

**OFFICIAL MINUTES
RINCON CITY COUNCIL MEETING
MONDAY, JUNE 13, 2016
COUNCIL CHAMBERS
107 W. 17TH STREET
7:00 PM**

Councilmembers Present:

Paul Wendelken
Christi Ricker
Reese Browher
Ann Daniel

Councilmember Absent:

James Dasher
Levi Scott, Jr.

Present:

Ken Lee, Mayor
Wanda Simmons, Interim City Manager
Raymond Dickey, City Attorney
Dulcia King, City Clerk
LaMeisha Kelly, City Planner
Tim Bowles, Public Works Director

The meeting was called to order at 7:04 PM. The invocation was given by Mayor Lee and the Pledge to the Flag was recited.

Approval of the agenda:

Motion to approve: Councilmember Ricker
Second: Councilmember Wendelken
Vote: Unanimous

Approval of the May 23, 2016 minutes:

Motion to approve: Councilmember Ricker
Second: Councilmember Wendelken
Vote: 4 yes votes, Councilmember Daniel abstained

Old Business:

1. Second Reading of an annexation petition by Ameris Bank to annex a 64.26 acre parcel and a 27.53 acre parcel located on Hwy 21 S. The property is owned by Ameris Bank. (Map #04470016 and #04470017)

Motion to approve: Councilmember Daniel with the condition that the Murphy property and Habitat for Humanity get access to their properties, as agreed to by Ameris Bank
Second: Councilmember Ricker
Vote by Council: Unanimous

Public Hearings:

Turn meeting over to public hearing officer, Raymond Dickey:

Public hearing # 1:

Public Hearing on petition to rezone a 64.26 acre parcel and a 27.53 parcel from I-1 (Industrial) to LN – Limited Industrial. The property is located on Hwy 21 S and is owned by Ameris Bank (Map #04470017 and #04470016).

Open public hearing: 7:08 PM

Chance Ram was present, representing the buyer.

Close public hearing: 7:10 PM

Turn the meeting back over to Mayor Lee.

Vote on the First Reading on petition to rezone a 64.26 acre parcel and a 27.53 parcel from I-1 (Industrial) to LN – Limited Industrial. The property is located on Hwy 21 S and is owned by Ameris Bank (Map #04470017 and #04470016).

Motion to approve: Councilmember Daniel with the condition that the Murphy property and Habitat for Humanity get access to their properties, as agreed to by Ameris Bank

Second: Councilmember Wendelken

Vote by Council: Unanimous

Turn meeting over to public hearing officer, Raymond Dickey:

Public hearing # 2:

Public Hearing on petition filed by Richard and Michelle Taylor requesting approval of the rezoning of a 0.82 acre property from R-4 Residential to OC-Office and Commercial Use for an existing business on the site. The property is located at 110 Weisenbaker Road and is owned by Richard and Michelle Taylor (Map # R209-6D00).

Open public hearing: 7:11 PM

Property owner Richard Taylor was present.

Close public hearing: 7:12 PM

Turn the meeting back over to Mayor Lee.

Vote on the First Reading on petition filed by Richard and Michelle Taylor requesting approval of the rezoning of a 0.82 acre property from R-4 Residential to OC-Office and Commercial Use for an existing business on the site. The property is located at 110 Weisenbaker Road and is owned by Richard and Michelle Taylor (Map # R209-6D00).

Motion to approve: Councilmember Browher

Second: Councilmember Ricker

Vote by Council: 4 yes votes, Councilmember Wendelken abstained

Turn meeting over to public hearing officer, Raymond Dickey:

Public hearing # 3:

Public Hearing on petition filed by Savannah Christian Church requesting approval of a variance to Article 3, Section 17-D to allow the use of a 64' x 68' modular unit for up to five years on a fifteen acre property located at 810 Fort Howard Road. The property is owned by Savannah Christian Church and is zoned OC-Office and Commercial Use (Map #R237-10).

Open public hearing: 7:14 PM

Lyle Wood, Effingham campus pastor was present. Councilmember Browher asked if it should be put in the motion that this needs to be considered every five years to protect everyone involved. Mrs. Kelly said as with any variance, applicant should show hardship, and mobile units are only allowed every 12 months but you can put a condition on it. Pastor Wood said the issue with current building is more families have come and there is not enough space for birth through 4 year olds. The little kids needs a little more space. This should carry them into the next building phase scheduled in three to five years. Councilmember Daniel asked does this meet all the setbacks, LaMeisha Kelly said yes.

Resident Joy Jones, whose house is located behind the parking lot, said this will bring down her property value. She said there is enough noise already from the school; this will hurt her as a homeowner. Teresa Bullock, owner of the property where Ms. Jones resides, has spoken with Pastor Wood in the past and he said they would be a berm and growth of trees. Pastor Wood explained where the trailer would go in the property and it will only be used when they don't have enough of space in the church for the children ministry as an overflow. They will not use this space for a school. Mrs. Jones is concerned they will continue to encroach on her house. There is a fifty foot buffer.

