

**OFFICIAL MINUTES
RINCON CITY COUNCILMEETING
MONDAY, JULY 13, 2015
COUNCIL CHAMBERS
107 W. 17TH STREET
7:00 PM**

Councilmembers Present:

Paul Wendelken – Arrived at 7:20 PM
Scott Morgan
Christi Ricker
Reese Browher
Levi Scott Jr.
James Dasher

Present:

Ken Lee, Mayor
Wesley Corbitt, City Manager
Raymond Dickey, City Attorney
Dulcia King – Minutes

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

Approval of the agenda with the addition of new *business item 9A*: Appointment of Councilmember James Dasher to the Effingham/Chatham Regional Library Board.

Motion to approve with the addition of 9A: Councilmember Scott

Second: Councilmember Browher

Vote: Unanimous

Introduction:

Chief Scholl introduced new officers; Kurtis Smith previously with the City of Pembroke Police Department; Isaac Taylor previously with the City of Kingsland Police Department and Chatham County Sheriff Department; and Brandi Cross previously with Warner Robbins Police Department.

Approval of the minutes of June 22, 2015:

Mayor Lee noted that item #8 should include the contractor, Waste Management; item #11 motion to approve was made by Councilmember Scott, second on the motion should have been Councilmember Ricker; item #12 motion to approve was made by Councilmember Morgan and second on the motion was Council Wendelken; the motion to adjourn was made by Councilmember Morgan and second on the motion was Councilmember Browher.

Motion to approve with noted changes: Councilmember Scott

Second: Councilmember Ricker
Vote: 5 yes votes, Councilmember Dasher abstained.

Public Hearings:

Turn meeting over to public hearing officer, Raymond Dickey:

Public Hearing on Special Use Permit requested by Skyway Towers to install a cellular tower on property located at 454 Weisenbaker Road. The property is owned by Maranatha Assembly of God Church, Inc.; the property is zoned R-4 (Single Family Residential). Map# R236-34

Open public hearing: 7:15 PM

Public input: Kirsten Brewer, with Pat Marshal & Associates representing Skyway Towers was present. She stated Skyway Towers is requesting a special use permit to build a 180ft cell tower for Verizon. Mrs. Kelly went over the checklist that was included in the packet. Mrs. Kelly also mentioned FAA & FCC regulations for cell towers have changed and we need to update the ordinance.

Ms. Brewer passed out a tax map with zoning overlay to give more detail as to why the tower was needed; she mentioned that Mr. Lloyd with the Planning and Zoning Board had requested denial of the application because he felt not enough information was presented. There are two Verizon towers within the city limits, and the documentation shows need for another tower, the other two towers will remain active. Skyway Towers will also place a 15ft landscape buffer around the site.

Kristen presented a map of Verizon coverage with the addition of the Maranatha tower.

City of Rincon resident Bernard Martin asked what this tower would provide. He had questions about the strong winds in the area and if the tower would fall. Ms. Brewer stated the tower would be structurally sound and if it should fall there not be any structures around the tower.

City of Rincon resident Charlotte Brown who lives in the neighborhood, asked about property values. Ms. Brewer, stated mobile phones are now basically utilities, people depend on their mobile phones and with the addition of a tower the values might rise.

Council had concerns about the tower being in a residential area, but all the items on the checklist were addressed. Ms. Kelly noted that the property is zoned R4 but not used as R4.

Close public hearing: 7:37 PM

Turn the meeting back over to Mayor Lee.

Vote on Special Use Permit requested by Skyway Towers to install a cellular tower on property located at 454 Weisenbaker Road. The property is owned by

Maranatha Assembly of God Church, Inc.; the property is zoned R-4 (Single Family Residential). Map# R236-34

Councilmember Browher asked Ms Kelly what zoning this would usually fall under, she stated any zoning but residential. Councilmember Wendelken asked about Planning & Zoning recommendation, there was no quorum, but the present members voted 2 to 1 for the tower.

David Riner, Pastor of Maranatha spoke about the location of the tower and how they gave great consideration, before accepting the offer to build on the property. He stated the tower will be built in the back of the property near the wetlands, with the thought that they may want to build another building on the site in the future.

Councilmember Morgan asked would there be any lights on the tower; Ms. Brewer stated that the tower would not have any lights. Councilmember Browher was not happy about the idea, but all the ordinances were met.

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

New Business:

1. Thomas & Hutton requests approval of Preliminary Site Plans for the construction of St. Joe's Immediate Care Facility at 5629 Hwy 21 S.; property is owned by Risop, LLC. The property is zoned GC (General Commercial) and consists of 4.08 acres. Map #R272-01

Rusty Windsor, with Thomas & Hutton representing St. Joseph Immediate Care was present. He stated the existing building will remain on site as corporate office, they will demo portion of parking lot to build the new building. St Joe's was going to build in wetlands, but decided not to due to the cost. Councilmember Wendelken wanted to know if this will be similar to an emergency facility, Mr. Windsor stated a patient will still need to go to an emergency room.

Councilmember Morgan asked about sidewalks, Mr. Windsor stated the plans did not call for sidewalks. Mr. Corbitt asked would sidewalks be something they would consider adding to the plan; Councilmember Wendelken asked would they consider giving money for sidewalks. Mr. Windsor said he would have to ask the client, he also mentioned sidewalks would require DOT permits.

Raymond said they could approve the item with that condition of a financial commitment for sidewalks.

