



**CITY OF RINCON**  
**OFFICIAL MINUTES**  
**RINCON CITY COUNCIL MEETING**  
**MONDAY, MAY 13, 2019**  
**COUNCIL CHAMBERS**  
**107 W. 17<sup>TH</sup> STREET**  
**7:00 PM**

**Councilmembers Present:**

Reese Browher  
James Dasher  
Levi Scott, Jr.  
Ann Daniel

**Councilmembers Absent:**

Paul Wendelken  
Kevin Exley

**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 7:06 PM. The Invocation was given by Councilmember Daniel. There was a moment of silence in recognition Savannah Police Sergeant Kelvin Ansari who was killed in the line of duty on Sunday, May 12, 2019. The Pledge to the Flag was recited.

**Approval of the agenda with the addition of new business item 10A:**

Approval of DCA requested changes to the Service Delivery Strategy documents.

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

**Approval of the April 22, 2019 minutes:**

There was one grammatical error that was given to the City Clerk.

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

**New Business:**

**1. Request approval to pay Robert Truck Center \$7,287.08 for repairs to the 2009 F-350. LI #506-4325-522218**

Mr. Bowles said this repair is for the truck with the boom for pulling lift station pumps. It developed a leak under the turbo. Councilmember Dasher asked what is the truck worth, Mr. Bowles said about \$15,000 with the boom. Mayor what would it cost replace, \$60,000. Mr. Bowles said we should be able to get five more years out of that truck.

Motion to approve: Councilmember Daniel  
Second: Councilmember Dasher

Councilmember Scott asked what it would cost to remove the boom and put it on another truck. Mr. Bowles said around \$8,000.

Vote by Council: Unanimous

**2. Request approval to pay Savannah River Utilities \$8,000.00 for repairs to the East Towne Park Lift Station wet well. LI #506-4325-541401**

Mr. Bowles said they are running on one pump. A bracket and hanger for the other pump broke and it is down inside the wet well. It will have to be done while the lift station is live.

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

**3. BRW Construction requests approval of Change Order #1 for a net contract increase of \$166,869.00, for a total contract cost of \$1,080,839.00. LI# 506.4335.542504**

Marcus Sack said this is the first change order; it is a product of being under budget there is enough funds left over that they can do the work. It is not the typical change order, they found while they were working on the Headworks, that the internal plant reuse system was not working. They will reconnect to all the services that that need the reuse water to operate. Councilmember Daniel asked do we anticipate more change orders. Mr. Sack said this is the end of the project and they are using the left over funds to fix this problem.

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

#### **4. Consideration of support for the Effingham Health System Foundation “50th Year Jubilee Gala”.**

Mr. Klimm said we have received a request asking the City to consider the various sponsorship levels. Mayor Lee recommended the Bronze level at \$1000. The motion was made to approve the bronze level.

Motion to approve: Councilmember Dasher

Councilmember Browher said he wants to make sure we spend the City money wisely; the hospital already gets taxpayer money. Mrs. Kelly said this is the foundation, which is not the hospital. The foundation supports the health system. This is a fundraiser to buy needed equipment; this is the arm that helps fulfill the need. Councilmember Scott said the money goes back to the community; it helps generate funds to keep services in our County because the County is not big enough to provide some of the services that we provide now. Most rural hospitals are closing now, and the reason is because the millage rates are going back to uncompensated care. Councilmember Browher asked would this money benefit our citizens by paying for a piece of equipment that will keep them from driving to Savannah. For the record this is the Effingham Health System Foundation.

Second: Councilmember Browher

Vote by Council: Unanimous

#### **5. Approval of financial support to the Live Oak Public Library approved in the 2019 budget in the amount of \$12,000.00.**

Mr. Klimm said he has received this request from library and it is in the 2019 budget. Mayor Lee said he wants to support the library but he would like to know what projects they have planned for this money. Councilmember Scott said we will probably need clarification. He said it started as a request for funding because they were having funding issues way back. Councilmember Daniel when we started there was a need at the time, but now we are the only City that is making this donation to the library outside of their normal budget. Attorney Dickey said the reason is because in service delivery strategy the county is supposed to fund the library through the taxes collected. Mayor Lee said he would like for them to give us specific projects. Councilmember Scott said we already give them money through the County’s general fund. Councilmember Daniel said their budget is healthy. Attorney Dickey said no matter their budgetary needs are it is supposed to be paid by Effingham County through the general fund. A motion was made to deny.

