



**OFFICIAL MINUTES
RINCON CITY COUNCIL MEETING
MONDAY, APRIL 25, 2022
COUNCIL CHAMBERS
107 W. 17TH 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
Mike Osborne, Recreation Director
Tm Bowles, Public Works Director

The meeting was called to order at 7:04 PM. The Invocation was given by Councilmember Blackwell and 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 April 11, 2022 minutes with the following correction:

Two grammatical errors

Motion to approve: Councilmember Kirkland
Second: Councilmember Blackwell
Vote by Council: 5 yes votes Councilmember Scott abstained

New Business:

- 1. Second reading of a petition filed by Kildare Land Company, LLC requesting a Zoning Map Amendment for 3 lots located on Twelfth Street and 1 lot off of Carolina to amend the zoning from OC (Office Commercial) to GC (General Commercial); the parcels are owned by Kildare Land Company, LLC. (Parcel #'s R2780001 at 0.86 acres, R2780002 at 0.86 acres, R2780004 at 1.997 acres and R2780005 at 2.03 acres)**

Warren Ratchford, with Ratchford Law Firm and Jody Burns, property owner were present. Mr. Ratchford said they are here with some questions. There is a development agreement that was made a part of this rezoning. They obtained a copy from Attorney Dickey, and have not had a whole lot of time to catch all of the matters on how it will impact things down the road but Mr. Burns does need to move forward, if that is any way possible, with the zoning. Their preference would be to not add the development agreement to his lots. As you know this subdivision was approved some time ago, and they did not have it approved as General Commercial. Mr. Burns believed he could attract a sit down restaurant and after two years there has been no interest, he is asking Council to allow them to go through with the rezoning without a development agreement. Mr. Ratchford said if that is not possible they are asking that Council move a lot of the matters to a sketch plan approval process as opposed to the development agreement. Mr. Burns is not criticizing the development agreement; it is actually the time more than anything. So they are asking to move a lot of those requirements, the reason is the contractual matters that Mr. Burns has that would require them to bring in the purchaser now as opposed to later on. Mr. Ratchford said he wants to make it clear to the Council that Attorney Dickey has been wonderful explaining this. If it is not possible to move forward they are asking that it be tabled until they talk about it a little more and come back in a couple of weeks with some ideas. Mr. Burns said there is a lot of detail that they need to go through. Councilmember Kirkland asked if they are planning on selling the property and if they are asking Council to work with the property owner, Mr. Ratchford said pretty much. Mayor Lee said the CID is something new to us, it will be something that is good for the City in the future, in our eagerness to get this going maybe it did not come about in the right way, he knows Mr. Browher expressed some concern at the last meeting.

Mr. Klimm said there was discussion that this was done at the last minute, we did not act in the last minute the zoning change came at the last minute. For a year and a half we thought it was going to be office commercial, then at the last minute we got a zoning change. The question for us is proper development, how do we explain in a year or two, to residents that we rushed this through for an oil change facility in a zone that did not allow it because the property owner wanted an answer. Mr. Klimm recommended tabling; he does not think it is in the City's best interest to act on this tonight. Attorney Dickey said it is true that a development agreement is something that takes a little time to work out the

issues. Mr. Stewart asked Council to be mindful this is a zoning change from Office Commercial and he has no doubt Mr. Burns will do this the right way but this is a zoning change. Mr. Ratchford said they are not advocating that it be dropped completely, they are advocating that it be moved to the sketch plan approval process so the proper parties will be there to handle this. A motion was made to table.

Motion to table until May 9th: Councilmember Rahn

Second: Councilmember Browher

Vote by Council: Unanimous

2. Greenland Developers, Inc. request approval of Preliminary Site Plans for the Georgia International Rail Park, Phase 1 Warehouse. The property is located on Highway 21; the property is owned by J & W Landholdings, LLC. (Parcel #R2170008)

Brett Bennett with Greenland Developers was present. Mr. Bennett said as you probably recall they were here a couple of months ago and got the Zoning approved. Common practice in Rincon is for the site plan to get approved at the end of the project. These projects take about 18 months to construct. They have interested parties that want to pursue these buildings and one of the things they want is a site plan. So they are here for preliminary site plans because their potential buyers want to know the general concept and if the general layout is acceptable to the City. Chad Zitterour with Kern and Company was present. Councilmember Taylor asked about the buffer. Mr. Zitterour said it is a 50 foot buffer per the development agreement. Mr. Stewart said the Planning and Zoning Board recommended approval and Greenland will come back before Council with full engineering drawings and go through the process again. Attorney Dickey wanted to make Council aware that the Well site will have access from an internal road and that is a plus for the City.

