

**OFFICIAL MINUTES
RINCON CITY COUNCIL
CALLED MEETING
MONDAY, DECEMBER 21, 2015
COUNCIL CHAMBERS
107 W. 17TH STREET
7:00 PM**

Council members Present:

Paul Wendelken
Christi Ricker
Reese Browher
Levi Scott Jr.

Present:

Ken Lee, Mayor
Raymond Dickey, City Attorney
Dulcia King, City Clerk
LaMeisha Kelly, City Planner – Standing in for City Manager

Absent:

Council member Scott Morgan
Council member James Dasher
Wesley Corbitt, City Manager

The meeting was called to order at 7:05 PM by Mayor Lee. Council member Wendelken gave the invocation and the Pledge to the Flag was recited.

Approval of the agenda:

Motion to approve: Council member Ricker
Second: Council member Browher
Vote: Unanimous

LaMeisha Kelly officially introduced the new Zoning and Development Technician Peggy Hegarty.

Approval of the December 14, 2015 minutes with the following changes:

Old Business, item #1 was removed from the table after executive session and approved. Council member Wendelken made the motion to approve, the second was made by Council member Dasher, and the vote was unanimous.

Motion to approve with noted changes: Council member Scott
Second: Council member Wendelken
Vote: Unanimous

Public Hearings:

Turn meeting over to public hearing officer, Raymond Dickey:

Public hearing # 1:

Public Hearing for a petition filed by T & C Towing requesting approval of a Conditional Use for property located at 317C S. Columbia Avenue; the applicant is requesting approval to establish a vehicle storage area in support of a vehicle towing business. Property is owned by Charles and Loretta Hinely and is zoned GC-General Commercial. (Map#R212-8E)

Open Public Hearing: 7:09 PM

Public Input: Rickay Graham, owner of T & C Towing was present. He would like to use this property as a short term storage location. Mr. Graham stated this will not be a junk yard and the cars would only be stored for 30 days, they will mostly be violations (impounded cars).

Mr. George Dickey, property owner spoke, he owns two pieces of property across the street from the location and has a problem with cars being stored there. Mr. Dickey has concerns with the amount of cars that will be stored there, oil contamination, and the deterioration of his property. He is also worried about cars being left outside the fence. Mr. Graham said there will be no more that 20 cars and none will be located outside the 6ft tall fenced area.

LaMeisha Kelly showed aerial picture of building and the fenced area. She said Planning and Zoning recommended approval with the conditions that there will be no stacked storage, all vehicles stored in the back fenced area, fencing shall be screened, the screen material shall be maintained and the fence should be locked at all times.

Mayor Lee mentioned that the previous business was not visibly attracted and this business would look better than what was previously at the location. Council member Browner wanted to know if the property owners have been notified, they were notified by mail.

Close public hearing: 7:16 PM

Turn the meeting back over to Mayor Lee.

Vote on the request by T & C Towing for approval of a Conditional Use for property located at 317C S. Columbia Avenue; the applicant is requesting approval to establish a vehicle storage area in support of a vehicle towing business. Property is owned by Charles and Loretta Hinely and is zoned GC-General Commercial. (Map#R212-8E)

Motion to approve: Council Scott made motion to approve with conditions recommended by the Planning and Zoning Board.

Second: Motion died from lack of second.

Vote: No action taken.

Turn meeting over to public hearing officer, Raymond Dickey:

Public hearing # 2:

Public Hearing for an Ordinance to amend the City of Rincon Zoning and Growth Management Ordinance. Article III. - General Provisions. Section 12. - Accessory Structures.

Open public hearing: 7:18 PM

Public input: No public input.

The amendment to the ordinance will affect the size of the accessory structure. Mrs. Kelly stated they have received complaints about the maximum size of accessory building (50% of the square footage of the principal structure on the lot). The Council member Wendelken wanted to know is this for all zoning, and not just residential. The changes will include agriculture zones also.

Close public hearing: 7:22 PM

Turn the meeting back over to Mayor Lee.

Vote on request for an Ordinance to amend the City of Rincon Zoning and Growth Management Ordinance. Article III. - General Provisions. Section 12. - Accessory Structures:

Motion made to include agriculture zoning and to change Section 12. (D2) from 1 to 5 acres to 1 to 3 acres and Section 12. (D3) from more than 5 acres to more than 3 acres.

Motion to approve: Council member Browher with noted changes.

Second: Council member Scott

Vote: Unanimous

Old Business:

1. Wards Edward. Inc. requests approval of Preliminary Site plans for building expansion and parking lot improvements at 5480 Hwy 21 S. Property is owned by Pittman Reh Effingham, LLC and consists of 4.08 acres; Property is zoned GC-General Commercial (Map #R257-1). (*This item was tabled at the October 12, 2015 Meeting*)

Remove from table: Council member Scott

Second: Council member Wendelken

Vote: Unanimous

Mrs. Kelly said an easement agreement has been worked out and the expansion has been approved. Connor Blanney, from Wards Edwards was present.

