

**CITY OF RINCON**  
**OFFICIAL MINUTES**  
**RINCON CITY COUNCIL MEETING**  
**MONDAY, SEPTEMBER 25, 2017**  
**COUNCIL CHAMBERS**  
**107 W. 17<sup>TH</sup> STREET**  
**7:00 PM**

**Councilmembers Present:**

Reese Browher  
Paul Wendelken  
James Dasher  
Christi Ricker  
Ann Daniel

**Councilmembers Absent**

Levi Scott, Jr.

**Present:**

Ken Lee, Mayor  
W.E. Smith, Jr., City Manager  
Raymond Dickey, City Attorney  
Dulcia King, City Clerk  
LaMeisha Kelly, City Planner  
Tim Bowles, Public Works Director  
Pete Smith, Asst. Fire Chief  
Seth Zeigler, Lost Plantation Golf Course Director

The meeting was called to order at 7:07 PM. The Invocation was given by Mayor Lee and the Pledge to the Flag was recited.

**Approval of the agenda with the addition of the following:**

Item 9A, Approval of the Mowing and Maintenance Agreement with the Georgia Department of Transformation for the installation of sidewalks and ADA ramps along Hwy 21.

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

**Approval of the August 21, 2017 minutes:**

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

**Approval of the September 7, 2017 minutes:**

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

**Public Hearing #1:**

*Turn meeting over to public hearing officer, Raymond Dickey:*

**Public Hearing on a petition filed by Regina Crabb requesting a variance to Article III, Section 12 to add two metal carports to her property, located at 606 E 4<sup>th</sup> Street. The property is 0.98 acres and is zoned R-4 (single family residential); the property is owned by Danny and Regina Crabb. (Map # R210-13)**

Open public hearing: 7:11 PM

Attorney Dickey asked Mrs. Kelly was the property marked, was it advertised in the legal organ, and were the surrounding neighbors notified; Mrs. Kelly said yes. Regina Crabb is requesting to add two metal carports to protect vehicles from the weather; these will be on the back of the lot. Councilmember Ricker asked Mrs. Kelly what was the Planning and Zoning Board recommendation since they did not have a quorum. Mrs. Kelly said the three members present did recommend approval. This wouldn't be an issue if she had more than one acre.

Close public hearing: 7:14 PM

*Turn the meeting back over to Mayor Lee.*

**Vote on a petition filed by Regina Crabb requesting a variance to Article III, Section 12 to add two metal carports to her property, located at 606 E 4<sup>th</sup> Street. The property is 0.98 acres and is zoned R-4 (single family residential); the property is owned by Danny and Regina Crabb. (Map # R210-13)**

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

*Turn meeting over to public hearing officer, Raymond Dickey:*

**Public Hearing #2:**

**Public Hearing on a petition filed by Jacob and Kimberly Arnsdorff requesting approval of the rezoning of a 3.14 acre property from GC (General Commercial) to R-4 (Single Family Residential). The property is located at 139 Ackerman Road, and is owned by Jacob and Kimberly Arnsdorff. (Map # R271-5)**

Open public hearing: 7:15 PM

Attorney Dickey asked Mrs. Kelly if the property was marked, advertised and neighbors notified; she said yes. Mrs. Kelly said on September 19<sup>th</sup> she was notified by the property owners that they would like to withdraw this petition.

Close public hearing: 7:16 PM

*Turn the meeting back over to Mayor Lee.*

**Vote on a petition filed by Jacob and Kimberly Arnsdorff requesting approval of the rezoning of a 3.14 acre property from GC (General Commercial) to R-4 (Single Family Residential). The property is located at 139 Ackerman Road, and is owned by Jacob and Kimberly Arnsdorff. (Map # R271-5)**

No action.

**Old Business:**

**1. Discussion on Bent Tree Subdivision warranty deed submitted by Al Trimm. (Tabled at July 24, 2017 meeting)**

Motion to remove from table: Councilmember Ricker

Second: Councilmember Daniel

Vote by Council: Unanimous

Mrs. Kelly said the previous deed that was submitted to Council included ponds. We went back to the property owner and he has removed the ponds. There is a conservation easement and it says the City will not except any open ditches, but according to Mr. Bowles there are very few open ditches in that subdivision. A motion was made to accept the Bent Tree Subdivision warranty deed.

Motion to approve: Councilmember Dasher

Second: Councilmember Ricker

Councilmember Browher wanted to be clear on what we are doing and wanted staff to explain. Mrs. Kelly said Council will take the vote and then we have to get the deeds recorded with Superior Court that could take about a week. Mrs. Kelly said keep in mind if there are any issues they will have to go on the Public Works list.

Vote by Council: Unanimous

**New Business:**

**1. Christopher Graham requests approval to subdivide 2.47 acres from a 6.85 acre tract located off of Jaudon Street to build a single family home. Property is zoned R-4 (single family residential). (Map # R215-5).**

Mr. Graham said he purchased the land from his dad to build a home for his family. Councilmember Ricker asked what was Planning and Zonings recommendation, Mrs. Kelly said they did not discuss this but staff recommends approval and they will need to get the access easement recorded. The City Attorney will prepare the easement for the owner's signature to record.

Motion to approve: Councilmember Daniel  
Second: Councilmember Wendelken

Mr. Graham wanted to know if that easement could be named Graham Lane. Attorney Dickey said it would be a private access easement and the property owner can do that. He can get with Public Works and Planning and Zoning.

Vote by Council: Unanimous

## **2. Approval of Budget Amendment 2017-15 to move remaining budget in Capital Leased Equipment to cover additional Fertilizer and Chemicals expenses.**

Seth Zeigler gave an update on the capital lease equipment; he said the City is now the owners of all of the equipment, the lease is over.

