

**UNOFFICIAL MINUTES
RINCON CITY COUNCILMEETING
MONDAY, JUNE 22, 2015
COUNCILCHAMBERS
107 W. 17TH STREET
7:00 PM**

Councilmembers Present:

Paul Wendelken
Scott Morgan
Christi Ricker
Reese Browher
Levi Scott Jr.

James Dasher-- Absent

Present:

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

The meeting was called to order at 7:07 PM by Mayor Lee. Councilmember Ricker gave the invocation and the pledge to the flag was recited.

Approval of the agenda:

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

Approval of the minutes of June 8, 2015:

Motion to approve as presented: Councilmember Wendelken
Second: Councilmember Scott
Vote: Unanimous

Old Business:

1. Second reading of an ordinance for zoning map amendments to rezone the following properties (119.18 acres):

- .62 acres located at 203 Ferncliff Crt from R-1 to R-4; property is owned by DTG Investments, Inc;
- .45 acres located at 202 Ferncliff Crt from R-1 to R-4; property is owned by DTG Investments, Inc;
- .41 acres located at 200 Ferncliff Crt from R-1 to R-4; property is owned by DTG Investments, Inc;

- .42 acres located at 209 Fairmont Dr from R-1 to R-4; property is owned by DTG Investments, Inc;
- .52 acres located at 213 Fairmont Dr from R-1 to R-4; property is owned by DTG Investments, Inc;
- .32 acres located at Fairmont Dr and Polly Branch Dr from R-1 to R-4; property is owned by DTG Investments, Inc;
- 1.28 acres located at 329 Polly Branch Dr from R-1 to R-4; property is owned by DTG Investments, Inc;
- 1.32 acres located at 323 Polly Branch Dr from R-1 to R-4; property is owned by DTG Investments, Inc;
- 1.45 acres located at 315 Fairmont Dr from R-1 to R-4; property is owned by DTG Investments, Inc;
- .49 acres located at 312 Polly Branch Dr from R-1 to R-4; property is owned by DTG Investments, Inc;
- .34 acres located at Polly Branch Dr and Piedmont Cir from R-1 to R-4; property is owned by DTG Investments, Inc;
- .53 acres located at 103 Piedmont Cir from R-1 to R-4; property is owned by DTG Investments, Inc;
- 1.29 acres located at 105 Piedmont Cir from R-1 to R-4; property is owned by DTG Investments, Inc;
- 1.34 acres located at 104 Piedmont Cir from R-1 to R-4; property is owned by DTG Investments, Inc;
- .49 acres located at 102 Piedmont Cir from R-1 to R-4; property is owned by DTG Investments, Inc;
- .24 acres located at Polly Branch Dr and Piedmont Cir from R-1 to R-4; property is owned by DTG Investments, Inc;
- .27 acres located at 306 Polly Branch Dr from R-1 to R-4; property is owned by DTG Investments, Inc;
- .36 acres located at Polly Branch Dr and Lennox Pl from R-1 to R-4; property is owned by DTG Investments, Inc;
- .36 acres located at 203 Lennox Pl from R-1 to R-4; property is owned by DTG Investments, Inc;
- 1.23 acres located at 205 Lennox Pl from R-1 to R-4; property is owned by DTG Investments, Inc;
- .56 acres located at 204 Lennox Pl from R-1 to R-4; property is owned by DTG Investments, Inc;
- .37 acres located at 202 Lennox Pl from R-1 to R-4; property is owned by DTG Investments, Inc;
- .28 acres located at Polly Branch Dr and Lennox Pl from R-1 to R-4; property is owned by DTG Investments, Inc;
- .28 acres located at Fairmont Dr and Polly Branch Dr from R-1 to R-4; property is owned by DTG Investments, Inc;
- .22 acres located at 220 Fairmont Dr from R-1 to R-4; property is owned by DTG Investments, Inc;
- .29 acres located at 218 Fairmont Dr from R-1 to R-4; property is owned by DTG Investments, Inc;
- .29 acres located at 216 Fairmont Dr from R-1 to R-4; property is owned by DTG Investments, Inc;