Close public hearing: 7:26 PM

Turn the meeting back over to Mayor Lee.

Vote on petition filed by Savannah Christian Church requesting approval of a variance to Article 3, Section 17-D to allow the use of a 64' x 68' modular unit for up to five years on a fifteen acre property located at 810 Fort Howard Road. The property is owned by Savannah Christian Church and is zoned OC-Office and Commercial Use (Map #R237-10).

Councilmember Browher asked if it will have to come up for renewal every year. LaMeisha Kelly said we could do an option for renewal every year. Pastor Wood said that would become a hardship to the church if they have to come back every year for renewal. Councilmember Ricker asked did Planning and Zoning have any issues. Mrs. Kelly said they recommended approval.

Motion to approve with condition to renew after five years: Councilmember Browher
Second: Councilmember Wendelken
Vote by Council: Unanimous

New Business:

1. James Finlen requests approval for the recombination of a 0.384 acre lot, a 0.32 acre lot, and a 0.397 acre lot. The properties are located at 0 Barnwell, 103 Barnwell and 107 Barnwell Ave. The properties are owned by James and Kristen Finlen and zoned R-4 (Single Family Residential) (Map# R2110003B00, Map# R2070101A00, and Map#R2110003D00).

James Finlen was present; he would like to combine the three side by side lots that he owns. His house is on one parcel, a big carport is on one and in between is an empty lot. Mrs. Kelly said the setbacks surrounding the property will be the same. Mr. Finlen wants to refinance the properties and will get a better deal if it is one big lot. With the empty lot he will not get a good deal.

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

2. Recommendation to award contract in the amount of \$83,625.00 to Savannah River Utilities for 9th Street Watermain Extension project. LI# 20.6260.4413.

Alec Metzger said there were three bidders and he recommends Savannah River Utilities. Mrs. Kelly said this project will loop the water line that Tim Bowles and Fire Chief Rahn had been talking about. It will be a six inch line.

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

3. P. C. Simonton requests approval of Pay Request #5 in the amount of \$6,985.00, for engineering services associated with the WWTP Headworks replacement. LI# 50.7280.4411.

Marcus Saks informed Council this request is for work on the headworks, bidding out the equip and working with vendors. Mrs. Kelly said that Mr. Saks has given her everything and they will finish the GEFA loan application by next week.

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

4. Middle Georgia Outdoor Lighting, Inc. requests approval of Pay Request #3 in the amount of \$20,445.00, for the Macomber Park Field Lighting project. LI# 20.4650.4413.

Mr. Metzger informed Council the project is complete and the punch list has been addressed. There are a few cracked sidewalks that need to be fixed.

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

5. R. B. Baker Construction requests payment of Pay Request #2 for Hwy 21 ROW Improvements, in the amount of \$440,656.02. LI# 10.4430.4412.

Mr. Metzger recommends approval of pay. Modifications need to be done on the islands and some stripping needs to be done.

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

6. Murphy Express requests approval of preliminary site plans for the 0.712 acre property located at 102 Lisa Street. The property is owned by Murphy Express and is zoned GC General Commercial (Map#R2570042).

Grant Dennis with Murphy Express was present. Mrs. Kelly told Council this not the same location as last year, the address is 102 Lisa Street the old Rincon Carwash. Justin Patel, business owner asked if it would be the same access that is there currently and is there going to be a traffic light at the Krystal intersection. Mr. Dennis said all will remain the same. Mrs. Kelly said before the final plans are submitted they will need a utility easement from property owner.

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

7. Approval of the purchase of two zero turn mowers from Gridiron, LLC. in the amount of \$14,938.34. LI# 10.4430.4420

Tim Bowles told Council he advertised this in the paper and only received one bid. Wanda Simmons asked if this would stay in his department and Mr. Bowles said yes.

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

8. Approval to surplus the City of Rincon bus that was used to transport the work crew inmates.

Mr. Bowles said this is the big blue bus and there needs to be a minimum bid set. He recommends a \$4,000.00 minimum bid.

Motion to approve with a minimum bid of \$4000.00: Councilmember Ricker
Second: Councilmember Wendelken
Vote by Council: Unanimous

9. Approval to replace the drive thru drawer for utility payments at the City Hall Building at a cost not to exceed \$6,450.00. LI# 40.6220.3308

Mrs. Simmons informed Council that there has been difficulty with the drawer since December. She has received three different bids all from Diebold. One of the bids had an addition of a heater and Council discussed this feature. Mayor Lee asked do we need something that elaborate, can we get something that you just pull the lever in and out. Councilmember Wendelken asked if there was a warranty, Mrs. Simmons said she believes there is a one year warranty and will check.

Motion to approve replacing the drawer for \$6450.00: Councilmember Ricker
Second: Councilmember Daniel
Vote by Council: Unanimous

10. Recommendation of appointment of a Non Public Representative for Effingham County to serve on the CRC Council.

Council recommended Herb Jones to serve on the CRC Council.

