



**OFFICIAL MINUTES  
RINCON CITY COUNCIL MEETING  
MONDAY, MAY 9, 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  
Mike Osborne, Recreation Director  
Tm Bowles, Public Works Director

The meeting was called to order at 7:01 PM. The Invocation was given by Councilmember Taylor and the Pledge to the Flag was recited.

**Approval of the agenda with the following addition:**

New business item 1A, Approval of a Development Agree between the City of Rincon and Kildare Land Company.

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

**Approval of the April 25, 2022 minutes:**

Motion to approve: Councilmember Blackwell

Second: Councilmember Taylor

Vote by Council: Unanimous

**Present Plaque of Recognition to Corey Rahn.**

Corey Rahn was not able to attend. Mayor Lee did recognize City Clerk, Dulcia King and read a Proclamation proclaiming May 1 – 7 as Professional Municipal Clerks Week.

**Old 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) Tabled at the April 25, 2022 meeting**

Remove from table: Councilmember Scott

Second: Councilmember Rahn

Vote by Council: Unanimous

Jason Stewart said this was put on the table to give staff and the City Attorney time to come to an agreement, at this time staff is prepared to recommend approval of this rezoning contingent upon a signed development agreement, which was signed a moment ago. Councilmember Kirkland said he would like some time to look at the development agreement and asked could staff tell him what they came up with. Mr. Stewart said from a Planning perspective a lot of what they requested had to do with types of material and buffers which are included in the agreement also participation in the CID. Councilmember Kirkland said the reason he is so concerned is because he has had several phone calls from citizens that are concerned and he wants to be able to make a good decision before he agrees or disagrees. He has reservation about the types of businesses that is going there. Councilmember Taylor said she would be happier if it was on the back lot. Attorney Dickey said Mr. Stewart presented all of the things Council requested and Kildare agreed with those things. Mayor Lee said the property is looking different then what the owner anticipated. The good thing is the development agreement gives us the ability to manage that a little bit. Mr. Klimm said he was the first to criticize but Mr. Burns and Mr. Ratchford have been willing and able to meet with us and they have included every single planning issue raised. Mr. Klimm said what staff is recommending is if there is a zoning change that we do it thoughtfully and we include zoning issues that are raised. Every single issue raised in this rezoning is incorporated and agreed to by Mr. Burns and his attorney. Attorney Dickey said he thinks every project needs a development agreement, because you can have controls through the development agreement that may not be available in your ordinances. This signed development agreement requires more than your ordinance.

Councilmember Kirkland said Mr. Klimm has addressed his concerns. Mr. Stewart said the more we do these things, what is in this development agreement will become routine.

Motion to approve: Councilmember Taylor  
Second: Councilmember Browher

Both motions were amended to approve the zoning change pending approval of the development agreement

Vote by Council: Unanimous

### **1A. Approval of development agree between the City of Rincon and Kildare Land Company**

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

#### **New Business:**

#### **1. Ready 2 Connect Inc. request approval of a Special Events Permit to host the 10<sup>th</sup> Annual Back 2 School Blowout Drive Thru Event.**

Destiny Bradshaw, with Ready 2 Connect was present. Ms. Bradshaw said this is the 10<sup>th</sup> Annual Back 2 School Blowout, they provide school supplies and community resources for students. Ready 2 Connect is located at the Rincon Learning Center and because the supplies are there, this year the School Superintendent said they can have the event there. There will be approximately 350 cars. They would like to have it either Thursday, July 28<sup>th</sup>, ideally the 29<sup>th</sup> would be better, or Friday, July 22<sup>nd</sup>. The time will be from 6:00 – 8:00pm. Ms. Bradshaw said she did speak with Chief Murrell about the route and they would like to work with the City with some digital signage. They partner with WTOC to make sure the route is known. They would like to have three officers, one officer at 4<sup>th</sup> Street, one at Macomber Park, where the parents will register, and another at Richland Avenue and 4<sup>th</sup> Street where they will enter the bus ramp area at the Learning Center. Council asked Mr. Osborne would she be able to do it at the park on July 29<sup>th</sup>. Councilmember Kirkland asked if we are looking at the 29<sup>th</sup> will that affect fall ball. Mr. Osborne said he can make it work. Councilmember Kirkland approved contingent upon working with staff on the date of July, 29<sup>th</sup>.

