



**OFFICIAL MINUTES
RINCON CITY COUNCIL MEETING
MONDAY, OCTOBER 10, 2022
COUNCIL CHAMBERS
107 W. 17TH STREET
6:00 PM**

Councilmember Present:

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

Present:

Ken Lee, Mayor
Jonathan Lynn, City Manager
Raymond Dickey, City Attorney
Dulcia King, City Clerk
Jonathon Murrell, Police Chief
Lou Reed, Interim Fire Chief
Mike Osborne, Recreation Director
Tm Bowles, Public Works Director

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

Approval of the agenda with the following:

Removal of new business item 1 by the requester.

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

Approval of the September 26, 2022 minutes:

Motion to approve: Councilmember Scott

Second: Councilmember Rahn
Vote by Council: Unanimous

Public Comments - Comments shall pertain to the agenda items only.
Should you wish to appear before Council forms can be found at Rincon City Hall.

Public Hearing

Turn meeting over to public hearing officer, Raymond Dickey:

Open public hearing: 7:05 PM

A Public Hearing on a petition filed by Tasha Robinson requesting a variance for an 18.83 feet relief from a 25 foot rear property line set back to complete an addition of a mother-in-law suite that was started before she took ownership; located at 834 W 7th St. The property is owned by Tasha Robinson and Beverly Lewis. The property is zoned R4 (Residential). (Parcel# R2190020)

Attorney Dickey said to his understanding is the proper signage has been placed on the property as required by Georgia law, and that the proper as has been run in the legal organ and the property owners within the required distance has been notified by mail. Ms. Robinson the property owner was present. Ms. Robinson said in December of 2020 she purchased this home. She has done renovation on the front of the home and is now starting to renovate the addition to the rear. During the process she was advised the property is not the sufficient amount of footage from the property line, based on code it should be 25 feet from the property line and it is not. She is requesting to finish the interior; the exterior has been there for many years before she took over ownership of the property.

David Mattos, Building Inspector, said he would like the language to say whatever part of the addition that is done that could not be inspected needs an engineers letter to state that it is up to building code standards. In order for him to legalize with a building permit, there has not been any inspections, an engineer needs to write a letter to say everything is up to code, he can then issue a building permit with that letter and do a final inspection. Mr. Mattos said it is possible that she does not need an engineer letter, he has not gone inside. If he goes inside and can be inspected and he can see everything she may not need the engineer letter.

Close public hearing: 7:11PM

Turn the meeting back over to Mayor Lee.

Vote on a petition filed by Tasha Robinson requesting a variance for an 18.83 feet relief from a 25 foot rear property line set back to complete an addition of a mother-in-law suite that was started before she took ownership; located at 834 W 7th St. The property is owned by Tasha Robinson and Beverly Lewis. The property is zoned R4 (Residential). (Parcel# R2190020)

Motion to approve: Councilmember Rahn

The motion was amended to approve with the proper review and permitting by the building department.

Second: Councilmember Scott
Vote by Council: Unanimous

Old Business:

1. Vote on a first reading of an ordinance to annex a 66.92 acre parcel located at 0 Highway 21; the property is owned by Jag of Effingham County. (Parcel #: 04470018) (Tabled at the 9/12/2022 meeting)

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

Brett Bennett, Greenland Developers, was present. Mr. Bennett said they discussed in the workshop the traffic impact, they covered access improvements and financial implications. He has lived in the County his whole life and seen it develop over time, largely it has solely been residential, and this has contributed to traffic pattern. Commercial industrial development will create jobs so people do not have to leave the County.

He discussed access improvements, these are four different parcels with three different owners, two parcels are already zoned industrial they will have their own independent access on Highway 21. By combining these projects it causes the primary access point to align across from the industrial access on the other side of the road. These parcels will be developed independently but will have three different access points that will align. They have LOI's from GDOT that require the access points to line up across from each other. The other access item is Habitat for Humanity for years there has been problem with access they will donate a piece of property to allow Habitat for Humanity to have access to their site. He discussed the financial implications. Generally it cost 1/3 or less to provide services to commercial/Industrial versus residential.

The financial implications generate quite a bit of revenue to the community, it generates revenue to the Rincon CID (Community Improvement District), which can be used within the CID. The other is, part of the development agreement there is a requirement to install sidewalks with the alternative being that the developer can contribute to a fund so the City that can construct sidewalks elsewhere or trails anywhere they are needed. From a tax perspective these warehouses together will generate about 8.7 million dollars a year tax revenue. The most significant to the City will be the 4 mils to the CID which will generate about 1.2 million dollars a year at completion. Mayor Lee thanked Mr. Bennett for the information and participation at the workshop. Councilmember Scott said he thinks this would be a good project for the City of Rincon to start and move forward. We are behind

with transportation and we are going to have to catch up but this project allows us the opportunity. Mayor Lee said we had a workshop with the County and Industrial Development Authority where a lot of this was the discussion, long range planning. It doesn't do Rincon nay good to have a plan if it doesn't merge with the County' plan. We had a very good planning meeting with the County and it brought us all together with a vision trying to understand what we are looking for. We are well aware of the challenges we face but as a Council and County Commission that we are doing everything we can to work together. Councilmember Rahn said a big thing to realize is that that is a State Road out there so it takes a lot to get things done.

