.

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

Approval of the May 21, 2018 minutes:

Motion to approve: Councilmember Browher
Second: Councilmember Scott
Vote by Council: Councilmember Daniel abstained

Josh Williams introduced new maintenance worker Joe Cosgrove. Cristina Lawson, new General Administrative/Payroll Technician introduced herself.

Motion to go in to executive session: Councilmember Daniel
Second: Councilmember Scott
Vote by Council: Unanimous

Motion to return to meeting: Councilmember Daniel
Councilmember: Councilmember Scott
Vote by Council: Unanimous

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

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

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

A motion was made to amend the agenda to reverse the order of new business items 6 and 7.

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

New Business:

1. Request to approve the audit engagement letter with Caines, Hodges, and Company, P.C., for the 2017 City Audit.

Mrs. Kelly said the main change is due to the amount of the GEFA loan and because they are federal funds we are required to get a single audit, it is an additional estimated \$5,000 fee.

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

2. Request from Randy Crosby to amend Quit Claim Deeds for property located in Madison Oaks Subdivision.

Lee Talton, ROC Enterprises, was present. Mr. Talton said in 2011 he deeded over pump station, and tied to that was another 1.6 acre lot that was mistakenly deeded over to the City. It was supposed to be just the pump station not the other property. He has a contract on the lots but when a quick claim deed was done it showed up as City owned. The lots in question are lots 118 and 119. The pump station is lot 120. Attorney Dickey said we will make sure the legal description and deeds are correct. A motion was made to allow Mayor Lee to execute the deeds for lots 118 and 119.

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

3. Request to approve internet and phones services with Comcast Business at the Macomber Park Recreation building.

Mike Osborne said they are looking to go with a different set up. The internet is slow and two to three times a week the phones are down. He would like to get everything on one bill and not have Bell's, Windstream, and Verizon. Mrs. Kelly said with the level of activity they need phones and reliable service.

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

**4. Request from Recreation Department to purchase outdoor movie system.
Line Item #320.6100.541128**

Mr. Osborne said this is budgeted and Pro Outdoor came in at \$3,000 less than what was budgeted.

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

5. Request to accept Quit Claim Deeds from The Kroger Co. for:
a. Tract "1" containing .76 acres; and
b. Tract "5" containing 4.34 acres.

Tract 1 is the new Brentwood Drive and tract 5 is the property behind Tractor Supply.

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

7. Request to amend Council General Policies to include a written policy pursuant to Georgia Planning and Zoning laws to allow 10 minutes per side for all zoning matters.

Motion to approve: Councilmember Browher
Second: Councilmember Scott

Phillip McCorkle asked Council what was being amended and what the general policies are. Attorney Dickey said no questions are being answered tonight due to the City is in litigation with Mr. McCorkle's client. If he would like to make an open records request for Council General Policies we can supply them. Mr. McCorkle said he wanted on record that he was not allowed to ask any questions on the matter of the amendments to the Zoning Ordinance. Attorney Dickey said he can ask questions but he would respond to those questions. Mr. McCorkle asked which provision was being amended; Attorney Dickey said the one that applies to 10 minutes per side. Mr. McCorkle asked was 90-336 of the Land Development code being amended. Attorney Dickey said this is not the Land Development code this is Council General Policies.

Vote by Council: Unanimous

6. Request to approve up to a 30-day Moratorium on all zoning requests, variance requests, land development applications, and all other matters related to building and construction.

Motion to approve: Councilmember Daniel
Second: Councilmember Scott

Mr. McCorkle asked what the purpose of the moratorium was. Attorney Dickey said the City feels we need to look at some issues with Planning and Zoning matters and changes to those matters. Mr. McCorkle asked is there anything that makes this necessary, Attorney Dickey said same answer as the first question. Mr. McCorkle asked does this include building permit applications or just matters that come before Council. Attorney Dickey said this includes everything, building permit applications, site plan reviews all matters related to building. Mr. McCorkle said so nobody in Rincon can get a building permit until the moratorium is lifted, Attorney Dickey said once the moratorium is put in place tonight that is correct. Mr. McCorkle asked was there a way to more narrowly tailor the moratorium to accomplish the purpose. Attorney Dickey then read the public hearing that explained the purpose. Mr. McCorkle wanted a copy of the public hearing notice, Attorney Dickey said it will be in the newspaper very soon.

Vote by Council: Unanimous

8. Request to accept Quit Claim Deed from Roger Macomber for a 4.13 acre tract, known as Plantation Drive.

Mrs. Kelly said this has been surveyed and Mr. Macomber has agreed to deed it over to the City so we can make it official that the City does on this. Councilmember Browher asked about the timeframe, Mrs. Kelly said she hopes to have it recorded by the end of the week.

