



**OFFICIAL MINUTES
RINCON CITY COUNCIL MEETING
MONDAY, NOVEMBER 27, 2023
COUNCIL CHAMBERS
107 WEST 17TH STREET
7:00 PM**

Councilmember Present:

Reese Browher
Patrick Kirkland – arrived 7:11PM
Michelle Taylor
Ben Blackwell
Kevin Exley

Councilmember Absent:

Levi Scott, Jr.

Present:

Ken Lee, Mayor
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
Byan Bessinger, Golf Course Manager

The meeting was called to order at 7:01 PM. The Invocation was given by Mayor Lee and the Pledge to the Flag was recited.

Approval of Agenda:

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

Approval of Minutes:

Approval of the November 13, 2023 minutes with the following:

Grammatical errors and add the line item 100-1300-521200 to new business item 15.

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

New Business:

1. Vote on the second reading of an ordinance to consider proposed amendments to the City of Rincon Ordinances, specifically Sections 90-21 through 90-40, Planning and Zoning Board language.

Motion to approve: Ben Blackwell
Second: Kevin Exley
Vote by Council: Unanimous

2. Vote on the second 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, representing the owner, was present. Mr. Johnson said this is a 22 acre tract they are basically down zoning from to R8 to do townhomes with a couple of commercial lots up front. There is adequate water and sewer capacity. Councilmember Exley said he feels like we are putting ourselves in another Picket Fence situation, we got the worst section of property right there sitting beside gas lines, a railroad track and power lines. He doesn't want to be put in that situation to have to manage that process. He rode out there and looked at it, thought about it, to him it does not make sense. Residential in there does not make a lot of sense. There is not a light there, you got trucks coming out right across the road. Councilmember Taylor said she agrees the traffic there is terrible with no light there, it is already dangerous. Councilmember Exley said he would like to table this and sit down and talk about it in a workshop.

Councilmember Exley made a motion to table.

Mr. Johnson said isn't a red light coming a couple hundred yards to the right, so that would break up the traffic turning left. As far as the power and the gas that is adjacent to the property, it does not come through the property. We heard at previous meetings that you don't want warehouses or anything like that, but it is currently zoned for a warehouse. So would you rather see a warehouse. They felt like it was a good fit. Pam Dumas, realtor that represents the Zipperer family, said less than a year ago they had a contract on this property for industrial and the City made it pretty clear to the buyer that industrial was not going to go on that property and so the buyer terminated the contract. They are asking for less zoning. This was less than a year ago.

Mona Underwood said looking at the plat maps, because of the wetlands it looks like it would be hard to put a warehouse there. Mrs. Underwood mentioned anything or 75 units need a second entrance. She said her point is you have gas lines, power lines and a railroad on one side, you got warehouses coming in on the other side and the City of Rincon is tired of picking up the tab after the developers are gone. She said the last thing we need is a problem like Picket Fences again. Mr. Johnson said you can't compare this tract to Picket Fences, you don't cross a railroad to get out of this property.

Councilmember Kirkland asked Mrs. Lewis about the process, and if this will come back before Council for site plan approvals. There is time for Council to address the concerns before it is approved.

Councilmember Blackwell asked about the wetlands.

Councilmember Exley withdrew his motion to table.

Motion to approve: Reese Browher

Second: Patrick Kirkland

Vote by Council: Unanimous

3. Vote on the second 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. Underwood asked does this apply to billboards and does this increase the size that you can put up. Mrs. Lewis said yes. She asked that this be table and said the last thing we need to do is clutter up the landscape. We do not want these things at all. Councilmember Exley asked about the distance. Councilmember Kirkland asked was this consistent with other municipalities around us. Mrs. Lewis said she looked at other municipalities around us and this is consistent.

Motion to table: Reese Browher

Second: Kevin Exley

The motions were amended to table until January 22

Vote by Council: Unanimous

4. Vote on an application filed by Marchese Construction LLC, requesting Site Plan approval to add a 3,516 sf. garden center and covered lumber storage area to left rear of an existing building. The property is located at 591 Towne Park West Dr.; the parcel is owned by CL Rincon Partners L P and is zoned GC (General Commercial). (Parcel #: R2640001E00)

Chad Zittrouer, Kern and Company said this will be an Ace Hardware going into the former Food Lion facility. The intent is to renovate the 30,000 square feet, which is the main building. They are looking to add a 3,500 square foot garden center and 1,600 square foot lumber storage yard. The check-out line will be in the front of the building and the only time someone would use the side entrance would be for pickup delivery. They will stripe the circular lane going to the back of the building.

