



**OFFICIAL MINUTES
RINCON CITY COUNCIL MEETING
MONDAY, MAY 8, 2023
COUNCIL CHAMBERS
107 W. 17TH STREET
7:00 PM**

Councilmember Present:

Reese Browner – Arrived 7:30 PM
Michelle Taylor
Jesse Blackwell, Jr.
Damon Rahn
Patrick Kirkland – Present by phone

Councilmember Absent:

Levi Scott, Jr.

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
Tm Bowles, Public Works Director

The meeting was called to order at 7:02 PM. The Invocation was given by Mayor Lee and the Pledge to the Flag was recited.

A quorum was not present, so Council proceeded with the Public Hearing.

Public Hearing:

Turn meeting over to public hearing officer, Raymond Dickey:

Open public hearing: 7:04 PM

Public Hearing on a petition filed by BKB Properties, LLC., requesting a Conditional Use to utilize the property as a self-service storage facility. The property, located at 0 Magnolia Drive, is zoned GC (General Commercial) and is owned by BKB Properties, LLC. (Parcel # R2090006)

Attorney Dickey asked was an advertisement placed in the legal organ, was the property marked and were the required property owners notified, Mr. Lynn said yes. John Paul Moore with Thomas and Hutton representing owner Keith Woods was present. Mr. Moore said the owner is making this request to allow self-storage only, on tract B. Tract C will remain R4 (residential). Tract B is a 2.06-acre parcel that is zoned General Commercial. They had come before Council with a request to rezone this to R8 to allow townhomes, but it was denied by Council per the public request for it to be developed as Commercial as it was zoned, therefor they are here today to present a conditional use request for self-storage only on Tract B. Mr. Woods owns Tract C and it will be used for stormwater retention. They have prepared a traffic memo to compare alternatives that this property could be developed as. Self-storage total trips would 56, that is even less than what the townhomes would have generated. This use will generate less trips per day than the more intense commercial uses, also the residential that they had proposed. Mr. Moore said lighting was brought up and most of the time these facilities use wall pack lighting. It is highly likely that it will be fenced, and they will work through that in the final design. It keeps being brought up that this was a potential dump or landfill, it is not a landfill, there is no threat to the public and it was not used as a landfill. They will remediate during site development as needed.

Thiago Lohmann, 202 E Myrtle Street said his concern is big truck. That street is narrow and if you go all the way to the end you will have to back up. Why can't they have the entrance at Highway 21 and leave the neighborhood alone.

Gilbert Callaway, 206 E Myrtle Street said he has lived there 63 years and the trees there work as a sound barrier. If they are removed it will open up the sound. It is a nice quiet neighborhood now.

Trent Eichmann, 212 Pineland Drive said he was not so much against the storage unit as the R8 they were going to put in there. He owns Mirror Image which is on Highway 21 but why not put up a wood fence and run it out to Highway 21. If you put heavy trucks on the road, it will wreck the road, there are kids in the streets we shouldn't have trucks in the neighborhood. If he wants to, put up a nice privacy fence and run it out to Highway 21.

Laura Eichmann, 212 Pineland Drive wanted an apology from Mr. Woods.

Daniel Steckert, 209 E Myrtle Street said he moved there because it was an ancient old neighborhood, and it is quiet. It is particularly no in and out traffic and commercial will increase that traffic.

Melissa Doss, 110 Pineland Drive said this area is becoming a concrete jungle, it is a very sad state of affairs. Who wants to look at concrete. There are children riding in the street, it is very dangerous for them.

At this time Councilmember Browher arrived.

Charlene Reynolds, 208 E Myrtle Street said she has been in her house for 50 years. We are a neighborhood, we are a community. This will decrease her property value. They are looking at increase traffic and possibly increase crime. It is not a good fit for their neighborhood. Ms. Reynolds said the resident at 201 E Myrtle is scared. This property owner purchased this property knowing what the zoning was and he is changing it to make a profit.

Jason Carangelo, 211 Magnolia Drive said this does not fit. Why is a self-storage unit being proposed in a neighborhood. The ingress and egress is on Magnolia Drive and this is not heavy duty asphalt. They are going to have increased traffic, noise, and light. This is not a good fit.

Nicky Carangelo, 211 Magnolia Drive said this does not match the vision of the residents. Four of her children catch the school bus on the corner, to her that is immoral. It is immoral to build a storage unit at this location. Build what is designated there. This is going to ruin everyone's view. We need professional offices in Rincon. It upsets her that she has to drive all the way to Pooler to spend her money, she wants to spend it here. She is afraid her daughter will be hauled off into a storage unit. She is afraid for the children because of what might come in her neighborhood.

