

**OFFICIAL MINUTES
RINCON CITY COUNCILMEETING
MONDAY, MARCH 9, 2015
COUNCILCHAMBERS
107 W. 17TH STREET
7:00 PM**

Councilmembers Present:

Paul Wendelken
Scott Morgan
Christi Ricker
Reese Browher—Arrived at 7:55 PM
Levi Scott Jr.
James Dasher

Present:

Ken Lee, Mayor
Wesley Corbitt, City Manager
Raymond Dickey, City Attorney
Wanda Hendrix, City Clerk - Minutes

The meeting was called to order at 7:10 PM by Mayor Lee. Councilman Dasher gave the invocation and the pledge to the flag was recited.

Approval of the agenda:

On item #6 please change the item to make it both Police Dept. and Fire Dept. Surplus items.

Motion to approve with change as requested: Councilmember Scott
Second: Councilmember Dasher
Vote: Unanimous

Approval of the minutes of February 23, 2015:

Mayor Lee noted that on Item # 12 the second on the motion should be Councilmember Dasher and on Item # 13 the second on the motion should be Councilmember Ricker

Motion to approve with the noted changes: Councilmember Morgan
Second: Councilmember Scott
Vote: Unanimous

Introductions:

Chief Scholl introduced Officer Snitch (canine officer). Chief Scholl noted that he is in the process of going through training and that he is 5 months old. In about 5 months he will be able to be certified in detection and apprehension and is off to a great start in his training. Chief Scholl noted that we should get about 10 to 12 years of service out of Officer Snitch. He will be narcotics and apprehension. Officer Giaquinto will be his new handler.

Corporal Sienna will be working with Officer Simpson who is a canine handler.

Old Business:

1. First reading of an ordinance to amend the noise ordinance. (This item was tabled at the 2/23/15 meeting).

Remove from the table: Councilmember Dasher

Second: Councilmember Morgan

Vote: Unanimous

LaMeisha Kelly addressed this request. She noted that anything in red was additional; anything with a strikethrough would be deleted.

Motion to approve the first reading of an ordinance to amend the noise ordinance:

Councilmember Scott

Second: Councilmember Dasher

Vote: Unanimous

New Business:

1. CDBG 2015 Conflict of Interest Disclosure.

LaMeisha Kelly addressed this request. This statement was read for the minutes. Councilmember Levi Scott agreed to this disclosure statement and promptly left the council chambers. Mayor Kenneth Lee stated that Council member Levi Scott Jr. family members lives in project area activity location (W. Seventh Street, Jaudon Street and Giles Street) for the FY 2015 Community Development Block Grant (CDBG) program.

Council member Scott has stated that he would comply with the Conflict of Interest guidelines by not discussing the FY 2015 CDBG. Furthermore, at any meeting where the CDBG project is to be discussed, he will excuse himself and leave the room until the discussion is concluded. Council member Scott then excused himself and left the room until discussion of the FY 2015 CDBG application was complete.

Motion to approve: Councilmember Ricker

Second: Councilmember Wendelken

Vote: Unanimous

2. Eagle Excavation, Inc. submit's pay request # 4 in the amount of \$57,983.85 for the Macomber Park Expansion, Phase 3 (Project Nos.14-030-015). Line Item # 10.4650.4413.

Ben Lockhart of EMC Engineering recommended approval.

Motion to approve: Councilmember Morgan

Second: Councilmember Ricker

Vote: Unanimous

3. Drawdown Request #9 for CDBG 2013 (Project No. 13-0107).

LaMeisha Kelly addressed this request.

Motion to approve: Councilmember Dasher

Second: Councilmember Wendelken

Vote: Unanimous

4. Gate Petroleum Company requests final site plan approval for a GATE gas station located at 390 S. Columbia Ave. Property is zoned GC- General Commercial. (Map # R212-15)

LaMeisha Kelly addressed this request. Staff recommended approval.

Motion to approve: Councilmember Scott

Second: Councilmember Dasher

Vote: Unanimous

5. Approval of a Lease Agreement with Georgia Power for lighting services.

Mr. Corbitt addressed this request. He showed the lighting package that he recommended approval for. This package of \$24,322.00 up front then a monthly cost consisting of \$495.00 per month, he noted that we would own it but we would be paying them to power it and to repair it. Of the options Georgia Power gave to us, this was the best option.

Councilperson Ricker asked if there was a deadline on this request. Mr. Lockhart of EMC Engineering, noted that that was being done now in connection for the completion of the park.

Tim Bowles stated this was similar to our street lighting charges.

Raymond Dickey said that everything Georgia Power puts in is leased to the city. Mayor Lee said as with any agreement or contract this was something the city attorney should review it.

Motion to table for staff and city attorney to review: Councilmember Dasher

Second: Councilmember Ricker
Vote: Unanimous

6. Rincon Police Dept. and Rincon Fire Dept. submit items for surplus – items to be sold in auction or destroyed.

Chief Scholl and Chief Rahn submitted lists for review. The fairground auction is this weekend and we would like to take these items there. Tim Bowles will also be taking his items that were previously approved and he put a \$500.00 reserve on his items. If we scrap the items we will get \$300.00, so we could put a \$300.00 reserve.

