



**OFFICIAL MINUTES  
RINCON CITY COUNCIL MEETING  
MONDAY, FEBRUARY 28, 2022  
COUNCIL CHAMBERS  
107 W. 17<sup>TH</sup> STREET  
7:00 PM**

**Councilmember Present:**

Reese Browher  
Levi Scott, Jr.  
Patrick Kirkland  
Michelle Taylor  
Jesse Blackwell, Jr.  
Damon Rahn

**Present:**

Ken Lee, Mayor  
John Klimm, City Manager  
Raymond Dickey, City Attorney  
Dulcia King, City Clerk  
Jonathan Murrell, Police Chief  
Lou Reed, Interim Fire Chief  
Jason Stewart, City Planner  
Tm Bowles, Public Works Director

The meeting was called to order at 7:03 PM. The invocation was given by Councilmember Scott and the pledge to the flag was recited.

**Approval of the agenda:**

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

**Approval of the February 7, 2022 minutes:**

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

**Approval of the February 14, 2022 minutes with the following:**

New business item 11 referenced Councilmember Rahn as Chief Rahn; new business items 2 and 3 needs to include the dollar amounts of the contracts with Utilities Services Co., \$6745.00 and \$5000; and one grammatical error under Building and Zoning administrative reports.

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

**Old Business:**

**1. Griffin Contracting request approval of pay request # 3 in the amount of \$81,234.81 for the 2021 Rincon TSPLOST – Middleground Road. LI #320.4100.549104 (Tabled at the 2/14/2022 meeting)**

Motion to remove from the table: Councilmember Kirkland  
Second: Councilmember Scott  
Vote by Council: Unanimous

Doug Morgan with EMC was present. Mr. Morgan said this is for the completion of the box culvert and water lines. On February 3<sup>rd</sup>, Mr. Morgan, Mr. Klimm and Mr. Bowles met with the president of Griffin Contracting. Since that meeting we agreed to give them a hundred day extension due to issue with the shortage and the rail car issues. As of February 11, they should have temporarily paved all of the lateral cuts at their cost, temporarily paved the box culvert, cleaned up the street, dress up the shoulders, put traffic control at the box culvert and open the road back up. Mayor Lee asked Mr. Morgan about the patch over the culvert, it is deteriorating. Mr. Morgan said they told him that they would monitor that and fix any holes. Councilmember Scott said he would prefer that they leave the road open until they can pave the complete road.

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

**2. Consideration to accept transfer of sanitation services agreement from Waste Pro of South Carolina, Inc. to Capital Waste Services, LLC. (Tabled at the 2/14/2022 meeting)**

Motion to remove from the table: Councilmember Scott  
Second: Councilmember Rahn  
Vote by Council: Unanimous

Attorney Dickey requested that Council take no action because the closing has not been consummated. Councilmember Blackwell asked do you know when that might happen, Attorney Dickey said they expect it would be fairly soon. Mr. Klimm said we have communicated with both parties and they are aware we would not take action on this.

No action

**3. Vote on a petition filed by Toss Allen of Allen Engineering for Preliminary/Final approval on a Major Subdivision Site Plan. The property is located at 110 Barnwell Avenue. The property is 6.12 acres and is zoned R-4 (single family residential); the property is owned by Scott Martin of CS Martin, Inc. (Map and Parcel # R2110003) (Tabled at October 11, 2021 meeting)**

Motion to remove from the table: Councilmember Browher  
Second: Councilmember Blackwell  
Vote by Council: Unanimous

Mr. Stewart said last fall Council discussed this site plan. Council requested Mr. Allen get with Tim Bowles to take a look at the drainage and come up with a plan. Mr. Bowles is accepting of the plan. Councilmember Kirkland asked what the changes were; Mr. Bowles said on the left hand side of the property they had to do rerouting to get it over to the ditch.

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

**New Business:**

**1. Vote on a request filed by Bowman Consulting Group for Preliminary and Final Site Plan approval for a 5,098 square foot expansion to the existing Wal-Mart, for their online pickup. The property is located at 434 S. Columbia Avenue and is zoned GC (General Commercial); the property is owned by Wal-Mart Real Estate Business Trust. (Map and Parcel # R2570043)**

Andrew Peterson with Bowman Consulting was present by phone. Mr. Stewart said the Planning and Zoning Board did recommended approval. Mr. Peterson said this will be an expansion on the existing program, expanding the stock room in the back and increasing the parking spaces. Mayor Lee asked would the entrance off Lisa Street be impacted, Mr. Stewart said our engineers did look at it. Councilmember Kirkland said his concern is around holidays with the tractor trailers that are back there.

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

**2. Vote on the second reading of a petition filed by Donut Development, LLC requesting a Zoning Map Amendment for a 1.057 acre parcel located on Twelfth Street, Lot 3 to amend the zoning from OC (office Commercial) to GC (General Commercial); the parcel is owned by Donut Development, LLC. (Map and Parcel # R2780003)**

Jay Andrews, owner was present. Mr. Andrews said he is seeking the rezoning that is required so that he might have T-Mobile lease the final space. T-Mobile being a retail business is not allowed under the current zoning. Jason Stewart said Planning and Zoning recommended approval.