Curtis Phillips, 208 Pineland Drive said he has an investment in this neighborhood. Mr. Phillips mentioned a landfill. When Mr. Woods brought the property he knew what it was zoned as, he made an investment but the neighbors should not have to pay the price.

Darlene Vincent, 1013 Old Augusta Road S said what is the point of having City ordinances if you are making exceptions for every business that wants to come here. There is limited property in Rincon, she thinks that there would be better use for this.

Councilmember Rahn asked Mr. Lynn to elaborate on the changes we made to the General Commercial Zoning in November 2021 about the use for storage units. Mr. Lynn said back in 2021 our Zoning Ordinance was updated to allow self-storage units to be allowed as a conditional use in General Commercial.

Nicky Carangelo talked about other City's storage laws. And said a lot of people are not using storage units the ones here are empty.

The public hearing closed at 7:56 PM and Mayor Lee proceeded with the meeting.

Approval of the agenda:

Motion to approve: Councilmember Taylor

Second: Councilmember Rahn

Vote by Council: Unanimous

Approval of the April 24, 2023 minutes with the following:

Correction of grammatical errors given to the Clerk.

Motion to approve: Councilmember Blackwell

Second: Councilmember Rahn

Vote by Council: Unanimous

Approval of the May 1, 2023 minutes:

Motion to approve: Councilmember Rahn

Second: Councilmember Blackwell

Vote by Council: Unanimous

Vote on the First Reading of a petition filed by BKB Properties, LLC., requesting a Conditional Use to utilize the property as a self-service storage facility. The property, located at 0 Magnolia Drive, is zoned GC (General Commercial) and is owned by BKB Properties, LLC. (Parcel # R2090006)

Councilmember Taylor recused herself. Attorney Dickey said we don't have enough votes, it takes four votes to pass an ordinance. We have a quorum, but we don't have enough available votes. The Charter requires four affirmative votes to pass an ordinance.

Motion to table until May 22: Councilmember Browher

Second: Councilmember Blackwell

Councilmember Browher said we have gone round and round with these issues, he feels like if you buy a piece of property anything that falls under GC that is allowed, we can't stop them. We heard from a lot of people, and he is not in favor of this because you buy the property, and you know what you can put on it and what you cannot put on it. If it is zoned for storage units legally, we cannot tell them no, because they could take us to court.

Mayor Lee said when this comes back, he would like Mrs. Lewis to address a lot of the concerns.

Vote by Council: Unanimous

New Business:

1. Vote on an application filed by Stop N Stor 15 LLC requesting Final Site Plan approval for a Self-Service Storage Facility. The parcel is located at 0 Fort Howard Road and is zoned GC (General Commercial) and received a Conditional Use Variance on January 24, 2022. The 8.02-acre property is owned by Stop N Stor 15 LLC. (Parcel # R2570020)

Jay Maupin, Maupin Engineering was present to represent the owners. Mr. Maupin said he is here with the final approval. They have all of the engineering approvals, the State approvals and the recombination plat has been recorded. At the previous meeting he was asked to provide for the Fort Howard Corridor a 15-foot buffer across the front, they will bump that up to a 20 foot buffer. Councilmember Blackwell asked how many units will be in the building, Mr. Maupin said he is not sure. Councilmember Taylor asked what is it going to be built of, Mr. Maupin said it will be a pre-engineered metal building with stucco. You will not be able to tell it is a metal building. It is single structure, the middle building will be climate controlled and the exterior buildings that they will be using for screening and buffering will be non-climate controlled.

Mrs. Lewis said it this will be a little over 108,000 feet that is broken up into three buildings with 58 parking spaces. They have met all of site plan requirements from the Ordinance and they have met or exceeded all of the requirements of the Fort Howard Overlay district requirements. The Planning and Zoning Board recommended approval. Councilmember Taylor asked about gate and traffic getting off Ft Howard

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

2. Vote on the Second 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)

Mr. Lynn informed Council that on Friday afternoon the applicant asked to table this until May 22nd.

Motion to table: Councilmember Blackwell
Second: Councilmember Rahn

Both motions were amended to include new business items 2, 3 and 4.

Vote by Council: Unanimous

3. Vote on the Second 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 Old Augusta Road to amend the zoning from B-3 (Highway Commercial District) to GA (General Agriculture); the property is owned by Mill Creek Hunting Preserve, Inc. (Parcel # 04750058)

Tabled until May 22nd.

4. Vote on the Second 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 Old Augusta Road to amend the zoning from B-3 (Highway Commercial District) to LN (Limited Industrial); the property is owned by Mill Creek Hunting Preserve, Inc. (Parcel # 04750058)

Tabled until May 22nd.