- .32 acres located at 214 Fairmont Dr from R-1 to R-4; property is owned by DTG Investments, Inc;
- .39 acres located at 212 Fairmont Dr from R-1 to R-4; property is owned by DTG Investments, Inc;
- .40 acres located at 210 Fairmont Dr from R-1 to R-4; property is owned by DTG Investments, Inc;
- .47 acres located at 208 Fairmont Dr from R-1 to R-4; property is owned by DTG Investments, Inc;
- .57 acres located at 207 Ferncliff Crt from R-1 to R-4; property is owned by Robert and Jessica Mazarello, II;
- .67 acres located at 201 Ferncliff Crt from R-1 to R-4; property is owned by Kates Cove Homeowners Association, Inc;
- 6.99 acres located at 221 Fairmont Dr from R-1 to R-4; property is owned by Kates Cove Homeowners Association, Inc;
- 1.16 acres located at 208 Ferncliff Crt from R-1 to R-4; property is owned by Long Builders, Inc;
- .51 acres located at 211 Ferncliff Crt from R-1 to R-4; property is owned by Long Builders, Inc;
- .54 acres located at 209 Ferncliff Crt from R-1 to R-4; property is owned by Long Builders, Inc;
- 1.03 acres located at 206 Lennox Pl from R-1 to R-4; property is owned by Daniel and Julia O'Conner;
- .59 acres located at 205 Ferncliff Crt from R-1 to R-4; property is owned by Qingmin Cheng & Cuiwei Zhang;
- 2.63 acres located at 213 Ferncliff Crt from R-1 to R-4; property is owned by William and Rebecca Long;
- 1.5 acres located at 319 Polly Branch Dr from R-1 to R-4; property is owned by John and Regina Roush;
- 1.72 acres located at 321 Polly Branch Dr from R-1 to R-4; property is owned by John and Regina Roush;
- 1.35 acres located at 317 Polly Branch Dr from R-1 to R-4; property is owned by Robert and Krista Cannon;
- 1.17 acres located at 325 Polly Branch Dr from R-1 to R-4; property is owned by Russell and Tiffany Tomberlin;
- 1.29 acres located at 327 Polly Branch Dr from R-1 to R-4; property is owned by Joseph and Chelsea Rowe;
- .78 acres located at 331 Polly Branch Dr from R-1 to R-4; property is owned by Robert and Marcie Mingledorff;
- .67 acres located at 333 Polly Branch Dr from R-1 to R-4; property is owned by W. Frederick Long;
- .68 acres located at 206 Ferncliff Crt from R-1 to R-4; property is owned by W. Frederick Long;
- 2.78 acres located on Polly Branch from R-1 to R-4; property is owned by Coastal Properties Unlimited, Inc;
- .77 acres located on Fairmont Dr from R-1 to R-4; property is owned by Coastal Properties Unlimited, Inc;
- 1.37 acres located 204 Ferncliff Crt from R-1 to R-4; property is owned by Darnett Coleman; and

- 69.81 acres located on Cambridge Dr from R-1 to R-4; property is owned by Edward and Darnett Coleman.

(Map # 0447A001C-0447A0048C; 0447A001D; and 0447A001E; and 04470002)

Motion to approve: Councilmember Browher

Second: Councilmember Scott

Vote: Unanimous

2. Second reading of an ordinance for Zoning Map Amendments to rezone the following properties (total 11.52 acres):

- 7.69 acres located at 3430 Hwy 21 S from AR-1 to R-4; property is owned by Rincon Church of God;
- .50 acres located on Hwy 21 S from B-1 to GC; property is owned by Rincon Church of God;
- 2.58 acres located at 3396 Hwy 21 S from B-1 to GC; property is owned by Rincon Church of God;
- .75 acres located at 3364 Hwy 21 S from B-1 to GC; property is owned by Rincon Church of God;

(Map# 04300017; 04300016; 04300015; and 04300014)

Motion to approve: Councilmember Ricker

Second: Councilmember Wendelken

Vote: Unanimous

New Business:

1. Request to approve EMC Engineering work order in the amount of \$12,450.00 for the Richland Avenue Drainage Project. LI# 10.4430.4410.

Alex Metzger said there were no changes.

Motion to approve: Councilmember Scott

Second: Councilmember Browher

Vote: All votes yes except Councilmember Wendelken who abstained.