Mr. Zeigler said we need more fertilizer and chemicals to get through the year. All we are doing is transferring the money that is left in the lease agreement to chemicals. Rain is creating algae that they need to keep on top of it.

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

## **3. Approval of Budget Amendment 2017-16 to add new line items for Pollinator Project.**

Mr. Zeigler said Mick Sims, Lost Plantation resident came to him with a great idea and that he would let him explain. Mr. Sims said he moved here a few years ago and wanted to become a part of the community. They found an opportunity to get some grant funds to put in a pollinator habitat. They found a site with Mr. Zeigler's help; it is 200 sq. ft. and located on the golf course. They will put in plants that will attract good insects, butterflies and humming birds. Mayor Lee said the grant has been awarded in regards to this.

Motion to approve: Councilmember Ricker  
Second: Councilmember Daniel

Councilmember Daniel said she thinks it is a wonderful idea.

Vote by Council: Unanimous

Mr. Smith said we already have the \$1000 and Attorney Dickey pointed out to him that there are some in-kind match requirements; he anticipates the budget and the plan being done by in-kind sources.

## **4. Fluidyne requests approval of Pay Request #1 in the amount of \$170,550.00, for the WWTP Headworks project equipment. LI# 50.7280.4411**

Marcus Sack said it is the 90% payout for grit removal.

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

**5. BRW Construction Group, LLC requests approval of Pay Request #2 in the amount of \$59,297.40, for the WWTP Headworks project. LI# 50.7280.4411**

Mr. Sack said the project is coming along nicely. They are keeping to the plan and will have successful completion by end date.

Motion to approve: Councilmember Daniel  
Second: Councilmember Dasher

Councilmember Browher said two weeks ago we were talking highly about the working relationship with Mr. Sack and Council appreciates his thoroughness and thanked him.

Vote by Council: Unanimous

**6. Request to contract with Associates in Local Government Assistance, Inc. (ALGA) for grant administration for CDBG 2017 grant in the amount of \$45,000.**

Mrs. Kelly said this is the contract with ALGA. The City Attorney has reviewed it and the money will be paid out of the \$750,000 grant that we received.

Motion to approve: Ricker  
Second: Dasher

Councilmember Dasher thanked Mrs. Kelly for her efforts.

Vote by Council: Unanimous

**7. HHNT Consulting Engineers requests approval of pay request #15 in the amount of \$4,600.00, for engineering services associated with the Lower Floridan Well project. LI# 40.6260.4418 and #40.6260.4419**

No one was present from HHNT. Table until the October 9<sup>th</sup> meeting.

Motion to table: Councilmember Dasher  
Second: Councilmember Browher  
Vote by Council: Unanimous

**8. PINCO requests approval of Change Order #1 for a 30 day increase to the contract, extending the contract deadline to January 13, 2018. LI# 40.6260.4418**

No action per City Attorney's recommendation.

**9. Caldwell Tanks, Inc. requests approval of Change Order #1 for a 30 day increase to the contract, extending the contract deadline to January 13, 2018. LI# 40.6260.4419**

No action per City Attorney's recommendation.

**9A. Approval of the Mowing and Maintenance Agreement with the Georgia Department of Transformation for the installation of sidewalks and ADA ramps along Hwy 21.**

Mrs. Kelly informed Council that EMC is completing the sidewalk installation plans; we have been working on this project for 2 to 3 years. As a part of DOT approval for the project we have to agree up front to cut and maintain the grass, which Public Works already does. Mayor Lee asked Attorney Dickey was there any concerns with this, he said there were none.

Motion to approve: Councilmember Ricker

Second: Councilmember Daniel

Vote by Council: Unanimous

**10. Administrative Reports:**

**City Manager** – Mr. Smith said tomorrow when they meet PC Simonton will do a presentation about solar panels at the WWTP; he gave Captain Lou Reed a draft of a safety plan; had the pre-proposal for insurance broker with Dewitt and two other company and will be taking proposal on October 6.

Councilmember Browher asked about the rocket ship playground equipment, Mr. Smith said he will find out where Mr. Osborne is with this request.

**Fire Department** - Chief Smith wanted to thank Mr. Smith for dropping by and checking with them during the storm and Councilmember Dasher for spending all night with them.

**Building/Zoning Dept.** – Mrs. Kelly wanted to remind Council about the workshop tomorrow; and she is in the middle of completed FEMA paperwork, the first deadline is this Friday.

**Water/Sewer/Public Works** - No written report; Councilmember Ricker said she was suppose to thank Mr. Bowles for opening up Freedom Park and allowing a special needs family drop off their storm debris. Councilmember Browher asked about work on Lexington Street, Mr. Bowles said they will have to go back and fix it. Councilmember Ricker asked about signs, Mr. Bowles said he is waiting to hear from Edwards Interior.

**Lost Plantation** – Mr. Zeigler said play is up and the weather has been nice; he had inmates helping with the trees that staff could not get to.

**Mayor and Council** – Councilmember Ricker said a couple of residents asked about a sign for Josh Reddick, we have one for Billy Currington and Josh gives back to the county as a whole. Mr. Smith said he would look in to it; Mayor Lee said for the workshop tomorrow there was going to be an executive session but Mr. Scott is out of town, so he is proposing to cancel the Called Meeting for tomorrow.

Mrs. Kelly said that on Thursday she and Mayor Lee and Councilmember Ricker went to the ribbon cutting for the first Habitat for Humanity home built in Rincon. Habitat announced

they plan to do two more homes in Rincon and Mrs. Kelly said the new homes are in the project area for CDBG. Mayor Lee said this was good, and it is valuable to so many.

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

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

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

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

No action taken.

**Adjourn:**

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