Motion to approve: Councilmember Scott

Second: Councilmember Rahn

Vote by Council: Unanimous

3. Kieffer Construction Company, Inc requests approval of Preliminary/Final Site Plans for a Gym. The property is located at 614 Towne Park Loop; the property is owned by CMCK, LLC. (Parcel #R2640014)

Cody Rogers with EMC Engineering was present. Mr. Rogers said they do have final engineering approval through EOM. It is a pad ready site and they are tying into existing storm and water lines. The name of the gym will be Empire Gym. Mr. Stewart said Planning and Zoning recommended approval. Councilmember Browher said he thinks it is good anytime you have recreation for the City. He also asked if EMC reviewed the engineering plans, Mr. Stewart said no EOM reviewed the plans and they don't have private clients.

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

4. Request approval of a Ground Lease Agreement between the City of Rincon and Hargray of Georgia, LLC. The property is located at 403 Lisa Street.

Attorney Dickey said this is coming before you on a recommendation of the Public Works Director. We have antennas on our water tower for multiple companies, that site is not useful for any other things besides these types of things. This is a lease from Hargray they need to put in place their Communications Hub and a generator. There is a benefit to the City. They will lease ground space put in their infrastructure and the City can tap in to the generator for its backup electrical. On top of that we were able to negotiate a contract, they start off at \$750.00 and we were able to get it up to \$1,200.00 a month.

Motion to approve: Councilmember Kirkland
Second: Councilmember Taylor

Councilmember Scott asked about the equipment, if they leave will they have to remove the equipment, yes. Also built in is a provision that after every other year there is a 3% increase in the rent. Councilmember Rahn asked if we were able to negotiate any bandwidth for the City. Attorney Dickey said we can look into that, we can go back to them.

Both motions were amended to include negotiating bandwidth for the City.

Vote by Council: Unanimous

5. Request approval to purchase seven mobile Harris radios from Loudoun Communications in the amount of \$22,973.51. L.I. #320-3200-542537

Chief Murrell said these are mobile radios for the inside of the Tahoes. This year we did budget SPLOST money for this. These are cheaper than the Motorola radios and they perform well in the dead spots. Councilmember Rahn asked do we have a local vendor around for repair or replacement. Chief Murrell said the good thing about Harris is it is US based, so when he ships them off it will not leave the country.

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

6. Request approval to renew property and liability insurance with Georgia Interlocal Risk Management Agency (GIRMA) for 2022 in the amount of \$171,522.00.

Mr. Klimm said every year we received a bill from GIRMA for property and liability insurance. This year's increase is not insignificant so we followed up for clarification. They mentioned several things the overall administration of the program, newer vehicles and

liability for police officers per employee. Mayor Lee mentioned that it was a 13 percent increase.

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

7. Administrative Reports:

City Manager – Mr. Klimm said in this week's paper there is a display ad about a potential farmers market. Unfortunately the parcel we have in mind is limited; we have targeted farmers that grow their own produce. There is also another grant opportunity that we can look at but to qualify you have to have committed vendors; he has a need for executive session; and he reminder Council about the workshop next Monday night at City Hall.

Councilmember Rahn asked was there any signage for the Farmer's Market, Mr. Klimm said he thinks when we run the ad a lot of people will call. Mayor Lee said in the process of determining who is a part of this we want to lean towards local people. Councilmember Browher said he has mentioned a yard sale for years this could potentially be a way to work that in with the Farmers' Market. A Farmers Market will be great but we need to keep our eyes and ears open for something bigger. Mr. Klimm mentioned the condition of Veteran Park, there is a piece of equipment that is in total despair. Councilmember Browher said it is to the point where we need to really assess that park. The workshop will be at the Police Department so Council can evaluate the Park. Councilmember Kirkland asked are we looking into grants for recreation, Mr. Klimm said we need to be more aggressive with that.

Chief of Police – Chief Murrell said they have interviews scheduled and they did make an arrest on the Dairy Queen shooting.

Fire Department – Interim Chief Reed said all of his request for bids are in; and he did have a house fire last week. Councilmember Blackwell asked how the new hires were working out, Chief Reed said they are great.

Building/Zoning Dept. – Mr. Stewart said a Marshalls will be coming next to Planet Fitness.

Recreation Dept. – Mike Osborne gave update on the fair totals; Councilmember Kirkland asked about staff, Mr. Osborne said they are in need of another position and compared the City Recreation to the County.

Mayor and Council – Mayor Lee recognized the Chairman of Planning Board James Head, who was present at the meeting. Councilmember Browher mentioned a situation with Hargray digging in Dashers Landing, he said he hates when we get blamed we are taking the brunt on how this was rolled out. We need to explain to the homeowners what is going

on, this has been festering. He would like to get everyone on the same page so they realize how it is and this is what state law says.

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

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

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

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

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

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

No action taken.

Adjourn:

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