Motion to approve: Councilmember Rahn  
Second: Councilmember Scott

Councilmember Browher asked about the timeframe, Mr. Andrews said about seven months. Councilmember Kirkland asked about traffic. Mr. Andrews said they will come in off 12<sup>th</sup> Street and enter into the back what they call stacking.

Vote by Council: Unanimous

**3. Vote on a request filed by Donut Development, LLC for Preliminary/Final Site Plan approval for a Commercial space with 3 units, located at Twelfth Street, Lot 3. The property is owned by Donut Development, LLC. (Map and Parcel # R2780003)**

Mr. Stewart said the Planning and Zoning Board did recommend approval.

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

**4. Request approval to pay M.E. Sack Engineering for engineering services done at the WWTP in the amount of \$5,433.50. LI #320.4335.541453**

Marcus Sack was present. Mr. Sack said he is looking forward to working with the City on the Waste Water Treatment Plant expansion.

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

**5. Request approval to pay M.E. Sack Engineering for engineering services done at the WWTP in the amount of \$10,000.00. LI #320.4335.541453**

Mr. Sack said this is for additional engineering; they have been working pretty hard to get the Water and Sewer Infrastructure grant. Mayor Lee publicly recognized Mr. Sack and thanked him for submitting the Water and Sewer Infrastructure grant on behalf of the City.

The City will receive 7.3 million dollars. That will take care of about 75% of the Waste Water Treatment Plant upgrade. Councilmember Kirkland said this will do a lot for our City and asked about timeframe; Mr. Sack said he would like to say it will be completed in the next three years.

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

**6. Request approval of a maintenance agreement for the Thompson By-Pass Pumps with Current Edge Solutions, LLC in the amount of \$7,999.00. LI #506.4325.521200**

Tim Bowles said this is a maintenance contract to get the bypass pump serviced due to Thompson's lack of employees. We have to go to a separate company to get someone to maintain these pumps. This is a yearly maintenance contract, we have about 20 pumps. This company will come on site and fix them.

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

Mr. Bowles said this company also services our generators, with a much quicker response.

**7. Request approval to purchase one Exmark Lazer E 60 inch deck lawn mower in the amount of \$9,604.00 and one Exmark Lazer E 72 inch deck lawn mower in the amount of \$10,029.00 from Gnanns Fix It Shop. LI #320.6100.541226**

Mr. Klimm said Mike Osborne could not be here because he was at Macomber for registration. These two mowers are budgeted out of SPLOST. One mower that he has now is inoperable.

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

**8. Administrative Reports:**

**City Manager** – Mr. Klimm said Mr. Sack went overboard for us, he thanked Governor Kemp and the legislator delegation; Mr. Klimm requested a workshop for next Monday night to discuss the rewrite of Zoning Ordinance; and the other potential item, we are hoping to see some progress for an issue we are dealing with that will allow us to call a special meeting; the Planning Department has reached out to volunteers on the tractor trailer ordinance, we are trying to set up a meeting to work on the draft ordinance; he had a visit from the Garden Club, he publicly thanked them. They came to talk to him about the condition of Veterans Park. Mr. Klimm asked was this something Council would like to put on the table in the next budget cycle. Mayor Lee said it definitely needs some attention; last

week we spent an entire day interviewing potential fire Chief's, there were 7; he has received a request to do some road work to fill some potholes on the access road by Wiley's Furniture. Mr. Klimm said we will do a deed search to make sure they are not owned by the City. Councilmember Browher asked about searching for a deed on Veterans Park, Attorney Dickey said it was donated to the City by Union Camp Corporation. There was a provision that if it was not used as a park it would revert back to Union Camp. Councilmember Browher asked should we get this taken care to make sure the City owns this land. He would like to clear this up. Councilmember Kirkland said he would like to see about finding a park that is not right up on Highway 21.

**City Engineer** – Mr. Morgan gave an update on the Giles Park Football Field concept. He said the last time he was here there were some question about parking. He was able to get an additional 82 new spaces in addition to the 20 existing space.

He talked to Mr. Bowles about possibly having the whole site shallow welled for irrigation to not use City water to water the fields. Mr. Morgan said Mike Osborne talked about having the area fenced in and he may want to add another small building between the two facilities. Councilmember Kirkland asked about the nearby houses. Mr. Morgan said there is a tree line there and they would not cut any of the existing buffers. Councilmember Blackwell asked about drainage. Mr. Morgan said they have done a soil boring and the soil is suitable.

**Chief of Police** – Chief Murrell said they have six vehicles to go to auction on March 19, all are seized vehicles; Jimmy Hollingworth with Port Wentworth Police Department had passed, he had battled brain cancer for a couple of years. The Fire Department helped them out with putting the flag out over Highway 21; they are looking at hiring three officers real soon, one starts Wednesday, one the on the 10<sup>th</sup> and then one the following week; also we will be having a rehire, Officer Darrien Vance.

**Fire Department** – Interim Chief Reed said they have hired three new fire fighters; the volunteers are holding steady and morale is up; the new engine went into service; Councilmember Kirkland asked have you had anyone put in there notice, Chief Reed said we have not lost anymore.

**Mayor and Council** – Councilmember Browher asked about the hours at the 19<sup>th</sup> Hole Bistro. The hours will be 7am – 7pm.

Mayor Lee recognized Steve Yekel. Mr. Yekel is running for Effingham County State Court Judge.

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

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

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

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

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

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

No action taken

**Adjourn:**

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