



**OFFICIAL MINUTES
RINCON CITY COUNCIL MEETING
MONDAY, APRIL 26, 2021
COUNCIL CHAMBERS
107 W. 17TH STREET
7:00 PM**

Councilmember Present:

Ann Daniel
Patrick Kirkland
W. Frederick Long
Levi Scott, Jr.
Michelle Taylor

Councilmember Absent:

Reese Browher

Present:

Ken Lee, Mayor
John Klimm, City Manager
Raymond Dickey, City Attorney
Dulcia King, City Clerk
Jonathon Murrell, Police Chief
Jason Stewart, City Planner
Tim Bowles, Public Works Director
Pete Smith, Assistant Fire Chief

The meeting was called to order at 7:05 PM. The Invocation was given by Councilmember Long and the Pledge to the Flag was recited.

Approval of the agenda:

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

Approval of the April 12, 2021 minutes: Grammatical errors

Motion to approve: Councilmember Daniel
Second: Councilmember Taylor
Vote by Council: 4 yes votes Councilmember Scott abstained

Public Hearing #1

Turn meeting over to public hearing officer, Raymond Dickey:

Open public hearing: 7:07 PM

Public Hearing on proposed amendments to the City of Rincon Ordinances Sections 78-7 Traffic and 18-52 Home Occupations and Home Business Offices to amend said ordinances related to the keeping and storing of tractors, trailers, and heavy duty vehicles for personal or business use within residentially zoned property within the City.

Jason Stewart said this is to amend the current traffic ordinance prohibiting storing of tractor trailers, Councilmember Kirkland asked could we clarify the type of trailer, Mr. Stewart said yes. Councilmember Scott asked about people with large property doing small farms with equipment; Attorney Dickey said if it is an AR zone that is agriculture. Mayor Lee asked how would this effect people that are owner operators and not operating a business out of their home. Mr. Stewart said the traffic section was addressed in general but during the conversation we starting talking about the home businesses and how vehicles are parked in a residential zoned district. Councilmember Scott said he had concerns about the owner operator that have residences here and the safety issue making sure they have adequate places to park them off of the street. This will have big effect on people. The big issue is they don't have a place to park. Councilmember Kirkland is there burn in period. Attorney Dickey said Council can set a time period for activation of this. If you say nothing then the codes of ordinances says when it takes effective. Councilmember Scott said there is limited places they can park and some don't guarantee security.

Zack Mydell, 115 Howard Avenue said he has been staying here 25 years and this has been grandfathered in. All he does is drive truck for a living, they have been parking there for years. Mayor Lee asked how many trucks he has, he said three or four. It is a five acre tract. Councilmember Scott said there whole family is in logging.

Andrew Parks, 119 Sherwood Court said he owns a truck, his mother and stepfather own trucks. They don't have a place to park the trucks, some of these lots don't have security. Councilmember Kirkland asked how many trucks does he have. Mr. Parks said three, he has one , his mother has on and his stepfather, who also fixes trucks at home. The lot is an acre.

Veronica King, 118 Howard Avenue said her dad has the three trucks. His livelihood is logging and she feels that if they have the acre they should be able to park on their land. This has been a big mess and they pay taxes like everyone else.

Franklin Johnson, 719C West 7th Street. He owns his own trucks, he has three, he has been living here for 43 years and owned trucks for 20years. The only place to park is at the Quest gas station and they don't have security. He parks at his house and doesn't have a problem. This is a 2 acre property.

Attorney Dickey we are talking about more than tractor trailers, we are talking about dump trucks also

Peter Johnson, 709 West 9th Street he has ½ acre and has two trucks. They are day cab trucks, they are not big trucks. He parks one at his house and leaves one at the job site. He wants to be ok with the one he parks at his house.

Close public hearing: 7:32PM

Turn the meeting back over to Mayor Lee.