Motion to approve with the condition of St Joe's Immediate Care providing cash funding for a sidewalk in front of the property on Highway 21: Councilmember Wendelken
Second: Councilmember Scott
Vote by Council: Unanimous

2. Amend the 2014 budget per the audit.

Mr. Corbitt said this amendment will balance the budget and the audit will be complete if this budget is approved.

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

3. Eagle Excavation, Inc. requests approval of Change Order No. 3 in the amount of \$2,240.00, for a total contract amount of \$626,223.20. LI# 10.4650.4413

Doug Morgan, with EMC Engineering said the change order was for the addition of two fences at the back of Mableton Subdivision and restriping the curve unto Lexington Rd.

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

4. Eagle Excavation, Inc. requests approval of Change Order No. 4 in the amount of \$3,500.00, for a total contract amount of \$629,723.20. LI# 10.4650.4413

Mr. Morgan stated that after the grass was graded it rained and the area was not stable, the change order was for the contractor to come back to shape up the area and add a slope mat so the grass would not hold so much water.

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

5. Work Order submitted by EMC Engineering Services to perform bidding and construction administration services for the Rincon Tank Rehabilitation Project located on Lisa Street in the amount of \$7,000.00.

Mr. Morgan said that \$ 2,000 was for bidding and \$5,000 for administration. Councilmember Scott asked when the project will start, Mr. Morgan stated as soon as the work order was approved.

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

6. Aiken- Harper Electrical Services, Inc. submits a pay request in the amount of \$12,362.00, for lights installed at Macomber Recreation Complex.

Mr. Corbitt stated the invoice was brought back before council to approve and it has officially been paid.

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

**7. Approval to purchase a 2015 Dodge Charger with all accompanying equipment (lights, camera, radar and radio) at a cost of \$42,469.72.
LI# 20.4210.4410; LI# 20.4210.4412; and LI# 20.4210.4415**

Chief Scholl said this will be a replacement car, the camera will be able to communicate with the lapel microphone, and the data will be on a hard drive. With the data on the hard drive there is a less chance of it being corrupted. This will be the second patrol car purchased this year.

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

8. Discussion of accepting the Lift Station on Wadley Circle in Towne Park East.

The lift station is located at the bottom of Towne Park E. and functioning. It was built by the development company. EMC did a study, which is included in the packet, and noted that it would be approximately \$7500.00 to bring the lift station up to standards, the estimated cost to bring it up to SCADA specs will be over \$135,000.

Mr. Corbitt stated the City needs to maintain it to make sure there will not be any spillage. Councilmember Wendelken questioned accepting the lift station, because others will want us to accept their infrastructures. Mr. Corbitt stated we have been receiving revenue from this lift station and there was a City lock on the lift station. Mrs. Kelly spoke of her knowledge of the lift station, she has been approached many times over the years, neither the homeowners association nor the owner of the property ever wanted to pay the cost to have EMC come and look at the streets and lift station. The homeowners association wanted her to contact the owner and have him maintain the station. Mr. Corbitt stated we need information to decide what we are going to do. Attorney Dickey stated for the record we would need to know who owns the lift station and the owner will need to prepare a deed.

Mayor Lee suggested tabling the item because there are too many question about why it is the way it is to make a vote now, how did it evolve to this point. Councilmember Wendelken questioned why there was no record of the city accepting the lift station or the streets in the minutes. The owner, Michael Jenkins believed the station had already been deeded over to the City.

Motion to table: Councilmember Morgan
Second: Councilmember Scott
Vote by Council: Unanimous

9. Appoint Dulcia King the Elections Superintendent.

Councilmember Wendelken suggested that this item be taken to executive session. No action taken until after executive session.

On return from executive session there was no action taken.

9A. Appoint James Dasher for Chatham/Effingham Regional Library Board

Approved per the City of Rincon Charter.

Motion to approve: Councilmember Scott

Second: Councilmember Browher

Vote by Council: 5 yes votes, Councilmember Dasher abstained.

10. Administrative Reports:

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

City Manager – No report. ISO will become effective October 1st.

City Engineer – The Macomber Park Ball field parking lot is complete, there will be a final walkthrough this week. Mr. Corbitt stated that this recreation project went well.

Chief of Police – Just wrapped up this session of the Police academy. They have recovered stolen guns and made several arrest. There are now two K9 police on streets.

Fire Department – Chief Rahn spoke to Skip Starling about the ISO requirements, which seems to be more than what is required form other stations. The new station area is now an ISO 3 level. They have had one accident where a firefighter messed up his knee.

Building / Zoning Dept – They are preparing for budget workshop. The Freedom Rings in Rincon was a success and the departments involved worked well together on the event. Mr. Corbitt said this was the largest event held in Effingham County.

Water / Sewer / Public Works – submitted a report to Wanda Simmons. Mr. Corbitt will email the report to Council. Councilmember Browher, asked if a resident brought pipe for their ditch how much would it cost the resident for the City to install the pipe? Mr. Bowles said it will depend on the size of the pipe; the best thing is for the resident to put in a work order.

Mayor and Council - Mayor Lee mentioned the flyer that was included in the water bill and said it was great information to include. August workshops were discussed. On August 31st there will meeting with County and other municipalities.

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

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

Motion to return to meeting: Councilmember Scott
Second: Councilmember Dasher
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 Morgan
Second: Councilmember Browher
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 Wendelken
Vote by Council: Unanimous