Motion to approve: Councilmember Kirkland  
Second: Councilmember Blackwell

Both motions were amended to approve the special events permit and waive all associated fees. Ms. Bradshaw will coordinate a setup time with Mr. Osborne.

Vote by Council: Unanimous

## **2. Brittany Sims request approval to appear before Council.**

Brittany Sims came before Council to appeal the decision to be trespassed from Macomber Park. Ms. Sims shared her side of the story, it all started with an incident that happened on a prior day with her son on the field. She had called the Recreation Department and felt that the incident was not addressed so she tried to locate the Recreation Director, Mike Osborne, at this game, for a resolution. She did not find the Recreation Director but did speak with the umpire and Recreation Coordinator, Alyx Pitts. Ms. Sims was trespassed from Macomber Park at that time. Councilmember Rahn said he has coached at the Recreation Department and any incidents are handled with the coaches and umpires at that time, it did not have to go to the Recreation Coordinators or Director, so he is not sure where that disconnect was during that incident. The umpire at home plate Dale Quigley was present. Mr. Quigley said he did see a kid throw his arm up, he did not see any punches thrown. There were words thrown and the umpire on 2nd base pointed to the dugout and said go sit down, the player was allowed to sit with his team but was not allowed to play to put the fire out. He was not aware there was anything going on until the Monday night afterwards that is when he was approached by Ms. Sims. Ms. Pitts came up and said she has already talked to Ms. Sims that is when Ms. Sims was asked to leave. Mike Osborne said usually when something to that extent happens someone will reach out to him at the time. He did not hear from Ms. Sims, she had spoken to another Coordinator. He reached out to the coach and the coach said he did not see that. He did speak with Ms. Sims and was not trying to avoid her. He was trying to get facts. Nobody said they witnessed any incident and that is what he based it on, so he upheld the trespass order. Mayor Lee asked what Ms. Sims would like to see, is she asking for the criminal trespass to be removed, Ms. Sims said yes. Mayor Lee said he would like to direct staff to see if we can resolve this matter for Ms. Sims. He would hope that all parents set an example for the children. Councilmember Kirkland asked Mr. Osborne to talk to the parents on both teams and explain what Recreation ball is about.

## **3. Request approval of Budget Amendment BA 2022-01 to amend the Fiscal Year 2022 Budget.**

Mr. Klimm said this is a request that we knew was coming. We left these two mowers for the Recreation Department off the SPLOST list. These mowers were approved in the spring but the funding source was not there.

Motion to approve: Councilmember Kirkland

Second: Councilmember Scott

Vote by Council: Unanimous

Councilmember Scott said we appreciate all that the Recreation Department does. He said he has seen parents get carried away. He knows what goes on and he appreciates and supports staff. Councilmember Browner said we have to be careful how we support staff, he will listen to any citizen as well, but as far as a fair trial we are not a court. We do know it is important to hear both sides. He supports what Rincon Recreation did because he thinks there was a lot more to that story that we did not hear tonight, Council agreed.

And, if any parent does not do what they are supposed to do don't feel like this is a answering your ability to do your jobs.

**4. Request approval for MR Systems to begin upgrades on the Towne Park East SCADA System in the amount of \$21,977.00. LI #320.4325.541401**

Mr. Bowles said this will complete the upgrades that were not completed when the Omnitrax over haul was done.

Motion to approve: Councilmember Kirkland

Second: Councilmember Blackwell

Vote by Council: Unanimous

**5. Request approval of a Maintenance Agreement with Hach for Analyzers in the amount of \$22,306.77. LI #505.4440.521200**

Mr. Bowles said this is for chlorine and chloramine analyzers.

