



**OFFICIAL MINUTES
RINCON CITY COUNCIL MEETING
MONDAY, SEPTEMBER 11, 2023
COUNCIL CHAMBERS
107 WEST 17TH STREET
7:00 PM**

Councilmember Present:

Ben Blackwell
Reese Browher
Patrick Kirkland
Levi Scott Jr
Michelle Taylor

Present:

Ken Lee, Mayor
Jonathan Lynn, City Manager
Raymond Dickey, City Attorney
Dulcia King, City Clerk
Daniel Thompson, Lieutenant
Teri Lewis, Planning and Development Director
Mike Osborne, Recreation Director
Tim Bowles, Public Works Director
Elizabeth Cartwright, Finance Director

The meeting was called to order at 7:00 PM. The Invocation was given by Councilmember Browher and the Pledge to the Flag was recited.

Mayor Lee said today is September 11, 22 years since the tragedy in our Country and asked everyone to stand for a moment of silence in remembrance.

Approval of Agenda:

Motion to approve: Councilmember Taylor
Second: Councilmember Blackwell

Councilmember Browher said he wanted to add something. He said he was under the impression we would be moving forward with Picket Fences, so he would like to add approval of directing the City Manager to move forward with construction of the access road to Picket Fences.

Both motions were amended to add new business item 9A, Approval for City staff to move forward with alternate Picket Fences entrance/exit.

Vote by Council: Unanimous

Approval of Minutes:

Approval of the August 14, 2023 Minutes with the correction of grammatical errors.

Motion to approve: Councilmember Blackwell

Second: Councilmember Kirkland

Vote by Council: 4 yes votes Councilmember Scott abstained

Approval of the August 28, 2023 minutes with the following:

Correction of grammatical errors and the approval of the August 29th meeting was missing the unanimous vote by Council.

Motion to approve: Councilmember Scott

Second: Councilmember Blackwell

Vote by Council: Unanimous

Jonathan Lynn gave an update on Patriots Park Playground Project. The contractors KorKat were not present. Mr. Lynn said they met with Korkat on Thursday. The curbing is there, the swing has been placed. There still is a supply shortage. Councilmember Kirkland said he is very disappointed that KorKat is not present.

New Business:

1. Vote on an application filed by Maxwell-Reddick & Associates, requesting Site Plan approval to construct a Surcheros Fresh Mex Restaurant. The property is located at 612 Towne Park Loop; the parcel is owned by SAP Rincon LLC and is zoned GC (General Commercial). (Parcel #: R2640012)

Guy Higden representing Surcheros was present. Mr. Higden said Surcheros is similar to a Moe's. They will have 48 parking spaces, a pickup window, dining within the restaurant and some patio dining. Councilmember Kirkland asked was there enough room on the Highway 21 side for a sidewalk, Mrs. Lewis said she will check and work with the applicant. Councilmember Taylor asked about lighting. Councilmember Blackwell asked about stormwater. Mrs. Lewis said the Planning and Zoning Board approved unanimously.

Motion to approve: Councilmember Scott approved contingent upon approval of staff adding the sidewalks.

Second: Councilmember Taylor

Councilmember Browher thanked Mr. Higden for investing in the City, any variety is welcome.

Vote by Council: Unanimous

2. Vote on an application filed by Kern & Company, LLC. to approve a Major Subdivision to subdivide 477.58 acres into 3 parcels based on Ownership. The Parcel is located off of South Hwy 21 and is zoned LN (Limited Industrial); the parcel is owned by CTC Phase 1 Owner LP. (Parcel # R2830001)

Chad Zittrouer, with Kern and Company was present. Mr. Zittrouer this is a financing exercise, and they will come back with an additional subdivision plat to subdivide everything with each individual building.

Motion to approve: Councilmember Blackwell

Second: Councilmember Scott

Vote by Council: Unanimous

3. Cheryl Jackson request to appear before Council.

Cheryl Jackosn, 105 Georgia Avenue said she has had a constant problem since 1985. She wants to know who is responsible for the trees growing on her fence. Mayor Lee said this issue has come up before and we have issues about the conditions of the lane, where it is and whose property. Mr. Lynn said he has been out there, Mr. Bowles has been out there and David Mattos has been out there. For the best that anyone of them can tell there are a lot of issues, there are a lot of people that have their stuff in this easement, there are a lot of trees in the easement. There is only a certain point that Public Works can get to, to do the maintenance. We do not have utilities in this area so there may be some consideration for the possible abandonment. Maybe see about a deed conveyance to the landowners. Councilmember Scott said he doesn't think the easements have been released and until we release them it is our responsibility. Mr. Bowles said we can't get into the lane. Councilmember Kirkland said we need to get to the lane to clean up the lane. Mayor Lee said we need to identify the property lines and determine exactly what is our easement and see what we need to do to correct this. He asked Mr. Lynn to contact Ms. Jackson weekly with an update.