5. Vote on acceptance of annexation application for a 5.08-acre parcel located at 801 South Old Augusta Road; property is owned by Mahanaim Shipping Line LLC. (Parcel # 04750057A)

Steve Rushing, the attorney representing Mahanaim Shipping was present. Mr. Rushing said they have owned this property since 2019 and have been working on the best way to develop the property. They have come up with an industrial type warehouse of maybe 67,000 square feet, they are looking at quite a bit of fire suppression and looking to connect to City water and perhaps sewer to meet those needs. They are contiguous to the property owned by the Development Authority. To construct this facility, when it is all done, you are looking at an eight to ten million dollar type of facility. Attorney Dickey asked about zoning because when we take it in it will have to be a similar zoning to the County zoning, which is B3. Attorney also said they will need to get with the property owners on a development agreement.

Motion to approve: Councilmember Browher

Second: Councilmember Rahn

Vote by Council: Unanimous

6. Request approval of an Ordinance to amend Chapter 42 of the Rincon Code of Ordinances.

Attorney Dickey asked that this item be tabled.

Motion to table until May 22nd: Councilmember Rahn

Second: Councilmember Blackwell

Vote by Council: Unanimous

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

This is the second reading.

Motion to approve: Councilmember Rahn

Second: Councilmember Blackwell

Vote by Council: Unanimous

8. Request approval to trade a 2014 Ford Fusion to Rincon Chevrolet for \$9,705.00.

Chief Murrell said this was an opportunity that came up at Rincon Chevrolet, he was trying to jump on it before it goes. It is a great deal on a pickup truck. Rincon Chevrolet is offering \$9,705.00 for the Ford Fusion.

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

9. Request approval to purchase a 2017 Chevrolet Silverado from Rincon Chevrolet in the amount of \$38,548.00. After trade in applied (value above) the payment to Rincon Chevrolet would total \$28,843.00. LI #100.125613

Chief Murrell said this is seized asset money. This goes back to February of last year when Council approved the purchase of a pickup truck for CID for \$36,000.00 and the truck was sold before he could purchase it. This purchase tonight is to fulfill that need.

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

10. Approve agreement with T-T Rodeo Company LLC in the amount of \$32,000 for the 2023 Rincon Roundup Rodeo to be held August 11-12, 2023 at Freedom Park.

Mr. Lynn said this is the same company that we used last year. This contract was sent in January and their dates are booking up. He would like Council to approval contingent upon the City Attorney reviewing the contract. This is in the budget for Rodeo Expense. There was discussion on the length of the arena and bleachers. Mayor Lee asked how much leverage would we have in regards to the kind of bleachers, Attorney Dickey said it is a simple contract that says they will provide the bleachers and does not go into any detail other than to say it they would provide for 3,000 people. He had concern about bleachers that is why we are putting the extra language in the contract. Mr. Lynn said we did look to get upgraded bleachers and it would be an additional \$30,000. A motion was made to approve subject to contract changes by staff.

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

11. Administrative Reports:

City Manager – Mr. Lynn said he and City Inspector, David Mattos met with the roofing company that will be working on the City roofs and there ambitious plan is to knock out all of the roofs the weekend of June 5th; he informed Council that if they have not received their iPads to reach out to Aaron White, he is waiting to set them up; Kim Hesling's last day

will be Friday; the Clubhouse Manager has accepted the offer at Lost Plantation and will be starting Wednesday; please keep Mike Whittle and family in your prayers; he did email Council about a budget planning retreat; and he received an email from KorKat (recreation equipment) and we will start seeing equipment today or tomorrow.

Police Department – Chief Murrell said three of the five Tahoes are at West Chatham to be outfitted; they are moving forward with a new hire, he is not certified so they will be putting him through the academy.

Fire Department - Council congratulated Chief Reed on his college graduation.

Building/Zoning Dept. – Mrs. Lewis said they are reviewing the Sewon site development plans and they will be on the May 22nd Council agenda. Councilmembers Taylor and Blackwell said that they (Sewon) loved the Mayor and they are proud to call him Mayor.

Mayor and Council - Mayor Lee said they had a great visit with Sewon in LaGrange. The facility and operation was impressive. It was time well spent.

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

Motion: Councilmember Blackwell

Second: Councilmember Rahn

Vote by Council: Unanimous

Motion to return to meeting: Councilmember Taylor

Second: Councilmember Rahn

Vote by Council: Unanimous

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

Motion to approve: Councilmember Rahn

Second: Councilmember Blackwell

Vote by Council: Unanimous

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

Set Mike Osborne’s hearing for May 24th at 6:00 PM.

Motion to approve: Councilmember Rahn

Second: Councilmember Browher

Vote by Council: Unanimous

Hire Sally Akins or Sheer Montgomery to investigate two employee complaints.

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

Adjourn:

Motion: Councilmember Blackwell
Second: Councilmember Taylor
Vote by Council: Unanimous