First reading for a proposed amendments to the City of Rincon Ordinances Sections 78-7 Traffic and 18-52 Home Occupations and Home Business Offices to amend said ordinances related to the keeping and storing of tractors, trailers, and heavy duty vehicles for personal or business use within residentially zoned property within the City.

Councilmember Scott would like to take this back to workshop for consideration. Councilmember Kirkland said he feels like we can fine tune it a little bit. Mayor Lee said most of the folks that have spoken here tonight have done this for some time and are in the same general area, some of the things we are trying to address is not to hurt them. We are trying to address things that may be a problem for some our other residents. He asked were there any residents present that were opposed to this, there was none. Mayor Lee said we want to hear from everybody.

Motion to table: Councilmember Scott

Second: Councilmember Kirkland

Vote by Council: 4 yes votes, Councilmember Long voted no

Public Hearing #2:

Turn meeting over to public hearing officer, Raymond Dickey:

Open public hearing: 7:35 PM

Public Hearing on proposed amendments to the City of Rincon Ordinances Sections 90—361 Definitions and 90-176 Residential to amend said ordinances related to buildability, development units, and to add a definition of “developable land” to the Ordinance and also to amend the development standards related to lot buildability in residential zoning districts within the City.

Mr. Stewart said this was also discussed at a workshop. This is an amendment to define what developable land is within the City. Essentially this takes up being able to count land that is in restricted wetlands. Councilmember Scott said basically what would be the net usable property, Mr. Stewart said yes.

Close public hearing: 7:37 PM

Turn the meeting back over to Mayor Lee.

First reading for a proposed amendments to the City of Rincon Ordinances Sections 90—361 Definitions and 90-176 Residential to amend said ordinances related to buildability, development units, and to add a definition of “developable land” to the Ordinance and also to amend the development standards related to lot buildability in residential zoning districts within the City.

Motion to approve: Councilmember Scott

Second: Councilmember Daniel

Vote by Council: Unanimous

New Business:

1. Second reading on a petition for a Zoning Map Amendment has been filed by Jake Arnsdorff to rezone 1.03 acres located at 139 Ackerman Road (Parcel 3) from GC (General Commercial) to R4 (Single Family Residential); the property is owned by Jacob Jerry and Kimberly D Arnsdorff. (Map and Parcel # R2710005B00)

Motion to approve: Councilmember Daniel

Second: Councilmember Scott

Vote by Council: Unanimous

2. Second Reading on a petition for a Zoning Map Amendment has been filed by Jake Arnsdorff to rezone 1.03 acres located at 139 Ackerman Road (Parcel 2) from GC (General Commercial) to R4 (Single Family Residential); the property is owned by Jacob Jerry and Kimberly D Arnsdorff. (Map and Parcel # R2710005)

Motion to approve: Councilmember Scott

Second: Councilmember Long

Vote by Council: Unanimous

3. A request has been filed by Toss Allen of Allen Engineering Services for approval of the Preliminary/Final Site Plan of Blandford Villas Townhomes. The property is owned by Construction Development Investors, LLC. The property is zoned R8 (Residential Multi-unit attached) (townhouse or row house); (Map and Parcel # R2130009A00)

Jake Patrick and Jeffery Waldhour were present. Mr. Patrick said they have EPD approvals and storm and water approvals. Councilmember Kirkland asked what was the width of the road, 60 feet. He also asked was the dumpster going to be enclosed, Councilmember Scott said it was supposed to be a compactor. Mr. Patrick said it will be an enclosed dumpster. Councilmember Taylor mentioned fire trucks, Mr. Patrick said there is a turnaround point at the retention pond. Councilmember Daniel asked about overflow parking, Mr. Patrick

said there is a little green space, but not actual parking spaces. Councilmember Scott said he has concerns about the dumpster, it could become a health hazard. Mr. Patrick said the engineer went back to the ordinance on that, Councilmember Scott said we have already discussed this. Mr. Patrick said they want to do what is best for everyone involved. Councilmember Scott said they did agree during the rezoning to put in a compactor. Mayor Lee said this has been a challenge and he does remember this discussion, and it is a right thing to do for the residents around. He thinks Mr. Patrick and Mr. Waldhour has done a great job with this project. A motion was made to approve with a compactor rather than an open dumpster.

