



**OFFICIAL MINUTES
RINCON CITY COUNCIL MEETING
MONDAY, APRIL 24, 2023
COUNCIL CHAMBERS
107 W. 17th STREET
7:00 PM**

Councilmember Present:

Reese Browher
Levi Scott, Jr.
Patrick Kirkland – Arrived 8:13 PM
Michelle Taylor
Jesse Blackwell, Jr.
Damon Rahn

Present:

Ken Lee, Mayor
Jonathan Lynn, City Manager
Raymond Dickey, City Attorney
Dulcia King, City Clerk
Jonathon Murrell, Police Chief
Lou Reed, Interim Fire Chief
Terri Lewis, Planning and Development Director
Mike Osborne, Recreation Director
Tm Bowles, Public Works Director
Tommy Kee, WWTP Director
Elizabeth Cartwright, Finance Director

The meeting was called to order at 7:03PM. The Invocation was given by Mayor Lee and the Pledge to the Flag was recited.

Approval of the agenda:

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

Chief Murrell introduced K9 officer Demon a nine month old Dutch Shepard. This is the 4th K9, he will be replacing Lieutenant Snitch, who retired.

Approval of the April 10, 2023 minutes with the following:

Grammatical errors that were given to the Clerk to correct.

Motion to approve: Councilmember Blackwell

Second: Councilmember Rahn

Vote by Council: Unanimous

New Business:

1. Vote on the First Reading of an ordinance to annex a 388.21-acre parcel located at 923 Old Augusta Road; the property is owned by Mill Creek Hunting Preserve, Inc. (Parcel #04750058)

Mayor Lee said we have had the opportunity to meet with affected parties, he thinks information has been shared and the presenters have done a good job at that. Brett Bennett with Greenland Developers said this property has been under contract with another development group a few months back. Greenland Developers has picked it up. They met with neighboring property owners, and he thanked the Blake family for meeting with them. They have made concessions to make the project as least impactable as possible. There was a gate on the property that has been removed, there will be a buffer area around the neighboring residential properties as long as they remain residential, along the road leading into the project site there will be a 12 foot berm with vegetation planted along the top. These are the items that they have addressed through the meeting with the neighbors.

Stanley McDonald, 942 Old Augusta Road South said the last time he came to a meeting they talked about flooding. He has worked in industry and has seen spills; it is too much a risk to house chemicals or hazardous material. The whole area is a flood zone. It is not a matter of if it is going to do it, it is when it is going to happen.

Doug Faircloth with Coleman and Company said the biggest concern he is hearing is hazardous material and any kind of hazard material storage is beyond what Council can do. Those permits come from EPD and EPA. It is not what these guys are doing these days, it is mostly retail goods and dry good. Yes, this is adjacent to a flood zone, the Abercorn Creek is on anyone's mind and stormwater is on everyone's mind. The plus here is that there is no downstream properties for the property to flood that is not say that we don't have meet all of the flood ordinances. As far as water quality goes that is what the ponds are for, they have static pool detention ponds it gives the stormwater some where to go.

Darlene Vincent 1013 Old Augusta Road South had a presentation. See said we have lost thousands of acres of forests. If we start damaging wetlands we will start losing everything.

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

Public Hearing #1:

Turn meeting over to public hearing officer, Raymond Dickey:

Open public hearing: 7:26 PM

Public Hearing on a petition filed by Brett Bennett of Greenland Developers, Inc. on behalf of William Exley, CEO of Mill Creek Hunting Preserve, Inc. requesting a Zoning Map Amendment for a 213.121-acre parcel located at 923 South Old Augusta Road to amend the zoning from B-3 to GA (General Agriculture); the property is owned by Mill Creek Hunting Preserve, Inc. (Parcel # 04750058)

Attorney Dickey asked was the property properly marked with the proper signage, legal advertisement placed in the legal organ, and property owners within required distance notified by mail. Mr. Lynn said yes.

Brett Bennet with Greenland Developers, said this is maintaining all the wetlands and agriculture zoning, no one intends to develop anything behind the line. Attorney Dickey said based on what he read in the petition this is currently Highway Commercial zoned in the County and is requesting this to go to General Agriculture. Mr. Bennett said yes this will not be developed.

Close public hearing: 7:29 PM

Turn the meeting back over to Mayor Lee.

Vote on the First Reading of a petition filed by Brett Bennett of Greenland Developers, Inc. on behalf of William Exley, CEO of Mill Creek Hunting Preserve, Inc. requesting a Zoning Map Amendment for a 213.121-acre parcel located at 923 South Old Augusta Road to amend the zoning from B-3 to GA (General Agriculture); the property is owned by Mill Creek Hunting Preserve, Inc. (Parcel # 04750058)

Motion to approve: Councilmember Taylor
Second: Councilmember Browher

Councilmember Scott said he appreciates Mr. Exley consideration in preserving this property.

