



**OFFICIAL MINUTES  
RINCON CITY COUNCIL MEETING  
MONDAY, NOVEMBER 13, 2023  
COUNCIL CHAMBERS  
107 W. 17<sup>TH</sup> STREET  
7:00 PM**

**Councilmember Present:**

Kevin Exley  
Ben Blackwell  
Michelle Taylor  
Patrick Kirkland  
Levi Scott Jr  
Reese Browher

**Present:**

Ken Lee, Mayor  
Jonathan Lynn, City Manager  
Raymond Dickey, City Attorney  
Dulcia King, City Clerk  
Jonathon Murrell, Police Chief  
Lou Reed, Fire Chief  
Teri Lewis, Planning and Development Director  
Tim Bowles, Public Works Director  
Christy Holt, Golf Course

The meeting was called to order at 7:00 PM. The Invocation was given by Mayor Lee and the Pledge to the Flag was recited.

**Approval of Agenda:**

Motion to approve: Levi Scott Jr  
Second: Ben Blackwell  
Vote by Council: Unanimous

**Approval of the October 23, 2023 minutes with the following:**

Grammatical Errors given to the City Clerk for correction; new business item 4 should include the line-item number 320-4440-542415 and the motion was to approve the amount of \$25,547 with no more than a 10% upgrade for an additional 32 gigabytes.

Motion to approve: Michelle Taylor  
Second: Kevin Exley  
Vote by Council: Unanimous

**Approval of the November 1, 2023 minutes with the following:**

The meeting was called to order at 6:01 PM.

Motion to approve: Reese Browher  
Second: Kevin Exley  
Vote by Council: 5 yes votes, Councilmember Scott abstained

*Turn meeting over to public hearing Officer, Raymond Dickey:*

**Public Hearing:**

Open public hearing: 7:06 PM

**Public Hearing on a petition filed by Joe South with Cold Summit Development requesting a variance to construct a cold storage warehouse five-feet higher over the current fifty-foot height limit to meet industry standard construction, located at portions of 0 Hwy 21 and 0 Heritage Way. The property is owned by J and W Landholdings LLC. The property is zoned LN (Limited Industrial). (Parcel Numbers: R2810001 and R2810002)**

Chad Zittrouer with Kern and Company was present. The purpose is to increase the building height. It is a cold storage facility, in addition to it being a cold storage facility it allows blast freezing. This property is about 2,000 feet off of Highway 21.

Mrs. Lewis said the Planning and Zoning Board recommended approval, their only concern was with the fire department being able to serve the structure. She talked to Chief Reed and he said they would have no problem.

Councilmember Kirkland said would you be able to see this building behind the existing building. Mr. Zittrouer said you would not be able to see it at line of sight.

Close public hearing: 7:11 pm

**New Business:**

**1. Vote on the first reading of a petition filed by David Burns, for a Zoning Map Amendment for a 21.29-acre parcel located at 1350 N Columbia Ave. to amend the Zoning of 2.79 acres from LN (Limited Industrial) to GC (General Commercial) and 18.5 acres from LN (Limited Industrial) to R8 (Residential-Multi-unit attached) (duplex, townhouse, or row house)); the parcel is owned by Zipperer Family Limited Partnership. (Parcel Number: R2170011)**

Ben Johnson with Land Unlimited was present. Mr. Johnson said they are down zoning from Limited Industrial to R8 Residential. There will be a couple of commercial sites up front along Highway 21.

Mrs. Lewis said the Planning and Zoning Board recommended approval.

Motion to approve: Patrick Kirkland

Second: Ben Blackwell

Vote by Council: 4 yes votes, Councilmember Taylor and Councilmember Exley voted no

**2. Vote on the first reading of a petition filed by Bobby Bagwell for a Zoning Map Amendment for 3 parcels, located at 0 Towne Park East to amend the zoning from GC (General Commercial) to R8 (Residential-Multi-Unit attached) (duplex, townhouse, or row house); the parcels are owned by CMCK, LLC. (Parcel Numbers: R2570033 at 1.20 acres, R2570034 at 0.85 acres, and R2570035 at 0.78 acres)**

Cody Rogers with EMC Engineering was present. Mr. Rogers said they are proposing 23 townhomes in 3 buildings on a 2 ½ acre tract. They are down zoning from Commercial to R8 Residential. At the last meeting there were concerns about traffic, there development is proposing to generate roughly 170 trips per day. If it stays General Commercial, it would generate roughly 163 trips which is competitive to the 170. If it was a general discount store it would generate 808 trips. This property has sat for a number of years, has been General Commercial the entire time and there has been zero interest in commercial use coming to that property due to its location. Sewer capacity was another issue. The City has roughly 200,000 gpd sewer capacity left, this property would generate 6,900 per day.