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

11. Request to cancel the RFP for the purchase and installation of a chain link fence at Freedom Park.

Mr. Bowles said they advertised for approximately 2,500 feet of fencing for Freedom Park for crowd control and he would like to cancel bid due to lack of bidders. He had interested parties but they did not place bids. Mrs. Kelly said some people see bids as cumbersome. Mayor Lee said he could see some companies might see this as intimidating. Council member Daniel asked if it needs to be resubmitted, Mr. Bowles said yes. It would not need to come before Council for a rebid.

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

12. HHNT Consulting Engineers requests approval of pay request #5 in the amount of \$6,383.50 for engineering services associated with the Lower Floridan Well project. LI# 40.6260.4418.

Tim Baumgartner informed Council this was mainly for consulting and electrical work. Councilmember Browher asked if we are on track. Mr. Baumgartner said we are on track all the permits are being done concurrent. Some acres will have to be mitigated and EPD will need to approve the design of the well.

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

13. Utility Service Co., Inc. requests payment of Pay Request #1 (Final) for the Rincon Tank Rehabilitation project, in the amount of \$92,600.00. LI# 20.6260.4410 and 40.6260.4411.

Mr. Metzger said they forgot to bill the City. This will also start the warranty period and it is a ten year warranty.

Motion to approve pay request to include beginning of 1 year warranty period: Councilmember Wendelken
Second: Councilmember Ricker
Vote by Council: Unanimous

14. Request to accept a Construction and Maintenance Easement from Raymond McElveen and Leila M. Hopkins for 794 sqft (Tract A) needed for new intersection at Hwy 21 and Brentwood Drive. .

Mrs. Kelly said she has to get the easement recorded and sent to GDOT.

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

14A. Refund of impact and tap fees for new single family home located at 375 Bunyan Kessler Road.

Mrs. Kelly said EMC looked at getting the water to this one property, because of the price the owner will put in a well and septic tank. He is requesting a refund of the fees already paid.

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

14B. R. B. Baker Construction requests approval of Change Order #3 in the amount of \$39,303.53, for a total contract cost of \$2,124,356.53. LI# 10.4430.4412

Mr. Metzger informed Council this change order consisted of replacing a concrete island on Hwy 21, it was not practical, and stripping issues. Mayor Lee asked is this is at the City cost, Mrs. Kelly said it will be at Kroger's cost. Councilmember Wendelken wanted to know if the funds were already in the bank and we don't have to request it from Kroger, Mrs. Kelly said yes.

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

14C. R. B. Baker Construction requests approval of additional site work in the amount of \$154,262.72. LI# 10.4430.4412

Mr. Metzger said this addition was for work requested by the City and for milling and overlay by McDonalds. Councilmember Browher asked if they could do the work from 7:00 PM to 7:00 AM, Mr. Metzger thinks working at night could cost more. Mrs. Kelly said GDOT has had concerns about safety that is why they didn't work at night.

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

14D. Middle Georgia Outdoor Lighting requests approval of final pay request in the amount of \$1,483.48. LI# 20.4650.4413

This is the final invoice. Mrs. Kelly and Mike Osborne recommend approval.

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

14E. Middle Georgia Outdoor Lighting, Inc. requests approval to begin one-year maintenance period for the Macomber Park Field Lighting project. LI# 20.4650.4413

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

14F. Request to contribute \$1,000.00 for relocation of the Old Rincon Post Office to Effingham County Historic Society site.

Councilmember Wendelken said we will need an agreement with the Historic Society as to what they will do with the post office, will they include it in the Olde Effingham Days. Councilmember Wendelken would like a representative from the Historic Society to come and explain what they will do with building.

No action taken.

15. Administrative Reports:

City Manager – Written report was included, Mrs. Simmons informed Council that there were issues with billing system and bills were not sent out on time, but all bills have been sent now. Mayor Lee asked is all transportation issues with work crew have been cleared up, Mrs. Simmons said yes.

City Engineer – No written report.

Building/Zoning Dept. – No written report. Mrs. Kelly informed Council there is activity at Williamsburg and the Rincon Elementary site. Mr. Bowles said they will have to put up the silk fence before they can do too much cleaning at Williamsburg.

Water/Sewer/Public Works – Written report was submitted. Mr. Bowles told Council there had been a major leak somewhere only indication they could find was at Picket Fences and 15th Street. The leak was fixed

Lost Plantation – Mrs. Simmons showed Council pictures that Seth Zeigler had sent her of the aeration at the golf course.

Mayor and Council – Councilmember Daniel asked Council to consider having a 30 minute pre meeting before the regular scheduled meeting. Councilmember Browher said 30 minutes before the meeting could save two hours in the meeting. Attorney Dickey said it would have to be something set in a motion, a pre agenda meeting it is not called for in the Charter.

Mrs. Kelly said a workshop was needed and wanted to know Council availability. She will send something out about the meeting at a later date.

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

No executive session.

Adjourn:

Motion to adjourn: Councilmember Daniel

Second: Councilmember Browher

Vote by Council: Unanimous