Motion to approve: Council member Browher

Second: Council member Scott

Vote by Council: Unanimous

New Business:

1. Pittman Reh Effingham requests a 100 foot access easement (.011 acre) across property located on Prosperity Dr. The property is owned by the City of Rincon and consists of .08 acre (Map #257-1B02)

Mrs. Kelly handed out the easement document. Pittman Reh Effingham needs the access easement to allow entrance to their property that is directly across from Brentwood Drive.

Motion to approve: Council member Wendelken
Second: Council member Browher
Vote by Council: Unanimous

2. Service and Development Agreement with The Kroger Company.

Attorney Dickey stated Kroger accepted terms of the agreement. Brentwood Drive would be rebuilt it will match up with the proposed traffic light; the old Brentwood Drive will be removed. The Hwy 21 improvement bid was a little over 2 million dollars; The Kroger Company will pay the 20% contingency. The Brentwood Drive construction is not a part of the Hwy 21 improvement project. Kroger will pay for that. The EIP grant will cover the cost of the Hwy 21 improvements.

Motion to approve: Council member Scott
Second: Council member Browher
Vote by Council: Unanimous

3. Request to award contract for Hwy 21 ROW Road Improvements to R. B. Baker Construction, in the amount of \$2,009,680.31

There were only two bids for this project. R.B. Baker Construction was lowest.

Motion to approve: Council member Ricker, contingent upon receiving a check from developer for \$1,941,616.37.
Second: Council member Scott
Vote by Council: Unanimous

4. The Kroger Company requests approval of the Subdivision Master Plan for a 26.81 acre property located on S. Columbia Ave. Property is owned by The Kroger Company and is zoned GC-General Commercial (Map#R212-12 and Map #R212-17).

Mrs. Kelly stated that according to the Zoning Ordinance, if property is subdivided you need a master subdivision plan. The wetlands and the new Brentwood Drive will be transferred to the City.

Motion to approve: Council member Wendelken
Second: Council member Ricker
Vote by Council: Unanimous

5. The Kroger Company requests approval of the Preliminary Land Subdivision Plat for a 26.81 acre property located on S. Columbia Ave. Property is owned by The

Kroger Company and is zoned GC-General Commercial (Map#R212-12 and Map #R212-17).

Motion to approve: Council member Browher
Second: Council member Scott
Vote by Council: Unanimous

6. The Kroger Company requests approval of Final Site Plans for a new commercial building located at 420 S. Columbia Ave. Property is owned by The Kroger Company and is zoned GC-General Commercial (Map#R212-12 and Map #R212-17).

Motion to approve: Council member Scott
Second: Council member Wendelken
Vote by Council: Unanimous

7. Request for Council to reject all bids received and to cancel the bid for the Artificial Turf.

Recreation Director, Mike Osborne would like to cancel all bids and work with a company that he found online for \$4,600. He will still need to get quotes from other companies.

Motion to approve: Council member Scott
Second: Council member Ricker
Vote by Council: Unanimous

8. Request to award contract to replace heating system at the Hinely Community Center to Bowen Refrigeration, in the amount of \$8,550.00. Line Item #10.4650.2235

Mike Osborne stated there was only one bid received and that was from Bowen Refrigeration. Bowen Refrigeration will clean the ducts work and the system will be all electric.

Motion to approve: Council member Browher
Second: Council member Scott
Vote by Council: Unanimous

9. The Recreation Department request approval to give head coaches of City of Rincon recreational sports, a \$25.00 discount to go towards their child's registration fee.

Mike Osborne stated there is a shortage of coaches and he would like to give something back as an incentive to coaching a sport. Based on number of coaches this year the total incentive would have been \$3,200.00. The \$25.00 will be reimbursed once the coach has signed up.

Motion to approve: Council member Scott
Second: Council member Browher
Vote by Council: Unanimous

10. Request to contract with Associates in Local Government Assistance, Inc. (ALGA) for grant administration for EIP grant in the amount of \$30,000.

Mrs. Kelly stated the money will come from the EIP grant.

Motion to approve: Council member Ricker

Second: Council member Wendelken

Vote by Council: Unanimous

11. Consideration to cancel the December 28, 2015 Council meeting due to the Christmas Holiday.

Motion to approve: Council member Scott

Second: Council member Wendelken

Vote by Council: Unanimous

12. Administrative Reports:

(e) Building/Zoning Dept. - No written. Mrs. Kelly said that City Manager, Wesley Corbitt sent regrets.

(f) Recreation Dept. – Mike Osborne said basketball will start on January 2, 2016. There will be a game every night until the end of the season. Baseball signups will begin on January 16, 2016.

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

No executive session.

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

No action.

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

No action.

Adjourn:

Motion to adjourn: Council member Browher

Second: Council member Ricker

Vote by Council: Unanimous