Councilmember Taylor asked about price point. Bobby Bagwell the developer said \$250,000 is the projection, these will be fee simple. Mrs. Lewis said staff and the Planning and Zoning Board recommended approval. Councilmember Browner asked how much commercial property do we have in the City, because we are rezoning a bunch of commercial to residential and then you won't have anymore left. Mr. Bagwell said he is a commercial broker as well and he doesn't know if the location of this is viable for commercial being behind an existing older commercial development. They feel that the housing need is in such demand with the economic growth. Mr. Bagwell said the biggest need in this area is housing, the workforce is on the way. Councilmember Taylor said her biggest problem is Highway 21 we just keep adding and adding and that is her problem. Councilmember Blackwell said at that development there is a red light to control traffic, traffic is not going to be that much of a deal and he thinks we need the housing. The Hyundai plant is coming, we have a plant coming in our backdoor also. Mayor Lee said he thinks it is the City's responsibility to make determination about the needs of the City, it all comes to proper planning and making decisions with the best information that we have. Councilmember Browner said he looks at the services residential will impact rather than having commercial there, right now we are doing everything we can to keep up. It impacts our services more. Mr. Rogers said you will have water impact, sewer impact and the water

bills for those 23 units. Mayor Lee asked did they look at office commercial. Mr. Bagwell said no they did not.

Motion to approve: Ben Blackwell

There was no second. Motion failed due to lack of a second.

**3. Vote on an application filed by William Tanner of Distribution Realty Group, requesting preliminary approval of a sketch site plan to construct a 320,000+/- square foot industrial warehouse. Entrance to the site is proposed to be provided through an access easement on an adjacent parcel. The properties are located at 0 Hwy 21; the parcels are owned by J PWM Investments LLC. The 27.53-acre parcel is zoned LN (Light Industrial), (parcel number: R2700011); The 7.60-acre parcel is zoned R4 (Residential), (parcel number: R2170012A00).**

William Tanner was present. He said this is just a site plan of what they think they can build. The land is Light Industrial the big question to him is access. It was a land locked piece of property that opened up due to the purchase of the adjacent property. They will call for full access there and GDOT has supported it. They are working on a development agreement and working through all of the details before going full speed ahead. The land owner north of them, they have been in communication with about joining access points so traffic will be able to lead to a signalized intersection. It is difficult to be fully handcuffed to another development without knowing how it will turn out. So they would like to have full access, left in right in left out right out. Councilmember Exley talked about the traffic light being ½ mile or less from their access, it will be difficult for a truck driver to turn south. Mr. Tanner said this is very preliminary. Would it be something that in the development agreement, saying we are fine, we are working with the landowner north of us to join the parcels together and send traffic to the signalize, but if we build first can we have full access until they come along and get to where the road is paved and we can get to the signalized intersection. Mr. Tanner said he feels very confident about it working out. Mrs. Lewis said this is preliminary, a sketch plan, they wanted to get input from Council about the access.

Councilmember Browher said when this thing gets built, one thing we need to consider is where are these trucks turning right going to turn around, that needs to be discussed. Councilmember Exley said he would prefer to have a conversation with the owners of the property to the north to know what their timeline is before we approve this, maybe table this until we have that conversation. Mr. Lynn said this is a sketch, you will still have a opportunity to say yea or nay. Councilmember Exley said why would we vote now if we have another opportunity. Mrs. Lewis said they will have to come back with a final site plan. If it was absolutely not, there is going to be no access to Highway 21 or you have to share with the red light then he needs to know that now before he goes any further.

Motion to approve: Levi Scott Jr

Second: Reese Browher

Vote by Council: Unanimous

**4. Vote on the first reading of a petition filed by Joe South with Cold Summit Development requesting a variance to construct a cold storage warehouse five-feet higher over the current fifty-foot height limit to meet industry standard construction, located at portions of 0 Hwy 21 and 0 Heritage Way. The property is owned by J and W Landholdings LLC. The property is zoned LN (Limited Industrial). (Parcel Numbers: R2810001 and R2810002)**

Motion to deny: Councilmember Kirkland

Chad Zittrouer said he feels like this is a critical component of this development. There is a development agreement in place. He feels like a cold storage is a good fit. They are willing to have a workshop to discuss any issues.

Brett Bennet explained that a cold storage facility has additional equipment below the ceiling and the roof therefor it cannot store as much as regular storage (pallet high). He elaborated on the tax base. This facility is about 3 times the value per square foot of a traditional warehouse, it generates a significantly higher revenue. It is also a significantly higher power user. The will generate \$6,000 month in franchise fees. Cold storage is a better contributor to the City.

There was no second. Motion failed due to lack of a second.