Motion to approve Fire and Police items for surplus with a \$300.00 reserve per vehicle: Councilmember Scott
Second: Councilmember Dasher
Vote: Unanimous

Councilmember arrived at 7:55 PM.

7. Approval of a contract with Retail Strategies.

Mrs. Kelly that no action be taken on this item. We will be having a called meeting at 6:30 PM next Monday (3/16/15) at the council chambers for this item.

8. Consider to begin the process to obtain a deed for Plantation Drive and Plantation Way.

Wesley Corbitt said on Plantation Drive (just passed the ballpark on the backside of Hickory Knob) someone purchased this road thinking it was a parcel of land, instead it was a road. He thought he was buying a lot, and instead it was a road. I think it would be in the city's best interest to ask him to prepare a deed to deed the road over to the city. The road is about 9/10 of a mile and would need to be resurfaced. Wesley noted that the City Attorney said the process would take a year before he could deed this over. Wesley said he would mention this to the gentlemen and direct staff would continue the process.

No action taken.

Mr. Larry Exley addressed council and thanked them for allowing the seniors to use the building. He discussed the government system in the United States, and the military.

**9. Administrative Reports:
(a) City Manager**

Options for drainage on Richland and Lexington – we have three options (ways) that the project can be bid out.

Option 1 cost \$104,280.00 (Place pipe along Richland Ave.) coming down Richland to Tenth St and over to Diane Kessler Park.

Option 2 cost \$ 79,840.00 (Place pipe in existing ditch between residences) drainage would come down and have complete piping (coming across Mr. Dickerson's property) with inlet turning into Diane Kessler Park.

Option 3 cost \$ 45,610.00 (Place pipe in new easement adjacent to existing ditch) draining would come down and go across Mr. Dickerson's property and getting rid of the inlets, and proceed into Diane Kessler Park.

Councilmember Wendelken asked why Public Works could not do some of this work and it was being bid out. Wesley Corbitt said that Tim Bowles said he did not have the staff to do this at this time. Councilmember Wendelken said Mrs. Wendelken needed to look at these options since she is the one that brought this issue up. Tim Bowles said if option 3 was used it would close up most of the ditch and would just be a swell. Councilmember Wendelken said a lot of water comes across Ms. Wendelken's yard. Wesley said the only option to remove the ditch was Option 2. Councilmember Wendelken said all of Ms. Wendelken's drainage would either go into the swell or the ditch. Wesley said option 3 would keep the ditch drier and we could get city equipment in there to keep it clean.

Wesley said they also have some options for reuse.

(b) City Engineer
(c) Chief of Police

Chief Scholl spoke about the alternate schedule that he presented to council. He said this would give additional staff during peak hours. He said this would provide if both officers were tied up, that there would be a 3rd officer available as needed with no impact on the budget. He noted that from 3-7pm that there would always be 5 officers on duty. He said from 3pm to 7pm there was a lot of activity when the maximum number of officers would be needed. This will allow officers to be available to check businesses, check neighborhoods and still enforce traffic and will broaden our visibility throughout the city.

(d) Fire Department

Chief Rahn, no report available for questions. Have an item for executive session.

(e) Building / Zoning Dept.

1. LaMeisha Kelly showed property down from Macomber Ball Park and the house owned by Gary Conley the property lives on a separate property beside it and wants to use the home as a short term rental from a week to a month as a rental business. It is not a bed and breakfast, it is on a separate lot and is a small home they want to use as a short term rental business. Map # R2050045 – 811 Lexington Avenue, and this is a Single Family Residential home. LaMeisha explained that a bed and

breakfast is where the owner lives on site and operates a bed and breakfast in the place they live. LaMeisha said this was not allowable in this area, and it would have to be a conditional approval (under R4) for residential and would need to come before council. We would need to amend the ordinance to allow for this. He also wants to get a business license on this house to use it as a short term rental business, so this could fall into the hotel/motel tax. Wesley said this could be a problem if there were numerous people staying there with parking if more than one party stays there at a time.

LaMeisha said she could refuse the business license and allow him to rent as wanted. Councilmember Wendelken suggested a bed and breakfast zoning. Councilmember Scott said it could be a vacation rental. City Attorney Dickey gave reasons he may want to do a home occupation as a rental agency.

2. Southern Landscape Management – she said he wanted to relocate his business and vehicles to be parked on a shared area at 21 Auto. She noted that 21 Auto barely has enough space for their vehicles, and he wants to locate there. He said he will only use two parking spaces. Parking spaces are for patrons of the business. Council could put the stipulation that all of his vehicle would be in the back. He said he only has 2 vehicles to place there, however, the list shows more vehicles. Mrs. Kelly noted he would be using office space inside of their building. Councilmember Browner asked if there was adequate room on this site for his equipment. LaMeisha said she did not believe he could meet the requirement. He said there would be 2 to 3 vehicles owned or employee owned to be on the property. Councilmember Wendelken said we need to know how many employees on the property.

LaMeisha asked if she could tell him they suggest that he look for another place if possible.