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

4. Request approval to award the bid for the 2021 Rincon TSPLOST Project for Georgia and Savannah Avenues.

Doug Morgan, with EMC Engineering was present. He said they had the bid opening for one of the first projects on the TSPLOST list. The lowest bid was R.B. Baker Construction for \$422,900.

Motion to approve: Councilmember Scott
Second: Councilmember Long

Councilmember Kirkland had a question about the time frame, Mr. Morgan said once Council approves this they will have a preconstruction meeting with the contractor, engineers and city staff to review the schedule. Councilmember Kirkland asked about the completion date and if they are they able to work consecutively, because we are on a compressed time table. Mr. Morgan said as far as the schedule that they submitted at the workshop, he believes they are on schedule. Mr. Klimm said there is some good news. We were not certain that even one company would show an interest so to have 4 bids is very healthy. Second thing this project has come in considerably under projection. The last thing is as we proceed, we won't just be looking at the price we will be asking what the capacity is to get it completed this year is. These are big companies and they have the capacity to do more than one job at a time. Mayor Lee said he is pleased with the bids that we have and the companies represented. Mr. Bowles said once these are out to bid they will have them EMC start on the next section for next year that way they will be able to go out earlier in 2022.

Vote by Council: Unanimous

5. Request approval for annual renewal of the Hach Maintenance Agreement for Analyzers in the amount of \$20,940.44. LI# 505.4440.521200

Mr. Bowles said this is the annual maintenance contract. It is a little less than last year.

Motion to approve: Councilmember Scott
Second: Councilmember Long

Mr. Bowles said on the chlorine analyzers the maintenance contract also includes the reagents. The previous contract we had to buy those separate, it will save us \$1,200 to \$1,400 a year.

Vote by Council: Unanimous

Mayor Lee recognized Andrew Cripps with the Effingham County Chamber of Commerce in attendance.

6. Administrative Reports:

City Manager – Mr. Klimm said he has been notified by the County that there will be a meeting on May 18 to discuss SPLOST renewal. Mayor Lee noted that if more than four councilmembers want to attend we will have to advertise.

Chief of Police – Chief Murrell said that their probation officer, Gina Bass has submitted her two week resignation today. They have posted the position today and has had one interested party contact him; He was approached by a film company that want to film some scenes inside the police department; Councilmember Kirkland has there been any police chases through Rincon. Chief Murrell said yes Effingham County had one that came through the City.

Fire Department - Pete Smith said they will have live burn on Saturday starting at 8am; they had an extrication class last week.

Building/Zoning Dept. – Mr. Stewart said they have received a second round of plans for the Gate rebuild; Zaxby's ran into problems with an underground storage tank at their site, they are in the process of getting soil testing. Mr. Bowles said the old tanks look good, so the soil may not be contaminated; Councilmember Kirkland asked about Dunkin Donuts and Jersey Mike's, Mr. Stewart said he did talk to the developers about that but they did meet about the storm water basin.

Water/Sewer/Public Works – Mr. Bowles said he is fully staffed and the street sweeper is back on the street; at the Omni Tracks lift station they have found some contaminates. EMC has been monitoring those chemicals trying to determine the source, it might require that pellet company to do a pre treatment for the sewer; Councilmember Long asked about lights at roundabout, they have ran the power cable and called in locates to set the poles.

Mayor and Council – Councilmember Scott commended Mike Osborne on the Fair.

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

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

Motion to return to meeting: Councilmember Scott
Second: Councilmember Daniel
Vote by Council: Unanimous

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

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

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

No action taken.

Adjourn:

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