



**OFFICIAL MINUTES  
RINCON CITY COUNCIL MEETING  
MONDAY, DECEMBER 11, 2023  
COUNCIL CHAMBERS  
107 WEST 17TH STREET  
7:00 PM**

**Councilmember Present:**

Kevin Exley  
Ben Blackwell  
Michelle Taylor  
Patrick Kirkland  
Levi Scott Jr

**Councilmember Absent:**

Reese Browher

**Present:**

Ken Lee, Mayor - -arrived 7:09 PM  
Ben Perkins, Interim 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  
Joe Moore, Golf

The meeting was called to order by Mayor Pro Tem Kirkland at 7:00 PM. The Invocation was given by Councilmember Taylor and the Pledge to the Flag was recited.

**Approval of the agenda:**

Councilmember Scott asked did the ordinance call for a second reading of a variance. Mrs. Lewis said it was changed recently to require two readings.

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

### **Approval of the minutes:**

Approval of the November 22, 2023 minutes.

Motion to approve: Kevin Exley

Second: Ben Blackwell

Vote by Council: Unanimous

Approval of the November 27, 2023 minutes.

Motion to approve: Kevin Exley

Second: Michelle Taylor

Vote by Council: 3 yes votes Councilmembers Scott and Kirkland abstained

### **Public Hearing #1:**

**Public Hearing on a petition filed by H.E. Sheppard on behalf of the Bank of Newington requesting a Zoning Map Amendment for a .39-acre parcel located at 111 Lewis Drive to amend the zoning from R-1 (Single-family Residential) to GC (General Commercial); the property is owned by the Bank of Newington. (Parcel# 0465J003A00)**

Open public hearing: 7:05 PM

Attorney Perkins asked Mrs. Lewis if this was advertised and posted, she said yes.

Chris Gohagan representing Bank of Newington was present. Mr. Gohagan said the Bank is a locally owned, family-owned community owned bank. It was founded in 1919 in Newington. These properties, when consolidated are contiguous to the City of Rincon. The neighboring owner is fully on board with this project. There is commercial use in this area.

Trip Sheppard, President of the Bank of Newington, said he is really excited about the opportunity and would love to expand their presence into the City of Rincon. Drew Eller, the engineer, was present and spoke about the design. Jared Mock with Matthew Reddick and Associates, talked about buffer. He said there will be heavy vegetation buffer and a fence. Access will come off Chimney Road and Lewis Drive. Councilmember Kirkland said coming out of Chimney Road in the afternoon there is normally a backup and asked are they planning on doing any modification to the dotted line. Mr. Mock said not at this time. Tim Milner talked about the traffic getting on Highway 21 from Chimney Road. Mr. Mock said they do feel good about access for the site, they will meet requirements for parking and stormwater. For utilities they plan on being on Rincon's water and will utilize an onsite septic system for sewer.

Donnie Bazemore, 5947 Highway 21 said he is in favor of the project.

Close public hearing: 7:24 PM

**Public Hearing #2:**

**Public Hearing on a petition filed by H.E. Sheppard on behalf of the Bank of Newington requesting a Zoning Map Amendment for a .63-acre parcel located at 5919 S. Hwy. 21 to amend the zoning from B-1 (Neighborhood Commercial) to GC (General Commercial); the property is owned by the Bank of Newington. (Parcel# 0465J001A00)**

Open public hearing: 7:25 PM

Mr. Gohagan said when combined with the first parcel they will have a 1 acre track, also banks are a permitted use under General Commercial zoning.

Close public hearing: 7:25 PM

**Public Hearing #3:**

**Public Hearing on a petition filed by Larry Deblieux with Westcoast Mill Services LLC., for a zoning map amendment for a parcel, located at 107 W Fourteenth Street to amend the zoning from OC (Office and Commercial) to GC (General Commercial); the parcel is owned by Westcoast MS Properties LLC. (Parcel #: R2090034A00)**

Open public hearing: 7:26 PM

Attorney Perkins asked has this then been advertised and posted, Mrs. Lewis said yes.

The property owner was not present. Kimberly Nettles said her family owns the home at 108 W 15<sup>th</sup> Street. Her backyard backs up to this property, she is fine with this. She said actually this is all is zoned commercial but there is many old timers that still have residential homes.