4. Effingham Heroes, Inc request the use of Freedom Park to hold a Back the Badge Rally.

Susie Davis said this is in conjunction with National First Responders' Day, which is October 28, but it will be held that Sunday at 7PM. A motion was made to approve and waive all associated fees. Mrs. Davis said this is their third year doing this.

Motion to approve: Councilmember Blackwell

Second: Councilmember Scott

Vote by Council: Unanimous

5. Vote on acceptance of an annexation application for a .63-acre parcel located at 5919 South Highway 21; property is owned by Bank of Newington. (Parcel 0465J001A00)

Mr. Lynn said this is so we can start the annexation process. The intention is to be a bank.

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

6. Vote on acceptance of an annexation application for a .39-acre parcel located at Lewis Drive; property is owned by Bank of Newington. (Parcel 0465J003A00)

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

7. Vote on the second reading of an ordinance to consider proposed amendments to the City of Rincon Ordinances, specifically Section 90-94, Perimeter Fence and Wall Standards and Requirements.

Melissa Calhoun said there seems to be a lot of things missing, one is enforcement.

There was discussion on fences in place now, that will not comply with the new ordinance. Attorney Dickey said if there was permit that was issued and they built in in compliance with the ordinance at that particular time then we would have to go back and determine whether you can force those entities to be able to change it.

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

8. Approve bids for the Sale of Brush 1 and Engine 8 to Diesel Power Solutions for the amount of Fifteen thousand dollars.

Mr. Lynn said there was a minimum bid set and we did get bids from 2 entities. Diesel Power Solution did meet the minimum bid.

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

9. Request approval to pay Pro Pump Solutions, Inc. \$30,664.00 for emergency repairs on the Dresler Road Lift Station. LI #506.4325.541401

Tim Bowles said the Dresler Lift Station pumps went out. They got the bypass pump working and they evaded a sewer spill. They went back and got them running. Mr. Bowles said this is for the purchase of two pumps.

Motion to approve: Michelle Taylor
Second: Patrick Kirkland

Both motions were amended to include the purchase of two pumps not repairs.

Vote by Council: Unanimous

9A. Approval for City staff to move forward with alternate Picket Fences entrance/exit.

Motion to approve: Councilmember Browner made a motion to approve and said he would like an update at the next meeting.
Second: Councilmember Blackwell

Mayor Lee asked was there something new since the last discussion. Mr. Lynn wanted to clarify that Council wanted to move forward with the McCall Road option. Mr. Bowles recommends using the McCall Road option because if you have a chemical spill near that railroad crossing you will not get emergency access that way. Councilmember Scott said if we start dealing with those creeks that will cost more money.

Both motions were amended to move forward with the McCall Road option.

Vote by Council: Unanimous

10. Administrative Reports:

City Manager – Mr. Lynn reminded Council about Special Election; a budget workshop will be held October 13th and 14th; and the chamber has reached out and they are having a leadership retreat.

Recreation – Councilmember Taylor asked Mr. Osborne to weed around the Hinely digital sign; Councilmember Kirkland asked about the old park, Mr. Osborne said he is not sure why it was not maintained while he was out. Councilmember Taylor said as soon as they move the swings and other equipment they can mow; there was discussion of the bathrooms at Macomber Park. Mr. Osborne said it will be on the next agenda. Mr. Osborne said he will have to lock the bathroom to avoid vandalism. Mayor Lee asked should we put porta potty's out there. Mr. Osborne said that would be a good idea.

Public Works – Mr. Bowles said Parker's is milling the road on 9th Street but hasn't confirmed a date yet.

Finance – Mrs. Cartwright said we have a new employee starting tomorrow, Laura Cribb.

Council – Councilmember Kirkland asked about the replacement head at the golf course; Councilmember Taylor said Beautification is going to promote the fall decorations with the businesses; Trunk or Treat will be held the 3rd week of October; Councilmember Browher asked was there any movement on 7th Street. Mrs. Lewis said we will need 15 easements and they are working on the letters for those. Mr. Lynn said the project is out to bid; Councilmember Taylor said the painting of the golf course was out to bid but they only had one bid; Mayor Lee said at the upcoming CRC meeting John Burns will be there to speak if anyone is interested.

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

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

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

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

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

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

Approve appointment of Lou Reed as the Fire Chief based on the City Manager approval.

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

Adjourn:

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