Motion to deny: Councilmember Daniel

Second: Councilmember Browher

Mrs. Kelly asked would Council be open maybe they did set up their personnel to stay open an extra hour. Attorney Dickey said if the City is going to continue we need to go back to service delivery and they can’t tax the residents of Rincon. If they need \$12,000 then tell us so we can go to the County with that need. Councilmember Dasher said he wish they could have been here tonight to present this. Councilmember Browher said he is not anti-library,

but we have to watch our money, a presentation might have changed things. Mr. Klimm said he doesn't think we gave them the opportunity to present. Mayor Lee said if they come before us with a specific need and this Council felt it was appropriate then we could certainly fund it.

Vote by Council: 3 yes vote, Councilmember Dasher voted no

### **6. Request to approve BA 2019-05 to amend the FY 2019 Budget for 9th Street Culvert replacement and the Dresler Ditch Lining project.**

Mrs. Kelly said we have been discussing the drainage problem for a few years. The construction cost is 30% more than what was budgeted a year ago. We have undesignated funds in SPLOST; the recommendation is to take the additional \$364,000 that we need to get the project done from SPLOST reserves that's allocated to streets and drainage. This will take the reserve down to \$195,000.

Mr. Bowles said East 9<sup>th</sup> Street down by Mary Kessler Park has three 48 inch culverts there that handles all the water that comes as far north as the railroad track at Lexington Avenue. It is a problem because the way it comes out of the woods, the culverts are starting to separate and erode along the edge of the road. Alec Metzger explained the flow and where the box culvert will go. Mr. Bowles said this is one of the few major projects that will be done over the years; if it doesn't get done the whole road will eventually collapse.

Mr. Bowles said the Dresler ditch lining is all busted up they can't get in there to clean it and if it continues to go the way it is it could affect the house on both sides. Mr. Metzger explained the project to Council. Councilmember Dasher asked do we have capability to control the pond water level, Mr. Bowles said no.

Mayor Lee asked if these were the only two companies that bid on these projects. Mr. Bowles said the industry is booming right now so the price is high. Mayor Lee noted we did have issues with both of the companies in the past. Councilmember Browner asked could we rebid these projects, Mr. Metzger said that is an option. Mrs. Kelly said some of the problems from the past could have been prevented and someone should have stepped in earlier, both have done work for the County and haven't had a problem. Councilmember Browner said these are pretty big projects could we get some from Bulloch or Liberty Counties. Mr. Metzger said he called about 10 to 15 contractors a lot of them came to the meeting and did not bid. Chief Rahn said East 9<sup>th</sup> Street is narrow will they have provisions on the road to stand truck traffic, Mr. Metzger said yes. Mrs. Kelly said we can put it off but we have put it off for the last two to three years and the cost could go up. There was discussion on the issues that we have had with the two contractors. Councilmember Browner said he has serious concerns about contracting with a company who has threatened to sue us, he would like to explore other options. Mrs. Kelly asked Council is they could reject all bids in order to bid again.

No action taken.

**7. EMC Engineering, Inc. recommends awarding the 9th Street Drainage Culvert Replacement project contract to E&D Contracting Services, Inc., in the amount of \$265,029.00. LI# 320.4100.541420**

A motion was made to reject all bids.

Motion to reject the bid: Councilmember Daniel

Second: Councilmember Scott

Vote by Council: Unanimous

**8. EMC Engineering, Inc. recommends awarding the Dresler Road Ditch Lining project contract to Griffin Contracting, Inc., in the amount of \$199,405.30. LI# 320.4100.541430**

Motion to reject the bid: Councilmember Daniel

Second: Councilmember Scott

Vote by Council: Unanimous

**9. Request approval to repair the air conditioning and heating system at the Police Department in the amount of \$12,000.00. LI# 320.3200.522217**

Chief Gerbino said he was asking for a maximum of \$12,000.00 with an estimate of \$11,082.00. There has been new units installed in the past but there were not adequate lines installed, the lines were too small and thermostat placement was wrong. Coastal Comfort Air has come in and serviced the unit several times; they have spent \$700 to bandage fixes. They said the units are freezing up and the system could fail. Coastal Comfort has been responsive and fair, and he recommends them to fix the problems. Councilmember Scott asked about the warranty, on year on the work.