Close public hearing: 7:33 PM

**New Business:**

**1. Vote on First Reading on a petition filed by H.E. Sheppard on behalf of the Bank of Newington requesting to annex a .39-acre parcel located at 111 Lewis Drive; the property is owned by the Bank of Newington. (Parcel # 0465J003A00)**

Motion to approve: Kevin Exley

Second: Levi Scott Jr

Vote by Council: Unanimous

**2. Vote on First Reading on a petition filed by H.E. Sheppard on behalf of the Bank of Newington requesting to annex a .63-acre parcel located at 5919 S. Hwy 21; the property is owned by the Bank of Newington. (Parcel # 0465J001A00)**

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

**3. Vote on First Reading on a petition filed by H.E. Sheppard on behalf of the Bank of Newington requesting a Rezoning for a .39-acre parcel located at 111 Lewis Drive to amend the zoning from R-1 (Single-family Residential) to GC (General Commercial); the property is owned by the Bank of Newington. (Parcel# 0465J003A00)**

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

**4. Vote on First Reading on a petition filed by H.E. Sheppard on behalf of the Bank of Newington requesting a Rezoning for a .63-acre parcel located at 5919 S. Hwy. 21 to amend the zoning from B-1 (Neighborhood Commercial) to GC (General Commercial); the property is owned by the Bank of Newington. (Parcel# 0465J001A00)**

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

**5. Effingham Health System Foundation requests a Special Events Permit with a fee waiver for the 5th Annual Gears & Grub Food Truck and Car Show Event at Freedom Park for Saturday, March 2, 2024.**

Elizabeth Waters was present. She said this will be the 5th annual Gears and Grubs and will be held on March 2<sup>nd</sup>. Usually they pay for security only.

Motion to approve: Kevin Exley  
Second: Ben Blackwell

Both motions were amended to waive all associated fees.

Vote by Council: Unanimous

**6. Vote on First Reading on a petition filed by Larry Deblieux with Westcoast Mill Services LLC., for a Rezoning for a parcel, located at 107 W Fourteenth Street to amend the zoning from OC (Office and Commercial) to GC (General Commercial); the parcel is owned by Westcoast MS Properties LLC. (Parcel #: R2090034A00)**

Mr. Lynn said since this is the first reading if you moved this forward to the second reading and he didn't show up he would recommend tabling.

Motion to approve: Levi Scott Jr

Second: Kevin Exley

Vote by Council: Unanimous

**7. Vote on the second 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)**

Chad Zittrouer, with Kern and Company was present. Mr. Zittrouer said this project has been going on for a while. Joe South with Cold Summit Development said this is a small company of 14 people and gave Council a background of the company. He explained why they would need a 55 feet variance. It is important because in cold storage all of the equipment to keep the building cool is in the ceiling.

Councilmember Kirkland asked should we change the ordinance because a variance is for a hardship and that is his problem. Mrs. Lewis said one of the things further down on the agenda is a request to hire a consultant to draft and new UDO and this is something that we would definitely be taking a look at.

Motion to approve: Kevin Exley

Second: Levi Scott Jr

Both motions were amended to include a variance for cold storage warehouse only

Vote by Council: Unanimous

**8. Vote on an application filed by Cold Summit Development, requesting Preliminary Site Plan approval to construct a 336,512 sq. ft. temperature-controlled, rail-served distribution facility. The property is 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 approve: Kevin Exley

Second: Michelle Taylor

Vote by Council: Unanimous

**9. Vote to increase fire fee on the water bill from \$11.00 to \$14.00 dollars a month and raise commercial fire fee by 15 % starting the calendar year for 2024.**

Mr. Lynn said this was discussed at the budget retreat, to increase fees across the board. The proposed budget does have these numbers. Mr. Lynn said this is one of those necessary fees it helps offset when we moved back into the City.

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

#### **10. Request approval to increase the field rental fees at Macomber Park.**

Mr. Lynn said in the process of reviewing our fees, currently \$50, he is requesting to increase the fee to \$100. Along with that we are requesting to increase the park maintenance fees from \$150 to \$200. All increases will be effective January 1.

Councilmember Taylor can we make them put down a deposit, they trash the park. Mr. Lynn said we would ask that you authorize a \$350 deposit per tournament if they clean up everything that money would go back to them.

Councilmember Kirkland asked about an updated contract, Mr. Lynn said we will work on that.

A motion was made to make the new fees a part of the new contract.

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

#### **11. Vote on a recommendation to update the Business License, Permitting and Planning fees.**

Mrs. Lewis said she looked at several different communities and did a lot of research to come up with these numbers. These fees have not been updated since 2019. She is asking them to be updated effective immediately.