Vote by Council: Unanimous

Public Hearing #2:

Turn meeting over to public hearing officer, Raymond Dickey:

Open public hearing: 7:31 PM

Public Hearing on a petition filed by Brett Bennett of Greenland Developers, Inc. on behalf of William Exley, CEO of Mill Creek Hunting Preserve, Inc. requesting a Zoning Map Amendment for a 175.024-acre parcel located at 923 South Old Augusta Road to amend the zoning from B-3 to LN (Limited Industrial); the property is owned by Mill Creek Hunting Preserve, Inc. (Parcel # 04750058)

Attorney Dickey said City Council tries to bring into the City the closest zoning to what the County has. B3 in the county allows warehouses, the City is rezoning this to Limited Industrial which fits that category. Attorney Dickey asked was the property properly marked with the proper signage, legal advertisement placed in the legal organ, and property owners within required distance notified by mail. Mr. Lynn said yes.

Mr. Bennet said this is the remaining property along the front of the proposed annexed property.

Sarah Bloodworth 120 Deerwood Court said she feels they are being overrun by industry, it is coming at them from both sides and there is a lack of balance. The lack of balance could have a negative impact, why not bring a little balance by preserving all this land and not a piece of it. She is sure there are many conservation groups that are willing to purchase this land.

Delmons White, 1021 South Old Augusta Road wanted to know more about what is coming in there, something does not look right. He would like to get more clarity. If the County is saying no more warehouse coming north of Chimney Road and no one developed under the current zoning B3. It is being annexed into the City and the zoning amended, what are you trying to get around. Something does not look right. Attorney Dickey said Rincon has two designations for industrial, with Limited Industrial no manufacturing can go into that zone. There will be a development agreement between the City of Rincon and the developers and that would be the plan that has to be built, that would limit and give some assurance that manufacturing will not be there. Mr. Bennett said nearly all of the distribution centers around the Savannah area are related to dry goods. Anything that is allowed in Limited Industrial would have been allowed in the B3 zoning. Water and sewer plays a large part of why this is being annexed into the City of Rincon it has nothing to do with what is allowed.

Stanley McDonald asked what are the purpose of the ponds around the project. Mr. Faircloth said the purpose is to give the water somewhere to go.

Laura Walker, Environmental Manager for the City of Savannah Water Resources Department, said the drinking water that she drinks at her home actually comes from Abercorn Creek. She is here in an official capacity representing the City of Savannah Water

Resources Department. The City's position has still not changed from last Summer, they strongly oppose the warehouse development of the 175 acres. The Abercorn Creek watershed is pretty small, 24 square miles and this property lies within that watershed. As you have more development the risk to water quality increases. This is the only surface water drinking source in Coastal Georgia. She is asking that Rincon work with the City of Savannah to keep water clean. Councilmember Rahn asked has the City of Savannah approached any of the property owners to buy their properties to preserve the area. Ms. Walker said they are trying to do that now and have many partners in that. They have secured 14,000 acres in the watershed and said to be honest this has caught them off guard. They are playing catch up. Councilmember Rahn said he feels like there is considerable buffer from Abercorn Creek.

Close public hearing: 7:52 PM

Turn the meeting back over to Mayor Lee.

Vote on the First Reading of a petition filed by Brett Bennett of Greenland Developers, Inc. on behalf of William Exley, CEO of Mill Creek Hunting Preserve, Inc. requesting a Zoning Map Amendment for a 175.024-acre parcel located at 923 South Old Augusta Road to amend the zoning from B-3 to LN (Limited Industrial); the property is owned by Mill Creek Hunting Preserve, Inc. (Parcel # 04750058)

Mr. Lynn said this project did go through a DRI completion process beginning of summer 2022 and there is a letter from the City of Savannah that says they do not object. Councilmember Scott said that they have reached out to the City of Savannah to come to them with the documents and they haven't.

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

Old Business:

1. Vote on a petition filed by Salvador Figueroa requesting a variance to leave a constructed fence beyond the front setback line; located at 507 East Ninth Street. The property is owned by Salvador Figueroa. The property is zoned R4 (Single Family Residential). (Parcel #R2360045) Tabled at the 4/10/2023 meeting

Motion to remove from the table: Councilmember Rahn
Second: Councilmember Blackwell
Vote by Council: Unanimous

Teri Lewis said Mr. Figueroa agreed to move the fence out of the front setback. It will need to be moved back at least 35 feet so it would be beyond the front setback, they are willing to move it even further than that. The fence will still be in front of the house, which the

code permits, but it will be beyond that front setback. The iron fence will remain, but the wooded fence will be relocated. This will mean a variance will no longer be required.

Salvador Figueroa withdrew his petition requesting a variance.