Motion to approve: Councilmember Scott

Second: Councilmember Browher

Councilmember Kirkland asked do you have a list of maintenance agreements that you have, Mr. Bowles said he will get him a list.

Vote by Council: Unanimous

**6. Request approval to award the bid for the 2022 Rincon LMIG Project: East 6th Street to Sikes Brothers, Inc in the amount of \$247,615.85**

Doug Morgan with EMC was present. Mr. Morgan said they had the bid for this project on the 26<sup>th</sup>. There were three bidders and Sikes Brothers was low bid. This project will take 60 days to complete.

Motion to approve: Councilmember Browher

Second: Councilmember Scott

Vote by Council: Unanimous

**7. Request approval to award the bid for (15) Scott AV 3000 HT SCBA Masks to Municipal Emergency Services in the amount of \$5,100.00. LI #216.3500.542513**

Interim Chief Reed said they have stopped making the ones that they currently have in 2019 and they have a ten year shelf life. Councilmember Browher asked are these mask transferable to employees, yes.

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

**8. Request approval to award the bid for (20) Dual Rated Rescue Coats to NAFECO in the amount of \$10,565.00. LI #320.3500.542522**

Chief Reed said all of their gear that was purchased in 2010 has expired. These are the pro dual rated coats they come with a 10 year warranty. The lowest bid did not meet the NFPA stripeing requirements.

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

**9. Request approval to award the bid for (5) Sets of Structural Coat and Pants to NAFECO in the amount of \$16,858.15. LI #320.3500.542522**

Chief Reed said the lowest bidders do not meet our requirements as far as the Rincon specifications. Councilmember Taylor asked how he was on gear; Chief Reed said he is good except for radios.

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

Councilmember Scott asked were most of the brush fires out of the city limits, Chief Reed said yes. He will provide a list of brush fires to Council.

**10. Presentation on 2022 Capital Projects.**

Mr. Klimm said this is just an update. Mr. Morgan said Middleground Road paving is finished. They will have a final inspection on this Thursday; Giles Park football field site grading is done, he is waiting for the landscape architect to finish the irrigation plan; they are still holding the Weisenbaker Road retainage; Chimney Road to Fort Howard Road water line extension aerial survey has been done; Hardy Road they did a concept layout and cost estimate and gave to Mr. Klimm; Public Works parking lot he has surveyed that and is in the process of designing it; the sidewalk projects on Highway 21 has been updated and revised. This week or next week he will send them to DOT.

## **11. Administrative Reports:**

**City Manager** – Mr. Klimm said the LOST meeting with the County and municipalities is May 17<sup>th</sup> at 10:00 AM; the audit is well under way; an annual issue that comes up is the overgrown weeds and grass over the viaduct, well the street sweeper has been keeping up with that.

**Chief of Police** – Chief Murrell said the Tahoes are still sitting out there waiting on window tint; they have a person that they are hiring for property evidence position; he has meeting with Bryan County to return a flag that was recovered from the tornado.

**Fire Department** – Chief Reed said fire and EMS calls are remaining steady, the volunteers are helping out a lot; the FOP's and SOP's have been completed; due to cost recovery for the hazmats, that Attorney Dickey said they needed to start charging, he was able to collect \$9,700.00 from the hazardous material accident.

**Recreation Department** – Mr. Osborne gave Council information on purchasing playground equipment for Veteran's Park. He spoke to a company on Friday and they gave him some numbers on the cost. There was discussion on Patriots Park having a playground and grills. Mayor Lee said he has a plan that he has had for 15 years for a walking trail in that area.

**Water/Sewer/Public Works** – Mayor Lee asked was the street sweeper being used regularly and operating ok, Mr. Bowles said yes.

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

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

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

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

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

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

No action taken.

**Adjourn:**

Motion: Councilmember Kirkland

Second: Councilmember Blackwell

Vote by Council: Unanimous