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

#### **12. Request approve bid by Inspire Placemaking Collective, Inc. to write a new Unified Development Ordinance (UDO) for the City of Rincon.**

Mrs. Lewis said this was put out to bid in September and only received one bid, so they put it out again in November and received three bids.

Motion to approve: Michelle Taylor  
Second: Ben Blackwell

Both motions were amended to include the amount of \$107,320.00

Vote by Council: Unanimous

**13. Request approval to pay Savannah River Utilities \$146,000.00 for the Public Works Parking Lot Project. LI #320-4100-541214**

Mr. Bowles said they have completed pouring the parking lot and everything looks good. We are still holding the 10% retainage.

Motion to approve: Kevin Exley

Second: Ben Blackwell

Vote by Council: Unanimous

**14. Request approval of the Probation Services Agreement for FY2024.**

Chief Murrell said this is the agreement between court and probation.

Motion to approve: Levi Scott Jr

Second: Kevin Exley

Vote by Council: Unanimous

**15. First reading of the proposed FY 2024 City of Rincon Budget.**

The budget for 2024 for all funds is \$17,562,731.13 an increase of 8.9 % from 2023. This is proposed as a balanced budget. The General Fund, non-revenue generating departments, all combined have a budget number of \$7,982,277.77, a 13.2% increase from 2023. The Enterprise Funds, departments that generate revenue, have a budget number of \$9,580,453.36 an increase of 5.4%.

Motion to approve: Kevin Exley

Second: Michelle Taylor

Vote by Council: Unanimous

**16. Approval of a Professional Services Agreement with Davenport and Company in the amount of \$20,000 to serve as the City's Financial Advisors. LI #100-1300-521200**

Mr. Lynn said this firm comes highly recommended. They are very good at what they do and they only charge when they do work. Councilmember Kirkland said he would like the attorney to look at the contract. A motion was made pending attorney approval of contract.

Motion to approve: Michelle Taylor

Second: Kevin Exley

Vote by Council: Unanimous

**17. Request approval to cancel the December 25, 2023 regular scheduled Council Meeting.**

Motion to approve: Kevin Exley

Second: Ben Blackwell

Vote by Council: Unanimous

**18. Administrative Reports:**

**City Manager** – Mr. Lynn reminded Council that on Monday, December 18 will be the second reading and approval of budget; swearing in of the new Council will be on January 2; Waste Pro will have a new schedule January 17; he will be sending email out they are doing the second round of interviews for the Recreation Director; there have been weather delays at the tennis courts and they will finish by the end of this week.

Councilmember Kirkland asked about the library playground. He said we need to make sure we move on that because the library uses that in the summer for free meals. There was discussion on the new park.

**Police** – Chief Murrell said tomorrow they go to the Ronald McDonald House for shop with a cop; they also have the Toys for Tots; also Councilmember Kirkland asked about a Blueline report, and they will submit a monthly report along with the revenue check.

**Fire Department** – Chief Reed said on C-Span Buddy Carter did a one minute speech on the City of Rincon and the new Fire Chief.

Planning and Zoning – Mr. Lewis said she and Mr. Lynn are meeting with the CRC about the Comp Plan; they have a new software, Cloud Permit, that they are initiating.

**Rincon Golf Course** – Mr. Bessinger introduced Joe Morris, the new Golf Course Superintendent; the golf carts were a huge success; Councilmember Exley asked Mr. Moore how are we looking out there, he said it will be an uphill battle; Mr. Lynn said that Mr. Moore has a meet and greet tomorrow night. There was discussion on the condition of the course.

**Council** – Councilmember Exley said he wanted to implement a board because sometimes we get away from things when we don't complete them and this is a reminder. He discussed the private service roads and the property off Old Augusta Road, the property across from Hinely Building and Mrs. Jackson and the lane behind her house.

Mayor Lee said we need a Library Board, a Hospital Board and a Effingham County Health Board representative and asked Council for recommendations by the second meeting in January. Councilmember Exley asked if we had someone on a board and we felt like we need to move forward with someone else can we rotate them off. Mayor Lee said yes there are term limits. The IDA is a four-year term limit.



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

Motion to approve: Levi Scott Jr

Second: Ben Blackwell

Vote by Council: Unanimous

Motion to return to meeting: Patrick Kirkland

Second: Ben Blackwell

Vote by Council: Unanimous

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

Motion approve: Michelle Taylor

Second: Ben Blackwell

Vote by Council: Unanimous

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

No action taken.

**Adjourn:**

Motion: Ben Blackwell

Second: Levi Scott, Jr

Vote by Council: Unanimous