2. Eagle Excavations requests approval of pay request #7 in the amount of \$22,105.80 for Macomber Park Expansion (Phase 3). LI# 10.4650.4413.

Alex Metzger presented this request. He noted the retainage was still being held.

Motion to approve: Councilmember Wendelken

Second: Councilmember Morgan

Vote: Unanimous

3. Approval to purchase 150 Neptune meter registers at a cost of \$179.00 each for a total cost of \$26,850.00.

Tim Bowles presented this request. He said it was a budgeted line item.

Motion to approve: Councilmember Scott

Second: Councilmember Ricker

Vote: Unanimous

4. Approval to purchase a new Flygt 3127 pump from Monumental Equipment at a cost of \$7,743.18 plus freight. LI# 50.7270.4404

Tim Bowles presented this request. He said this was for the Ridgewood Lift Station. He said to repair the current lift station would be \$5,000+. He said the city could purchase a HOMA Pump through Monumental Equipment for \$6845.00 plus the freight charges.

Motion to approve the purchase of a HOMA Pump from Monumental Equipment at a cost of \$6845.00 plus freight cost: Councilmember Scott

Second: Councilmember Browher

Vote: Unanimous

Raymond asked if these were exclusive pumps that the city had to use. Tim said this was one of the two pumps that would fit the lift station to match up to the flight rail.

5. Approval of agreement between Effingham County and the City of Rincon for the use of county inmates on city and county property.

Wesley said Effingham County would be considering this contract tomorrow evening. Wesley noted he had asked for 2 changes and Effingham County had agreed to those changes. Raymond said the city was basically paying for the work crew for the whole year. Raymond suggested putting in a clause that no other city or county could use these services throughout the year. Raymond also suggested calling the insurance company regarding someone who is not a city employee having regular driving use of a city vehicle. Councilmember Wendelken said we needed to put in that the vehicle only goes to the jail and back to the city. Raymond said there is a legal matter on number eight. It says the county is not responsible for damages unless it exceeds Rincon's coverage limitations and that opens Effingham County under liability. That is not legally necessary.

Council asked about officers on reserve where they could be utilized while this person is out on that 15 day minimum. Mayor Lee and Councilmember Wendelken asked if the charges for the days of inclement weather, or if they breach the contract then we could deduct those costs. Council asked how often they are paid. Wesley said the payments would be quarterly.

Councilmember Wendelken asked if any liabilities could come back to Rincon if something happened such as an escape and cause harm. Raymond said the contract is setup as the guard as the city employees, and they are responsible except for the driving of the bus and only personnel approved on list would be a possible liability. According to item 7 the County is responsible for the inmates.

Councilmember Browher asked if we still get our inmates in other city departments. Wesley said those inmates would not count in this agreement. Councilmember Scott noted that these inmates

generally were not hardened criminals or they would not be allowed in the public sector. Councilmember Browher said they would need to stay out of the residential neighborhoods because there are a number of residents who would not want them in their area. Councilmember Browher what the ratio of guards to inmates such as 1 guard to 12 inmates. Wesley said he thought that was right.

Councilmember asked if this affected Service Delivery. Councilmember Ricker asked Raymond if he needed to amend this agreement. Raymond said there would be an amendment. Councilmember Scott mentioned considering the working hours and rain days such as if it stops raining at 10AM we need them to come out.

Raymond and Councilperson Ricker asked if this was budgeted. Wesley said it would come from the maintenance budget.

Motion to approve with the noted changes listed below: Councilmember Morgan

Changes to agreement:

Drivers

Exclusive to Rincon

Sovereign immunity issue

Clarify the rain days

Have Mr. Corbitt give quarterly updates on projects and accomplishments

Councilmember Wendelken asked if we could start on a trial period. He said with this being a one year contract means that we are going to pay them no matter what. Councilmember Morgan asked what happens if they do not honor the contract terms. Wesley said if they go over 15 days that is a breach of contract. Councilmember Scott said he believed the city will get its money's worth. Councilmember Browher said a list would be helpful on what they would be doing and where they will be. Wesley discussed how this option came to the table. Raymond said Bloomingdale has an agreement that the crew is on an as needed basis. Councilmember Wendelken said this contract needs an out or a shorter term. Councilmember Scott asked for a performance clause to be put in there.