Motion to approve: Councilmember Scott

Second: Councilmember Browher

Vote by Council: Unanimous

**10. Request approval to reschedule the May 27, 2019 Rincon City Council Meeting to May 29, 2019.**

Motion to approve: Councilmember Dasher

Second: Councilmember Daniel

Vote by Council: Unanimous

**10A. Approval of DCA requested changes to the Service Delivery Strategy documents**

Attorney Dickey said it was minor things that were changed. He has went over the minor changes and it doesn't have anything to do with how the service is delivered and the funding. He recommends approval so we can meet the deadline of June 20<sup>th</sup>.

Motion to approve: Councilmember Scott

Second: Councilmember Daniel

Vote by Council: Unanimous

## **11. Administrative Reports:**

**City Manager** – Mr. Klimm said they are in receipt from GMA of the official ballot for the District 12 Officers. Council is ok with the recommendation of district nominating committee; they did have a Service Delivery Strategy meeting this morning, they have proposed two more meetings June 10<sup>th</sup> and June 24<sup>th</sup> at 10:00 AM. Attorney Dickey said we will probably need to have a workshop before June 10<sup>th</sup>; he had a nice call from the representative from Lost Plantation Homeowners Association and they appreciate Councilmembers Daniel and Dasher and Mayor Lee for attending their event.

**City Engineer** – Alec Metzger gave an update. He said the 7<sup>th</sup> Street contract was signed and given to the City; the 2019 street paving contract have been delivered to the contractor for signing; they will be rebidding the two projects; and at Town Park Commons they will be providing inspections and weekly erosion control inspections.

**Chief of Police** – Mayor Lee asked about the monthly report speeding violations starting at 35 mph zone there is nothing listed for the 25 mph school zone, Chief Gerbino said he doesn't any more than that. They assign a car to the school zone in the mornings and afternoons. Councilmember Dasher asked about the tag readers, they should be installed next Monday. Chief Gerbino said he is disappointed in this company and how long they are taking.

**Fire Department** – Chief Rahn asked to keep Tommy Long in their prayers he is being transferred to hospice. He gave an update on Assistant Chief Smith.

**Building/Zoning Dept.** – Mrs. Kelly said the dentist office on Brentwood Drive is ready to move forward with construction, they have processed the permit application. Based in the current impact fee structure the owner of the building Everett Kennedy said the impact fees were more than what they had budgeted and asked the City to reassess the impact fees as a physician office. They are low water users. Councilmember Browner asked if Aspen paid their fees, Mrs. Kelly said yes. Attorney Dickey informed Council that the impact fees are governed by Georgia law, but the law requires that your city ordinance has an evaluation if an individual request that. Attorney Dickey said this is not down for a vote Mrs. Kelly was looking for guidance from Council and we would go back and change the ordinance. Mayor Lee said if they want to move forward with the project they will have to pay the said amount and we will review it and if changes are necessary we can adjust it at a later time.

**Recreation Dept.** – Mr. Osborne gave Council a report on fair but he does not have the total cost. Council thanked Mr. Osborne for his work on the fair.

**Water/Sewer/Public Works** – Mr. Bowles gave an update on Lower Floridan Well, the well was flow tested and it pumped 700 gpm. We will probably have to lower the pump 100 feet to get to 1,000 gpm; Councilmember Dasher asked how did we get in the position, Mr. Bowles said we let the well sit too long.

**Mayor and Council** – Councilmember Dasher asked about irrigation on golf course, Mr. Klimm said he has not received information on that. Mr. Klimm informed Council that they been invited to attend the Chamber’s annual meeting.

Councilmember Browher asked how much money we received from the Circus, Mr. Osborne said around \$900. Councilmember Browher mentioned Plantation Drive and said Mr. Bowles has done a great job, Mr. Klimm was very responsive, and Mrs. Kelly and Attorney Dickey have done a great job.

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

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

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

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

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

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

No action taken.

Adjourn:

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