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

5. Vote on the second 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)

Mr. Bagwell presented an updated site plan. They implemented a sidewalk connection, a bus shelter at the mail kiosk, and a walking trail around the pond. They took everything the Council said and tried to implement that to make this a project that Rincon can support. Councilmember Taylor asked about parking, Mr. Bagwell said each townhome will have parking for four vehicles plus one in the garage. Mrs. Lewis said this project will go through the same process of going to Planning and Zoning and back to Council for site plan approval.

Motion to approve: Kevin Exley
Second: Ben Blackwell
Vote by Council: Unanimous

6. Vote on contract to supply all City buildings with brand new Automated External Defibrillators by Cintas in the amount of \$11,918 annually. LI #216-3500-521200

Chief Reed said this will come out of the 2024 budget. It will be \$993.00 a month and will include firmware, software, pads and batteries. It takes the liability off the City and puts in on Cintas. This is a one-year contract.

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

7. Request approval to pay Savannah River Utilities \$149,000.00 for the Public Works Parking Lot Project. LI #320-4100-541214

Mr. Bowles said this is the phase of getting the concrete poured in the back of the shop.

Motion to approve: Patrick Kirkland
Second: Ben Blackwell
Vote by Council: Unanimous

8. Approve Professional Services Agreement in the amount of \$21,738 with Goodwyn, Mills and Cawood [GMC] to continue to provide the city water quality monitoring services for 2024. LI 5054440522330

Mr. Bowles said this is the annual monitoring that the State requires.

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

9. Request approval of the 2024 GMA Telecommunications and Right of Way Management subscription in the amount of \$6,298.88. LI #100.1300.521200

Motion to approve: Reese Browher
Second: Patrick Kirkland
Vote by Council: Unanimous

10. Approve the project proposal for Greenside Bar & Grille to lease and operate the restaurant portion of the clubhouse at the Rincon Golf Course for an initial 10-year term.

Jordan Bala, representing Greenside Bar and Grille was present. Mr. Bala said their goal is to create a new scene and environment that is welcome. They are doing a 75% renovation on that building. They want to give the space an entire new facelift. Councilmember Kirkland asked them about their own phones and internet. He would prefer they have their own phone and internet. Councilmember Kirkland asked about the beverage cart. Attorney Dickey said the easiest way for liability purposes would be to lease that to them. Councilmember Kirkland also asked about the 10 year lease and was that normal. Attorney Dickey said that is not normal or allowed but he did see that there is a 90 day notice that can be given for cancellation. You can't bind future Council's with your vote, so it needs to be able to be terminated. Councilmember Exley said they (Greenside Bar & Grille) would need to have something in there to protect them because they are the first person that walked into the door saying they are going to invest \$75,000 or \$65,000 into something, no one has ever done that. Everybody that has walked in the door has tried to figure out how to kick this business off using the City. And you guys have come in with more of a partnership. There was discussion on the equipment, Attorney Dickey said those things you have to work out in the detail of the agreement. Those things are using the responsibility of the operator versus the City. Mr. Bala said the reason they pitched a 10 year lease is because they wanted to show how serious they are.

Mayor Lee said he thinks there are still a few minor things that need to be hammered out. Things need to be more clearly identified as far as who responsibility it will be. So, it meets

their needs and ours as well. People think the food and beverage industry is an easy business and it is not. Justin Adams said they have been in business for 12 years in City Market. They know some things have to be tweaked and worked out. A motion was made to accept the bid with the lease to be worked out.

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

11. Administrative Reports:

Rincon Golf Course – Bryan Bessinger said they had issues with their merchant ID, that got fixed today and had to clear revenues; the new carts are being built in Augusta; and they are looking forward to a good holiday season.

Mayor Lee said there is a lot of work to be done on the cart paths, he hates to think about the new carts getting beat up on the cart paths. Mr. Bessinger said he is looking forward to having a new superintendent and driving around to look at the cart paths and problems; Councilmember Kirkland asked about the sprinkler. Mr. Bessinger said it is still turned off.

Council – Councilmember Exley said he got an email from EMC stating that Omni Tracks is on board with letting us use our emergency plan out of Picket Fence; Councilmember Browher asked about the Georgia Avenue Lane. Councilmember Exley said he asked about it today and David Mattos said they will meet with the gentleman on December 4 to discuss getting the buildings out of the lane; Councilmember Kirkland asked about the Recreation Director applications. Councilmember Exley said he thinks Council needs to look at all of them. Councilmember Taylor asked the Mayor to swear her in, in January.

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

No executive session.

Adjourn:

Motion to approve: Ben Blackwell
Second: Reese Browher
Vote by Council: Unanimous