Motion to approve: Levi Scott Jr

Second: Kevin Exley

Vote by Council: Motion Passed: 5 yes votes, Councilmember Kirkland voted no

**5. Vote on an application filed by Alex Long with Lawrence Alexander Homes requesting Final Site Plan approval of a 35 lot Single-Family Subdivision. The 19.05-acre property is located at 1678 Fort Howard Road and is zoned R-4 (Residential—One unit detached (conventional house)); the property is owned by Fort Howard GSL, LLC. (Parcel Number: R2650010)**

Mr. Long said this is the final set of plans. Councilmember Taylor said she is excited for him and confirmed he will be putting in a sidewalk on Fort Howard.

Motion to approve: Levi Scott Jr

Second: Kevin Exley

Vote by Council: Unanimous

**6. David Rose request to appear before Council.**

David Rose and Destiny Bradshaw were present representing Rincon Noon's Lion Club. They are requesting a permit for the annual Christmas Parade. Mr. Rose said the date they would like to propose is Sunday afternoon, December 10<sup>th</sup> starting at 2:30pm. Keeping the route on Fort Howard, but not going down to Highway 21, turning on Lisa Street ending in

the Walmart parking lot. Chief Murrell said this would be contingent upon Walmart letting them use the parking lot. Mr. Rose said he does not believe there would be any interruption with the church services at Compassion Christian.

A motion was made to approve the special events permit and waive all associated fees.

Motion to approve: Kevin Exley  
Second: Patrick Kirkland  
Vote by Council: Unanimous

**7. Request approval to award bids for the City of Rincon Sidewalks Project.**

Doug Morgan with EMC was present. Mr. Morgan said they have finally bid all of the sidewalk projects. Recommendation for the Highway 21 sidewalk is Savannah River Utilities for \$703,680.00. This will go from Fort Howard Road to Lisa Street and Prosperity Drive to Northridge Drive. Recommendation for Fort Howard Road is PINCO for \$235,339.04. This will go from Market Street to the Abbey. The third one is the 9<sup>th</sup> Street sidewalks the recommendation is Savannah River Utilities for \$216,778.00. A motion was made to approve the low bidder on all three projects.

Motion to approve: Patrick Kirkland  
Second: Kevin Exley  
Vote by Council: Unanimous

**8. APAC - Atlantic Inc request approval of pay request #1 in the amount of \$156,913.10 for the 2023 Rincon LMIG Projects. LI #320.4100.541417**

Doug Morgan said this for traffic control. And during the pre-construction meeting they stressed the need that they did not run out of rock. They have already milled and rocked one of the roads, and they are working on Smithfield Avenue.

Motion to approve: Reese Browner  
Second: Levi Scott Jr  
Vote by Council: Unanimous

**9. Vote on the first reading of an ordinance to consider proposed amendments to the City of Rincon Ordinances, specifically Section 90-122, Sign Regulations, General and Special Provisions and Section 90-129, Table 1 Allowable Sign Functions and Required Permit Fees and Table 2 List of Sign Types and Dimensions Allowed or Prohibited.**

Mrs. Lewis said the public hearing was held at the last meeting. It doesn't just change the size it also provides more specific language just guiding when billboards are put in place. Councilmember Scott said he is concerned on placement and distance. Mrs. Lewis said right now there is no language in the code that limits that, with the new language there will be a separation requirement and distance.

Motion to approve: Michelle Taylor  
Second: Ben Blackwell  
Vote by Council: Unanimous

**10. Vote on the first reading of an ordinance to consider proposed amendments to the City of Rincon Ordinances, specifically Section 90-21 - 90-40, Planning and Zoning Board language.**

Mrs. Lewis said when the Planning and Zoning adopted rules of procedures early this year they found some duplicates and there was outdated dates for term limits.

Motion to approve: Patrick Kirkland  
Second: Levi Scott Jr  
Vote by Council: Unanimous

**11. Vote to appoint a new member to the Planning and Zoning Board.**

Mrs. Lewis said another member wanted to come off at the end of this year. The new member that would be appointed tonight will come on January 1 to complete two more years. She is recommending Daniel Elliot.

Motion to approve: Michelle Taylor  
Second: Kevin Exley  
Vote by Council: Unanimous

**12. Vote to reappoint an existing member to her second 3-year term on the Planning and Zoning Board.**

Mrs. Lewis said this is for Mrs. Betty Mydell and she will be happy to serve a second three-year term.

Motion to approve: Kevin Exley  
Second: Reese Browher  
Vote by Council: Unanimous

**13. Request approval of a Resolution to adopt the updated Effingham County Joint Hazard Mitigation Plan (2023-2028).**

Mrs. Lewis said the consultants for the County reached out to us with a proposed resolution. There could be changes in there that FEMA requires, but those will be nonnegotiable. If there are some major changes those would come back before Council for approval.

Motion to approve: Levi Scott Jr  
Second: Ben Blackwell  
Vote by Council: Unanimous

**14. Approval of a payment to Diesel Power Solutions in the amount of \$6,961.86 for the repair and engine replacement of an infield machine.**

Mr. Lynn said they have had our old infield machine for about 6 months for repairs. This purchase will come from line item 100-6100-542540.

