



**OFFICIAL MINUTES
RINCON CITY COUNCIL MEETING
MONDAY, JUNE 27, 2022
COUNCIL CHAMBERS
107 W. 17TH STREET
7:00 PM**

Councilmember Present:

Reese Browner – Mayor Pro Tem
Levi Scott, Jr.
Patrick Kirkland
Michelle Taylor
Jesse Blackwell
Damon Rahn

Present:

Jason Stewart, Interim City Manager
Raymond Dickey, City Attorney
Dulcia King, City Clerk
Jonathon Murrell, Police Chief
Lou Reed, Interim Fire Chief
Mike Osborne, Recreation Director
Tm Bowles, Public Works Director
Paul Goth, Lost Plantation Golf Course Director

Absent:

Ken Lee, Mayor

The meeting was called to order at 7:05 PM. The Invocation was given by Councilmember Scott and Pledge to the Flag was recited.

Approval of the agenda:

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

Approval of the June 6, 2022 minutes:

Motion to approve: Councilmember Scott

Second: Councilmember Rahn

Vote by Council: Unanimous

Approval of the June 13, 2022 minutes:

Motion to approve: Councilmember Kirkland

Second: Councilmember Scott

Vote by Council: Unanimous

Old Business:

1. Vote on the first reading for a petition for a Zoning Map Amendment has been filed by GHGC Holdings, LLC. to rezone 1.89 acres located at 0 Blandford Road to amend the zoning from R4 (Single Family Residential) to R8 (Residential – Multi-unit attached) (townhouse or row house); the property is owned by GHGC Holdings, LLC. (Parcel # R2130013) Tabled June 13, 2022

Motion to remove from the table: Councilmember Scott

Second: Councilmember Rahn

Vote by Council: Unanimous

Mr. Stewart said Council did ask for the Planning and Zoning Board to review the changes. The Planning Board did not have a quorum last week. The members present were appreciative of the changes but no vote taken because there was no quorum.

Neal McKenzie with Coleman and Company was present. Mr. McKenzie said when he was here last time they had a discussion about the Comprehensive Plan, through discussion with the Planning Board they concluded this is conceptually in line with the Comprehensive Plan. He did present to Council the site plan and they did remove one entrance and will have one emergency access that can face West Ninth Street. This plan is a concept plan, Council can look at the final plan when it comes back through for permitting. There is precedent for these R8 townhomes in the area. The purpose is to provide workforce options for folks with lower cost and lower maintenance. Councilmember Kirkland asked about the traffic study, Mr. McKenzie said that will be part of site plan process. Councilmember Scott said we are going to have problems with traffic and we have a drainage problem in that area. Councilmember Scott said this was once proposed as required, R4, you submitted a plan with four houses that is what it was designed for. Councilmember Rahn asked was the comprehensive plan the same for the units we put down the road, how are we within eye distance debating this. Councilmember Scott said the project you are talking about that is an impact that we have addressed for the future, so just because we have that particular impact that does not mean we allow anything because we did that. When they brought this property it was zoned for R4, yes we can go back and look at changing the classification but we do need to look at all of the impact, anything that would cause public safety and flooding. Mr. McKenzie said as a licensed professional