Second: Councilmember Scott

Vote: All votes yes except Councilmember Wendelken who voted no.

6. Marchese Construction, LLC requests approval of Pay Request #1 in the amount of \$34,367.62 for the Macomber Concessions Building. LI# 20.4650.4419.

LaMeisha Kelly addressed this request. She noted all work had been completed and Travis had made all inspections.

Motion to approve: Councilmember Browher

Second: Councilmember Scott

Vote: Unanimous

7. Marchese Construction, LLC requests approval of Pay Request #2 in the amount of \$37,736.28 for the Macomber Concessions Building. LI# 20.4650.4419.

LaMeisha Kelly addressed this request.

Motion to approve: Councilmember Scott

Second: Councilmember Ricker

Vote: Unanimous

8. Second amendment to Solid Waste Collection Contract.

Wesley Corbitt addressed this request. He said the fees on all of our containers would be decreased by \$1.00. They will also be picking up yard debris in the garbage can as long as it is bagged and the lid shuts. He said this was a better customer service package. He said this would be a \$100,000.00 savings and no CIP until the end of the contract. Councilmember Ricker asked Raymond if he had reviewed the contract. Raymond said he had not had a chance to compare the original contract with this amended contract. Raymond said he wants to make sure these changes override the original contract.

Motion to approve contingent upon city attorney's review of the considered and previous

contract: Councilmember Browner

Second: Councilmember Ricker

Vote: Unanimous

9. Purchase of EXMark Laser E Series for Recreation Department (below the state contract price) for a purchase price of \$ 7,894.00 from Gnann's Fix it Shop. LI# 20.4650.4412.

Wesley addressed this request. He said the state contract price was \$7991.25, but that he was able to get a better price from Gnann's of \$7,894.00. Wesley said there was budget availability.

Motion to approve: Councilmember Wendelken

Second: Councilmember Scott

Vote: Unanimous

10. Administrative Reports:

- | | |
|-----------------------------|----------------------------------|
| (a) City Manager | (f) Recreation Dept. |
| (b) City Engineer | (g) Water / Sewer / Public Works |
| (c) Chief of Police | (h) Wastewater |
| (d) Fire Department | (i) Finance |
| (e) Building / Zoning Dept. | (j) Lost Plantation |
| | (k) Mayor and Council |

City Manager – No report. Put some dates on your desk for you to review for a local planning retreat for a Friday night and Saturday in August.

City Engineer— No report available for questions

Chief of Police— Mid year reports would not run due to computer complications. He said he was manually having to run the numbers. This week we broke up a burglary ring and made 6 arrests.

Building / Zoning— For Friday we have 33 vendors, we will have vendor cut off on Thursday. I need to know who will be there on Friday from council for a parking pass. Still working out details and will play Star Spangled Banner later in the evening. Laser light show and fireworks are ready to go. We have 875 parking spaces and will take Hwy 21 down to one lane on each side for traffic problems. We advertised with GMA. Councilmember Browher asked if Retail Strategies were made aware of the old Foodlion Building. Mrs. Kelly said yes but the realtor did not want to lease it. We have received the plans for the Kroger Fuel Station.

Utilities— Submitted a report. Councilmember Morgan asked how they account for water loss on a water main break. Tim Bowles said it is accounted for through SCADA. Mayor Lee asked about painting the water towers. Alex Metzger said they are preparing the bid documents now.

Lost Plantation— Paul Johnson passed out a report to council. Membership is up 21% from last year; golf shop sales up 32% from last year. Projections 4 annual members out due to injuries. Councilperson Ricker asked for hours of operation: Pro Shop 6:30 AM first round at 7:00AM pro shop closes at 6:00 PM course open until dark. Councilperson Ricker asked if we have a call service. Paul Johnson said yes they do have a call service. Mayor Lee said the course looks the best it has looked in 20 years.

Mayor and Council— Wesley said he worked with Lauren on the sign advertisement today.

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

Motion to approve: Councilmember Ricker

Second: Councilmember Browher

Vote: Unanimous

Motion to return to meeting

Second

Vote

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

Motion to approve:

Second:

Vote by Council:

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

Motion to approve:

Second:

Vote by Council:

Adjourn:

Motion to adjourn:

Second:
Vote by Council: