

**OFFICIAL MINUTES
RINCON CITY COUNCIL MEETING
WEDNESDAY, JANUARY 28, 2015
COUNCIL CHAMBERS
107 W. 17TH STREET
7:00 PM**

Councilmembers Present:

Paul Wendelken
Reese Browher
Christi Ricker
James Dasher

Councilmembers Absent:

Scott Morgan
Levi Scott Jr.

Present:

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

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

It was requested by City Clerk Wanda Hendrix to add item #10A under new business as "Approval of setting the Qualifying Fees for the 2015 Election".

Approval of the agenda with the addition of New Business Item 10A: Approval of setting the Qualifying Fees for the 2015 Election:

Motion to approve with addition of 10A: Councilmember Dasher
Second: Councilmember Browher
Vote: Unanimous

Approval of the minutes of January 12, 2015:

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

Recreation Department Introduction:

Mike Osborne introduced Devon Wilson as the new Recreation Coordinator. Mike said he was looking forward to working with him and welcomed him to his staff.

Old Business:

1. Second reading on petition filed by Rickay Graham to amend Article 6. Zoning Districts of the City of Rincon Zoning Ordinance to allow storage of automobiles as a conditional use in a General Agriculture or R-4 (Single Family Residential) Zoning District.

LaMeisha Kelly discussed this request. She noted that this request had been on the previous agenda and discussed what had ensued.

Councilmember Wendelken said he did not discuss this at the last meeting. He stated that to him it sounded like this would be a commercial towing and vehicle storage business at this location and not just Mr. Graham's own vehicles.

Councilmember Wendelken said we would be changing an ordinance to do this, but I am not sure this is the best option for this request he noted.

Councilmember Browher asked what Mr. Graham's plans were and how many vehicles he was talking about. Mr. Graham said this was a 10 acre tract.

Councilmember Browher asked if there were a number of cars that could be stored on this property. LaMeisha Kelly said this was to change the ordinance only, and this would allow this to be approved for anyone as a conditional use. She said this ordinance change would allow for people to come before council and ask to do this kind of business (for example) in these types of locations. She said he would still have to come back to council if this was approved to allow him to pursue his request.

Councilmember Browher asked how much of the property was R4 and how much was GA? LaMeisha Kelly said the whole 10 acres was R4. She said Mr. Graham would have to come back to council to rezone his property to GA.

Councilmember Wendelken said this would essentially be a commercial business in a non-commercial location.

Motion to deny the request on the second reading: Councilmember Wendelken

Second: Councilmember Browher

Vote: Unanimous to deny

2. Request to award bid to Marchese Construction in the amount of \$44,647.63 for the upgrades to the bathrooms at Macomber Park (tabled on 1/12/2015).

Remove from the table: Councilmember Dasher

Second: Councilmember Browher

Vote: Unanimous

Alec Metzger of EMC said they met with Marchese Construction and they took out some of the items to bring the cost down. He reviewed the design/bid for the upgrade of restroom facilities at Macomber Park as the revised bid schedule – cost reduction were made as of 1/21/2015. He said they discussed the location of the panel. It was noted that there a price reduction of \$4819.43 brought the total bid cost to \$39828.20.

Mike Osborne said this was a much needed necessity for the ballpark. He discussed the future needs of the use of the facilities. He noted that citizens had even contacted him mentioning that the restroom facilities needed to be renovated. He said this would be 3 toilets and 1 sink.

Councilmember Wendelken said if we are going to spend this kind of money, he would like to see us just build new restrooms. He said a lot of this cost is demolition, moving stuff around, cutting cement. He said on a new stand-alone building these costs would not be there, and he said the cost would be about the same. He said he would like us to get numbers on a new bathroom instead of a renovation of these.

Mayor Lee noted that many times it is more costly to renovate then build new. Councilmember Wendelken said we could put together dimensions for a free standing building. He noted on the existing restrooms we should put in some fresh paint, new partitions and take care of some things and do some minor upgrades.

Motion to reject all bids: Councilmember Dasher

Second: Councilmember Ricker

Vote: Unanimous

New Business:

1. Archie Mungin requests final site plan approval for truck repair facility located at 1226 N. Columbia Ave.

Wesley Parker was present to address this request for Mr. Mungin. Last time we were here it was asked that we move the drainage to the front, and this has been done. Mrs. Kelly said that the Planning Board recommended approval. The Planning Board recommended approval with the following conditions:

a) no trailers; b) the area needs to be fenced with a noise barrier; c) the opening of the building needs to face north towards Patriot Park Drive; d) there needs to be no more than 4 bays; e) no more than three trucks outside the facility; and f) no access from Long Street.

Motion to approve with the noted conditions that the Planning Boards requested: a) no trailers; b) the area needs to be fenced with a noise barrier; c) the opening of the building needs to face north towards Patriot Park Drive; d) there needs to be no more than 4 bays; e) no more than three trucks outside the facility; and f) no access from Long Street and meet the noise ordinance requirements.

: Councilmember Browner

Second: Councilmember Ricker

Vote: Unanimous

2. Development Agreement with Archie Mungin for a truck repair facility, to be located at 1226 N. Columbia Ave.

Motion to approve: Councilmember Browner

Second: Councilmember Wendelken

Vote: Unanimous

3. Built South Construction requests final site plan approval for a Crossfit RX gym located at 616 Towne Park Loop. Property is zoned GC (General Commercial). (Map # 264-16)

Mark Crapse of Kern Engineering addressed this request and represented Crossfit RX gym. He said they would like to have the minutes note that the back side of the building not be required

to have heating or air conditioning in the workout area of the building. He noted that the office area would be conditioned with heating and air.

LaMeisha Kelly noted if the use was to change that a heat source would be required. Planning and Zoning recommended approval.

Motion to approve the request by Built South Construction requests final site plan approval for a Crossfit RX gym located at 616 Towne Park Loop. (Property is zoned GC-General Commercial); with the condition that a change in use would require that a heat source and air source per code requirements be placed in the rear of the building: Councilmember Wendelken

Second: Councilmember Dasher

Vote: Unanimous

4. Development Agreement with Robert LeFavi for a fitness facility known as CrossFit Groundspeed, to be located at Towne Park Loop.

LaMeisha Kelly noted that the official name would be CrossFit Groundspeed

Motion to approve: Councilmember Wendelken

Second: Councilmember Browher

Vote: Unanimous

5. Request Council to issue a 10 day notice according to the ordinance for nuisance on property located at 508 Lexington Ave.

Travis Grubbs was present to address this request. LaMeisha said they have issued 3 notices. When the last letter was received it had to be sent by the police department. She said the property owner had emailed and said he would address this issue. She noted that as of today he had addressed some issues, but had not completed it all or mentioned that he would. It was noted that this case goes back to 2012. Council was provided with pictures to review. The requirement said the city has to give them 10 days' notice to appear to council and council must decide if the property has been cleaned up to ordinance satisfaction. If council did not find it cleaned up satisfactory you then give him 10 more days to clean the area and if it is not cleaned then it will be moved to the court, where the person is cited for ordinance violation and the city can move forward and clean it up (with a court order).

Raymond asked who's property this was. LaMeisha said this was Steve Turcotte's property and he was notified to be here but did not show up.

Mr. Mixon (the neighbor) said this property was an ongoing problem for 14 years, and it looked horrible.

Motion to find that the property has not been cleaned up to ordinance satisfaction and to serve him with a 10 days notice : Councilmember Browher

Second: Councilmember Dasher

Vote: Unanimous

6. Request Council to issue a 10 day notice according to the ordinance for nuisance on property located at 206 E. 6th Street.

LaMeisha Kelly said this was Larry Exley's property, and that the letter was served by the police. Travis met with him and he said he was going to get some of the work done. Travis took pictures today and there still has been no change. Mr. Exley was not present. Council was provided with pictures to review. The requirement said we have to give them 10 days' notice to appear to council and council must decide if the property has been cleaned up to ordinance satisfaction. If council did not find it cleaned up satisfactory you then give him 10 more days to clean the area and if it is not cleaned then it will be moved to the court where the person is cited for ordinance violation and the city can move forward and clean it up (with a court order).

Mr. Corbin stated he has lived next door for years and it was terrible.

Mr. Mixon said another problem is barking dogs. He said no one will do anything regarding this. LaMeisha said animal control is handled through the county, and even when called by residents or staff they will not address this issue. She said they had even dropped off cages in a persons yard, and told them to put the cages together.

Motion to find that the property has not been cleaned up to ordinance satisfaction and to serve him with a 10 days' notice: Councilmember Dasher
Second: Councilmember Wendelken
Vote: Unanimous

7. Drawdown #8 for the FY2013 CDBG (9th Street water and sewer project) in the amount of \$147,805.00.

LaMeisha Kelly addressed this request and said this money was to reimburse ourselves from the grant monies.

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

8. Request approval to surplus and auction a 2002 Ford F150 Vin# 1FTRF17242NB55255 from the Water Department.

Tim Bowles addressed this request it has 180,000 or so miles on it. He said the front end is about to fall out.

Motion to approve to surplus at auction: Councilmember Dasher
Second: Councilmember Ricker
Vote: Unanimous

9. Request approved to move forward with accepting siren's surplus by Winder, Georgia.

Wesley Corbitt said this is for 4 sirens and there are two options to choose from. There can be an installation in one option for 3 sirens and one as a backup; option 2 has 4 installed and utilized. He said we would put these sirens in our city for about \$25,000.00 (option 1) and for \$30,000.00 (option 2) the city could have about a \$75,000.00 system. Wesley said these were at no cost from Winder, Georgia. He said this company from Atlanta, could put these up. Wesley said they could come to a council meeting and address council's questions.

Motion to approve accepting the siren's from Winder, Georgia: Councilmember Browher
Second: Councilmember Dasher
Vote: Unanimous

10. Request to award bid for Macomber Park Concession Building to Marchese Construction in the amount of \$205,699.81.

Wesley Corbitt said this was a follow-up to our workshop, council wanted to approve his bid and work with him to reduce these costs.

Mayor Lee asked Raymond Dickey if they accept this bid, can they adjust the price then. Raymond said instead of accepting the bid, council can authorize a price up to this amount and allow for negotiation. Wesley asked if you could accept the most responsive bid to be negotiated further.

Motion to approve the amount up to \$205,699.81 with council negotiating cost reduction with the contractor from the contract amount: Councilmember Browher
Second: Councilmember Wendelken
Vote: Unanimous

10A. Approval of setting the Qualifying Fees for the 2015 Election.

Motion to approve the councilperson qualifying fee at \$90.00: Councilmember Dasher
Second: Councilmember Browher
Vote: Unanimous

11. Administrative Reports:

- (a) City Manager – No report; will ask siren director to be here on Monday.
- (b) City Engineer – No report.
- (c) Chief of Police – Written report provided (see attached).
- (d) Fire Department – No report.
- (e) Building / Zoning Dept. – LaMeisha gave council the capital cost recovery report from 2007-2014 showing ERU's collected. LaMeisha said we are holding the money back awaiting further data is received from them.
LaMeisha said they discussed retail strategies in Atlanta. She asked if council was available for a workshop on Monday and a conference call? Council said yes 7PM
- (f) Recreation Dept. – Ending basketball season on Saturday. Gearing up for baseball and softball.
Concession stand revenue comparison: 2012 \$19306.00; 2013 \$15823.00; 2014 \$25026.00
- (g) Water / Sewer / Public Works – No written report.
- (h) Wastewater – Not present.
- (i) Finance – Not present.
- (j) Lost Plantation – Not present.
- (k) Mayor and Council – Workshop Monday at 7PM. Council asked if the trees at the park were going to have their stumps grinded up. Wesley said yes they were..
Wesley said EPD did give an update that they will be requiring a 15% reduction in permits.

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

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

Motion to return to the meeting: Councilmember Dasher
Second: Councilmember Ricker
Vote: Unanimous

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

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

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

No action taken.

Adjourn:

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

The meeting adjourned.

Ken Lee, Mayor

Wanda Hendrix, City Clerk