Retail Strategies – we will send out changes to the contract and if you would look it over so we can be ready for next Monday.

Code Enforcement – we have one with a court date in April 2015; another one served tonight with the same court date in April (he kept refusing to take the paperwork). Another property on Talmadge Drive will be coming before council at the next meeting.

March 28th there will be Fire Works training.

(f) Recreation Dept.

(g) Water / Sewer / Public Works

Tim Bowles no report, but available for questions.

Councilmember Wendelken on the drainage ditch could public works not do the work. Tim Bowles said the pine trees were 36inches. Tim said he could cut

shrubbery, but if a tree could fall onto someone's house then he did not want to work on it. Councilmember Ricker asked if this was private property. Councilmember Wendelken said yes but we could get an easement. Councilmember Wendelken asked if the size of the pipe was a problem. Wesley said the size of the pipe could be a problem for public works to work with. Councilmember Wendelken said this still needed to be discussed. Councilmember Wendelken asked what kind of times on North Carolina? Ben Lockhart and LaMeisha said it should be flagged this week and then Tim Bowles would go out there.

(h) Wastewater

(i) Finance

(j) Lost Plantation

Paul Johnson was present to address council. He passed out a proposal to council, which is attached for the record. He said he would like to bill the city recreation department for \$1000.00 per month. Councilmember Wendelken said we have only had football for 2 years and used the gym for basketball this year. We also give up concessions at Ebenezer for using their fields. We have been offered high school fields as well, and I have never heard it tied into this. Wesley said we charge them water at the golf course, trying to treat it as a business. This would allow to reflect in the income of the golf course because recreation is using county schools at no charge and the schools use the golf course at no charge. Paul Johnson said this would help offset his revenues for \$1000.00 per month for three months. Councilmember Ricker asked if we are providing them golf balls to use. Paul Johnson said yes we are for the driving range. Mayor Lee said we have had arrangements with schools to use fields, and free golf is not practical. He said that there should be a way to offset the "free use" of the golf course, as a revenue to the golf course since we make them accountable for their monies. Paul Johnson said he would assist in a fundraiser to help the schools to pay Lost Plantation for their use of the fields. He said he went to Wesley, but Wesley felt that this may not be a good idea as it could cause pushback and problems. Wesley said there is an expectation we will use their fields at the schools and they will use our golf course. He said Paul Johnson asked them if he could bill it back to the Recreation Dept. Councilmember Browner discussed his feelings and the concerns he had with charging the schools for the use of the golf course. He said cheer teams, football teams, golf teams all use the golf course. Councilmember Dasher said this would allow them the privilege of using our course in our city. Paul Johnson said there are 55 kids signed up for the middle school and high school teams. He said visibility is high because parents want to watch their kids play golf.

Councilmember Morgan asked what other courses in the area do. He said when they use the course they don't usually use 18 holes. Paul Johnson said Bacon Park allows HS teams to play, but he doesn't know if they are charged. Southbridge and Crosswinds do not have teams out there, but do have matches for private schools that are charged at a reduced rate.

Wesley said he wasn't looking to bill it but wanted to get credit for the golf course. When we ask our managers to run it like a business and make money we have to consider the revenues. Councilmember Wendelken asked what Mike Osborne's view was. Paul Johnson said Mike did not feel he should have to pay this out of the Recreation Dept. revenues. Councilmember Wendelken said he felt we are punishing recreation for making money, and general fund is funding the golf course and has been paying for it. We are taking from the general fund and now want to take it from recreation as well. He said he can appreciate wanting to raise revenue, but taking money from another department is not right. Some of these people will probably come back and play later in the year, which would offset some of this but there is no way to track this collateral revenue. If not this is not a profitable venture to allow people to play. Councilmember Ricker asked if food sales had been figured into this. He said not there was not, she said there would be profit from this. Paul Johnson said that some food sales were there, but most kids bring their own food. Councilmember Ricker said maybe that policy should be reviewed. Councilmember Wendelken asked when other teams come in for matches do they pay? Paul Johnson said no. Wesley said that could be checked into, as a possible means of revenue. Wesley asked that council receive the information of what revenues could be there.

Paul Johnson said weather wise it has been worse than last year, but revenue was up. Rounds per day due to weather is down, but revenue is up. For March rounds and revenues are up. Saturday, Sunday and today were good days. Paul Johnson said they had a program Sunday afternoon as a Ladies Party learn about golf. LaMeisha did very well, and we will work on power later.

(k) Mayor and Council

Amy Ambrose contacted Christy Ricker asked about our city being Special Needs Certified. Mr. Dickey said their median income is up there. The high school looks like the Georgia Capital. LaMeisha said she could get information to Christy Ricker on what that entails.

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

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

Motion to return to meeting: Councilmember Wendelken
Second: Councilmember Ricker
Vote: Unanimous

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

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

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

No action taken.

Adjourn:

Motion to adjourn: Councilmember Wendelken
Second: Councilmember Morgan
Vote by Council: Unanimous

The meeting adjourned.

Ken Lee, Mayor

Wanda Hendrix, City Clerk