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

9. Potter Construction, LLC requests approval of Pay Request #2 in the amount of \$7,092.24, for work completed on the Lost Plantation Outfall Ditch. LI# 100.4101.541213

Alec Metzger said items new business items 9, 10 and 11 are the final pay request for the work done on the Lost Plantation outfall ditch, the Dresler Road drainage ditch and the Stokes Avenue project. He has reviewed the request and recommends approval. Also a score card for their work has been submitted. They have exceeded expectations, the total was \$13,000 less than what was originally approved.

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

10. Potter Construction, LLC requests approval of Pay Request #2 in the amount of \$30,356.39, for work completed on the drainage ditch near Dresler Road (Lost Plantation). LI# 100.4101.541213

Mr. Metzger said this is the same project, just another part of it. Mr. Metzger also informed Council this is also the final retainage and includes the one year warranty.

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

11. Potter Construction, LLC requests approval of Pay Request #1 in the amount of \$26,858.43 and Pay Request #2 in the amount of \$23,689.17, for work completed on the Stokes Avenue Drainage Ditch. LI# 100.4101.541213

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

12. Administrative Reports:

City Manager – Mrs. Kelly asked Council for a workshop on Monday. She reminded them that Georgia Power will be on site June 28th to conduct an energy audit; on June 27th she and Mr. Bowles will meet with Georgia Power to go over a citywide light audit; on June 27th

she will attend the Chatham County quarterly managers luncheon; Caines, Hodges and Company is on site performing the audit and TJS will be on site tomorrow; she does have an updated schedule of code enforcement cases, some are scheduled to appear on the July 9th meeting; the City owes BITCO money for the true up, in December Wes Smith explained that the BITCO payment was \$62,000 but we would have a true up, the true up is 33,274 and is due July 1st. Mrs. Kelly asked Council if we could pay now and rectify this on the July 9th meeting. Attorney Dickey said we need to see if we can negotiate this. It just seems like a lot. Mrs. Kelly said we will get with BITCO; also staff is getting ready for Freedom Rings on Friday. Councilmember Browher thanked staff for coordinating the energy audit and for working on Plantation Drive.

Chief of Police – Lieutenant Ramirez getting ready for Freedom Rings; the canine is training and will be certified by Friday.

Fire Department – Chief Rahn said they are ready for Freedom Rings.

Recreation Dept. – Mr. Osborne said they are in district tournaments for all stars, three teams can make it to the State; the spaceship has been taken apart, but he cannot get in touch with the man that is fixing it he wanted to know if Council wanted him to pick up the spaceship, Councilmember Browher said he has called several times also; Mr. Osborne wanted to know if he can add something to the Monday workshop; he said he spoke to Ron Webber about the fair and we need to get on the list before they are booked. Mrs. Kelly asked Mr. Osborne what was his request for Council about the fair, he wants to know about the time to bring it, for how long and keeping it around the same size.

Water/Sewer/Public Works – Mr. Bowles gave an update on the contract crew, the insurance adjuster called him back said the van will be totaled and he has been looking for a used van; he has talked to Attorney Dickey about maybe recouping some of our money for the contract crew because we have to pay them regardless; he is working on getting the safety fence up for Freedom Rings; Attorney Dickey asked did he present a new van, Councilmember Wendelken said he doesn't think it is necessary to get a new one but we are losing about \$4,000 a month if they are not working; Mr. Bowles said the only time we don't pay the county for the inmate crew is if it is their fault.

Lost Plantation – Josh Williams said they are updating their website; they had a TaylorMade demo day on Friday; he plans to rebid one piece equipment and refurbish the other; last week they had junior golf camp; he will have a booth at Freedom Rings, Mayor Lee said he should key in on the events that people can have at the grill; Mr. Williams said the WWTP reservoir pump is constantly on because they use enough water for him to keep it on; he also thanked Mr. Bowles and Mr. Osborne for helping out.

Mayor and Council – Councilmember Browher asked how we purchase gas for the vehicles, do we pay the prices at the different gas stations or is it the same amount for all gas no matter where you get it; Mr. Bowles said we pay the price the store has, but we get a discount; Councilmember Scott asked what do we pay an annual fee on those cards, Mr. Bowles said there is no membership fee.

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

Motion: Councilmember Wendelken

Second: Councilmember Scott

Vote by Council: Unanimous

Motion to return to meeting: Councilmember Daniel

Second: Councilmember Scott

Vote by Council: Unanimous

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

Motion to approve: Councilmember Wendelken

Second: Councilmember Daniel

Vote by Council: Unanimous

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

No action taken.

Adjourn:

Motion to adjourn: Councilmember Scott

Second: Councilmember Daniel

Vote by Council: Unanimous