engineer he has to take care of those things, he is bound by his code of ethics and his profession. Councilmember Taylor asked Mr. Bowles how are we dealing with flooding in the area now, Mr. Bowles said they always have flooding. Councilmember Taylor said she did not hear this being addressed when the last one (townhomes) was approved. Councilmember Scott said they met with the citizens because of these issues, they reduced the destiny and we determined the water runoff we would get with these. We are not talking about what is sitting here today, just because that one was built does not mean we build another and another we sure will have problems. The comprehensive plan determines the impact that it may have in the future, it addresses rental units compiled in one area and the impact it would put on police and fire. Councilmember Taylor said these little things are not going to affect all of that, this City is going faster. Councilmember Scott said these are not little things, tomorrow it will be another. Councilmember Rahn said that is the issue he has 16 years and we are still kicking the can. He has a real problem with not allowing someone to develop and all of these things are being brought up that he has never heard before. Councilmember Scott said we are not stopping him, he brought that property as a R4 we are not stopping him he can do whatever he wants today with a R4. Councilmember Rahn said let him rephrase he has an issue with not allowing him to rezone this property because he knows for a fact that when this was developed he did improvements on that County road out of his own pocket. Councilmember Rahn said this is not some developer that just pops in this is someone that lives in the City, investing in it. He wants him to keep this in mind. Councilmember Scott said he is not concerned if you are in the community or not you need to follow the guidelines, you need to be concerned with the impact it will make. He is not saying no but let's study it real good. Councilmember Kirkland said his biggest concern is the traffic, would it be too much to do the traffic study now, or is that way out of order. Mr. McKenzie said if it is going to help make a decision, he thinks the property owner will be willing to look at that. Brad Cowan, property owner said he has lived there for 23 years and he has never had wet property at all. He does not understand what the problem is and why it is taking so long. He has done a lot of work in a lot of towns around here and this is by far the biggest mess that he has seen. Councilmember Browher said what we are doing is considering rezoning, any other plans have to come to Council for approval, it seems like there is some concern about traffic count. He knows before with the Patrick Townhomes we went around and around with that, we had a community meeting and it got resolved. Time is money we can take a vote, we can have a community meeting and work it out, if that is ok with Mr. Cowan. Councilmember Rahn said where is the representation from the community in denial of this.

Motion to table: Councilmember Scott
Second: Councilmember Kirkland

Mr. Cowan said it doesn't make sense, let's make decisions. Now we are going back to square one. Item will be tabled until the July 11 meeting.

Vote by Council: 3 yes votes, Councilmembers Browher, Taylor and Rahn voted no

There was a tie vote and the Mayor was not here to break the tie. A motion was made to approve.

Motion to approve: Councilmember Rahn

Second: Councilmember Taylor

Vote by Council: 3 yes votes, Councilmembers Scott, Blackwell and Kirkland voted no

Attorney Dickey said it has failed. It has to be an affirmative vote by four. This means that it cannot come back before Council for six months. Councilmember Kirkland said he does not want that to happen. He wants to understand the traffic. Mr. Cowan referenced Picket Fences. Mayor Pro Tem Browher called the meeting to order and asked Attorney Dickey can they make another motion. Attorney Dickey said you can make a motion to reconsider.

Motion for reconsideration to approve rezoning with the condition that there be a traffic study and reduction in density to 14: Councilmember Kirkland

Second: Councilmember Taylor

Attorney Dickey said you are basically putting condition on the rezoning. Attorney Dickey said it will be rezoned but you will still have the authority to look at the final plans.

Councilmember Rahn asked are we going to do this on every rezoning that we have that does not have community representation the night of the meeting twice. Councilmember Scott said if it is a discussion of concern then we do it. Councilmember Rahn said is this the precedence we are setting going forward. Most hearing on zoning you have opposition and a proponent and if nobody is here than it is up to us and we can't make up what the community wants just because of hearsay they have to be here to represent. Mr. Cowan said now we are going to have to knock on the doors to bring them here. Councilmember Kirkland said no one has called him about this but if a resident calls him and says this is what my concern is then he will address it.

Vote by Council: Unanimous

New Business:

1. Vote on a request filed by Rx Elite Fitness LLC for approval on a Minor Subdivision for a 2.05 acre parcel located at 616 Towne Park Loop, with 0.99 acres being split off to make a new parcel. The property is zoned GC (General Commercial); the parcel is owned by Rx Elite Fitness LLC. (Parcel # R2640016)

Daphne Barron and the owner Darcy Giaquinto were present. Ms. Barron said Mrs. Giaquinto wants to split the property and she already has a buyer. Mr. Stewart said this meets the criteria of General Commercial. The Planning Board did not have a quorum but all present were in favor.