Motion to approve: Michelle Taylor  
Second: Levi Scott Jr  
Vote by Council: Unanimous

**15. Approve an agreement in the amount \$9,408 with GoGov to implement a Citizen Request Management System and Notification/Alert system. LI #100.1300.521200**

Mr. Lynn said he did a demo with GoGov and the price is reasonable for what we will get, a citizens request module. This includes installation and start up and it will take about six weeks. There will be no monthly fee. The notification will go to specific employees.

Councilmember Kirkland said some residents are not aware of a lot of things and this will allow them to sign up. This will allow us to send those notification and allow them to do the same.

Motion to approve: Patrick Kirkland  
Second: Michelle Taylor  
Vote by Council: Unanimous

**16. Request approval to surplus Rincon Golf Course Equipment**

Christie Holt said there is an old tractor and two blade grinders that are old, rusted and taking up space. There is no value to these items.

Motion to approve: Levi Scott Jr  
Second: Ben Blackwell  
Vote by Council: Unanimous

**17. Accept and award a bid to Advanced Athletic Surfaces on the amount of \$29,480 for the resurfacing of the tennis courts at Patriots Park.**

Mayor Lee said this will come from SPLOST funds and a grant. Mr. Lynn said we received two bids. Advanced Athletic Surfaces is a Georgia based company. Mayor Lee asked do we meet the criteria to receive the grant, Mr. Lynn said yes.



Motion to approve: Kevin Exley  
Second: Levi Scott Jr  
Vote by Council: Unanimous

## **18. Administrative Reports:**

Mayor Lee explained this part is only for staff to communicate to Council

City Manager – Mr. Lynn reminded Council that on November 16 we will have our employee lunch; we will be closed next Thursday and Friday for Thanksgiving; he did give Council the RFP for lease of the Golf Course Bistro; Joseph Moore has accepted the position as Superintendent at the Rincon Golf Course and will start Monday December 4; he sent a message about budget workshops and hearings and it looks like we can do both on Monday, December 4 and Approve December 11; Councilmember Kirkland asked about the playground. Mr. Lynn said he has not heard anything back from them. Councilmember Kirkland said we need to do something now. Councilmember Browher said this has been the worst project he has been associated with, the contractor responsiveness has been atrocious. Councilmember Taylor said no response whatsoever. Councilmember Exley said somebody needs to walk through to make sure it is safe. Councilmember Browher said also several people have expressed concerns about not being a fence around it, at some point there needs to be a fence for the safety of the kids. Councilmember Blackwell said and designated parking.

City Engineer – Councilmember Taylor asked Mr. Morgan about Macomber Park and an area that is low and holds water. Mr. Morgan said he will look at that. Councilmember Exley said he contacted Mr. Morgan about the property we were looking at the 50 acres because we needed to see if we have an easement and it shows a 40 foot easement to the property. He went back there, and it is a junk yard for diesel equipment. Mr. Morgan said he found out that at Mr. Lynn's direction they had already had a preliminary wetlands assessment done on this property, so they know where the desktop wetlands are and they can do land planning.

Police – Chief Murrell said the City has been hit twice with what they call bank Juggling, a Tik Tok craze; Councilmember Kirkland said he got calls about issues in Lost Plantation and Willowpeg and wanted to get with Chief Murrell.

Fire – Chief Reed said they have hired a new gentleman, he started on Saturday.

Council – Councilmember Browher said on East 7 Street and Richland Avenue there is a big dead pine tree in the yard of that duplex, it is dropping limbs, it is a threat; the bunkers at the golf course, he heard they need to be redone; also Mrs. Jackson she asked about a letter. Mr. Lynn said we did go out and have a survey done, just about every property owner had something in the lane. David Mattos is talking to one property owner because his building is taking the whole lane. The best thing is to deed 10 feet to property owners on each side; Councilmember Browher asked about Picket Fences. Councilmember Exley said he road a route the other day with the Chief, you can probably cut out a couple trees and drive all the

way over to the switch yard at Omni Tracks, there is a berm by Stanley Exley's property (where you can access a road). It is a perfect trail. There was discussion on a route. Councilmember Taylor said they don't want a second entrance, Mr. Lynn said they just want a way to get out.

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

Motion to approve: Levi Scott Jr  
Second: Michelle Taylor  
Vote by Council: Unanimous

Motion to return to the meeting: Ben Blackwell  
Second: Michelle Taylor  
Vote by Council: Unanimous

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

Motion to approve: Reese Browher  
Second: Levi Scott Jr.  
Vote by Council: Unanimous

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

No action taken.

**Adjourn:**

Motion: Levis Scott Jr  
Second: Ben Blackwell  
Vote by Council: Unanimous