New Business:

2. Authorization to renew Georgia Interlocal Risk Management Agency (GIRMA) Property and Liability Insurance Program for 2023-2024 in the amount of \$200,803.00.

Mr. Lynn said this is for our annual risk liability insurance, last year the amount was \$171,522.00. There was an increase across the board, and we do have this amount of money budgeted. There are options for payments, he is going to ask for option three pay 25% of that amount in four monthly installments. Mayor Lee asked about the number of law enforcement officers, and asked did we have 22 officers. No but there are 22 positions, and it is based on the number of positions.

Motion to approve: Councilmember Browher

Second: Councilmember Scott

Vote by Council: Unanimous

3. Request approval of an Ordinance to adopt an increase in compensation of Planning and Zoning Board members to \$50.00 per member per meeting attended.

Mayor Lee said we appreciate what the Planning and Zoning Board does. They take a load off Council and do a lot of the leg work. He appreciates the time they give, and they don't do it for the money. This is a small way of being able to say thank you. This is the first reading.

Motion to approve: Councilmember Scott

Second: Councilmember Blackwell

Vote by Council: Unanimous

4. Request approval to accept a bid for roof replacements at multiple City buildings.

Dave Mattos, Building Inspector said he has seven bids, if you look at the list only two have labor warranties 10 year and 20 year. Mayor Lee said this would mean doing all the roofs except the Macomber Ballpark building, Mr. Mattos said yes. Councilmember Browher asked about his recommendation, Mr. Mattos said KRG is offering a 20 year no leak warranty. He reached out to several companies, and this is the only one that jumped on board. Councilmember Kirkland made motion to award bid to KRG in the amount of \$280,401.03.

Motion to approve: Councilmember Kirkland
Second: Councilmember Scott

Mr. Mattos said the only other thing is someone has to decide color, Mr. Lynn said black. Councilmember Browher thanked Mr. Mattos for seeing this process through. This is a budgetary boom for us to replace every roof for \$30,000.00.

Vote by Council: Unanimous

5. Administrative Reports:

City Manager – Mr. Lynn said they have interviewed for the Clubhouse Manager position and identified who will come back; the City had a Golf Team in the Effingham Rotary Tournament and they came in 3rd place; Mr. Bowles celebrated his 20 year anniversary with the City; he asked Council to please let him know if they have any IT problems; Mr. Lynn asked Council to let him know if they intend on going to Sewon in LaGrange; and by the next Council meeting they will have budget calendar.

Building/Zoning Dept. – Mrs. Lewis said she wanted to give Council a heads up, besides everything from tonight that will be on the next meeting there are two additional items, the final sight plan for a Stop and Store on Fort Howard Road and the BKB property on Magnolia Avenue. They are coming back for a conditional use to do self-service storage.

Recreation Dept. – Mr. Osborne handed Council a copy of fair numbers; Councilmember Taylor asked about the new park. Mr. Osborne said he has reached out to them, and they keep saying that they are going to start. Councilmember Kirkland asked Mr. Lynn to reach out to the company. Mr. Lynn said we have paid them half; Councilmember Kirkland said with this being one of the biggest events he would like to see a portion of it go into the Recreation budget, so that they can get somethings done. Councilmember Browher said we have talked about this in years past, if that department generates it, we talked about a portion of it going back. Mr. Lynn asked can we look at this for next year because we budgeted projected revenue that goes into the entire General Fund. Mr. Osborne made Council aware that the parade hosted by Effingham Heros is scheduled for June 24th and wanted to know if Council is ok with the Fireworks being on the 24th. He talked to Falcon Fireworks, and they had us down for June 30th but said June 24th would be better.

Waste Water - Mayor Lee said we are pushing our number and he would like to know our projection, what are we doing what are our steps. Tommy Kee said so we started a couple of years ago when we were at 75% capacity, we have done everything right and it is doing exactly what it is supposed to do right now. We are getting closer every day. They (Sacks Engineering) are finishing up the sub engineering. Once they get all of the drawings compiled, they will send it to EPD as soon as they get the permit done, we will be good. Mayor Lee said between now and then are we facing any issues with the facility. Mr. Kee said, with all the work we have done to address the capacity we are in the right place and doesn't think we have anything to worry about.

Finance – Elizabeth Cartwright said right now she is working on the finance audit.

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

Motion: Councilmember Blackwell

Second: Councilmember Scott

Vote by Council: Unanimous

Motion to return to meeting: Councilmember Blackwell

Second: Councilmember Rahn

Vote by Council: Unanimous

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

Motion to approve: Councilmember Browher

Second: Councilmember Blackwell

Vote by Council: Unanimous

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

No action taken.

Adjourn:

Motion: Councilmember Scott

Second: Councilmember Kirkland

Vote by Council: Unanimous