Motion to approve: Councilmember Kirkland

Second: Councilmember Blackwell

Vote by Council: Unanimous

2. Request approval to lease a Triplex Greens Mower for Lost Plantation Golf Course.

Paul Goth, Lost Plantation General Manager was present. Mr. Goth said there is shortage of used equipment in golf. What he would like to do is to lease a greens mower for \$20,000. It should be somewhere around \$5000 for the rest of the year, which is budgeted. The greens mower that they have now is pieced together and if it goes down they don't have a spare. With a second mower they will also be able to mow the greens faster. Mr. Goth also wants to purchase a utility vehicle instead of using the golf carts they have for customers. They are using them to carry around weed eaters and to work around the course. He would like to use \$18,000 to \$22,000 for the mower, \$5,000 to \$5,500 for a utility vehicle and some for weed eaters, rakes and blowers. Mr. Goth said they are almost 4,000 rounds up from what it was at this time last year. The revenue for the year at the golf course is \$596,500, right now he is at \$418,456, that is six months and he is under budget in expenses also.

Councilmember Taylor said she wants Mr. Goth to budget for more carts and whatever he needs. He is doing a great job

Motion to approve: Councilmember Taylor

Councilmember Blackwell asked if the mower you want to lease breaks down will they repair it. Mr. Goth said they can get a warranty, it will be more money, or use the in house mechanic.

Second: Councilmember Rahn

The motions were made not to exceed \$30,000.

Vote by Council: Unanimous

3. Request to approve contract with Falcon Fireworks for the Freedom Rings in Rincon Celebration in the amount of \$28,185.00. LI #100.6100.531521

Mike Osborne said he needed to get this on the agenda to pay for the firework show.

Motion to approve: Councilmember Blackwell

Second: Councilmember Kirkland

Vote by Council: Unanimous

4. Request approval to add to the 2022 budget a new position for the Recreation Department.

Mr. Osborne said Council gave him the ok to add this position, but he needed to come back to Council to get it approved. This is not a budgeted position. They will be assisting the athletic coordinator, also marketing and more revenue generating. The person that he has in mind is familiar with writing grants.

Motion to approve: Councilmember Kirkland
Second: Councilmember Scott

Councilmember Browher mentioned that this will require a budget amendment in the future.

Vote by Council: Unanimous

5. Request approval of resolution to add Fort Howard Road to Old Augusta Road and Old Augusta Road (within the City Limits of Rincon) to the RADAR permit.

Chief Murrell said this is a requirement by GDOT. Right now they cannot run radar on these sections of road meaning we cannot do speed enforcement.

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

Councilmember Taylor thanked Chief Murrell for how the police handled the parade incident.

6. Request approval to amend the Personnel Policy Section 65.19 Attendance and Leave.

This change will allow Public Safety employees that work 2236 of 2756 hours per year to received 12 hours pay for holiday. It will be retroactive back to Juneteenth for these employees.

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

7. Administrative Reports:

City Manager – Mr. Stewart informed Council that he has sent the Tractor Ordinance back to the committee and he hopes to get an add out for a public hearing next month. Councilmember Rahn asked has he gotten everything from Attorney Dickey that he needed to move forward. Mr. Stewart said they have been working closely.

Chief of Police – Chief Murrell said he has spoken with Board of Education Superintendent Yancey Ford about the School Resource position. They are in favor of having a signed agreement prior to the end of July and are willing to support two positions. They are willing to pay for patrol cars on a yearly negotiable contract. It will be a 75/25 split, they pay 75% we pay 25%. Attorney Dickey but when we do the contract we want to make it as loose as possible because the federal government passed a law that may cover expenses. The School Board lawyer is supposed to contact Attorney Dickey. There was discussion on when to start the process of hiring a resource officer.

Mayor and Council – Councilmember Rahn mentioned the Zoning Ordinance changes that Mr. Stewart was working on; Councilmember Scott wanted staff to look into incentive for employees for fitness program; Mayor Pro Tem Browher said he appreciates staff for responding the way the did during the parade incident. Mayor Pro Tem also mentioned Lost Plantation revenue and said it was phenomenal.

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

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

Motion to return to meeting: Councilmember Kirkland
Second: Councilmember Rahn
Vote by Council: Unanimous

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

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

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

No action taken

Adjourn:

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