Motion to approve: Councilmember Rahn

Second: Councilmember Scott

Vote by Council: Unanimous

2. Vote on the first reading of a petition filed by Stotan Industrial for a Zoning Map Amendment, for a 66.92 acre tract located at 0 Highway 21, to amend the zoning from AR-1 (Agricultural) to LN (Light Industrial); the property is owned by Jag of Effingham County. (Parcel #: 04470018) (Tabled at the 9/12/2022 meeting)

Motion to remove from the table: Councilmember Scott

Second: Councilmember Kirkland

Vote by Council: Unanimous

Mayor Lee said this is the property that was just discussed.

Motion to approve: Councilmember Scott

Second: Councilmember Blackwell

Vote by Council: Unanimous

New Business:

1. James Cain request to appear before Council.

Item was removed by requester.

2. Request for Council to issue a 10 day notice according to the ordinance for nuisance on property located at 127 Ridgewood Circle and to pay all assessed fees.

David Mattos said this property has not been in compliance for a while. He has been trying to work with the owners. About six months ago he asked them to replace the stairs; he does not understand how they were using the stairs. The stair treads were missing and banisters are missing. He did some work but it does not meet code. He has made very little progress. The fees assessed are \$202.76.

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

3. D.R. Horton/Jared O'Sako request approval of Preliminary/Final Site Plans for Windsong Phase II. The property is owned by ALC RLC Family LP, Hunter, Maclean, Exley & Dunn PC, and Edgar M. Smith. The property is zoned R-5 (Residential-One unit detached (conventional house)). (Parcel #: R2590001C00)

Drew Walker with Thomas and Hutton was present. Mr. Walker said they proposed 58 single family lots. Phase I was completed around 2007. There will be extending the four existing roadways from Phase I. Councilmember Blackwell mentioned a decel lane. Mr. Walker said they did a traffic analysis and it did not require a right turn decel lane. Councilmember Kirkland said there is going to be a lot of growth on that road and it concerns him that there is no decel lane, he feels like there needs to be a decel lane. Councilmember Taylor said she wants to see a playground, more green space. There was discussion on green space. They will have another exit. A motion was made to table to address the issues of a decel land and green space.

Motion to table until October 24: Councilmember Scott
Second: Councilmember Blackwell
Vote by Council: Unanimous

4. Jatin Patel request approval of Preliminary/Final Site Plans to expand the Rinku Food Mart's north wall 16 feet out; located at 306 South Columbia Ave. The property is owned by Jatinbhai G. Patel. The property is zoned GC (General Commercial). (Parcel #: R2120003B00)

Mr. Patel said he is looking at extending the north wall to get more space inside the building. This will eliminate one fuel pump.

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

5. David Smith, representative for Kimley Horn, request approval of Preliminary Site Plans for a Parker's Kitchen at 107 North Columbia Avenue; the property is owned by Paul V. Wendelken. The property is zoned GC (General Commercial). (Parcel #: R2070057)

David Smith, with Kimley Horn was present. Mr. Smith said they are looking at putting Parker's Store at the corner of 9th Street and North Columbia Avenue. They are coming before Council for preliminary site plan approval. Councilmember Rahn said that is a busy intersection. Mr. Smith said they have completed a traffic impact analysis and they have already coordinated with GDOT, who owns the right of way. Basically the right in and right out does not have a decel lane because it would totally eliminate the property to the right.

They have a waiver from GDOT since it can't be constructed, but in order to offset that they are proposing improvements on 9th Street, which will improve the existing conditions at that intersection and to get the traffic into and out of the Parker's site. Councilmember Kirkland said his concern is traffic is there a reason why they have the entrance at Highway 21. You can conduct traffic study all day long but until you drive that road that traffic is horrible. Is there a reason it has to be there? Mr. Smith said to have access to the site the only options they have is on 9th Street and Highway 21, this is the only location on Highway 21 that they can put it, it is the farthest away from the intersection that it could possibly be which would help with any impact there and it meets what GDOT is looking for. Councilmember Kirkland mentioned the lane behind the property as an access; Mr. Bowles said there is a utility easement there. Mayor Lee said we all have the same concern as Councilmember Kirkland, there is no reasonable access off Highway 21. Councilmember Scott said GDOT can give you a waiver but Council has the ultimate decision. Mayor Lee said this one will be a challenge if you are north bound making a left, even now going to Bank of America you can hardly do it. This is going to be next to impossible, the other thing Council on many occasions has tried to make right in, right out only and it doesn't work. It has to be something substantial to prevent them from making a left hand turn in. There will be some challenges with this particular entrance. There was discussion on ways to get to the property.

Daniel Ben-Yisrael, Real Estate Development Manager with Parker's, said this store is what they consider a small format store. It fits on a smaller lot in urban redevelopment areas. This will be the first site for the small format store. It will be a 3,800 square foot. Mr. Ben-Yisrael said this site will generate roughly 2000 trips per day, the majority will be what they consider pass by trips, a small percentage will destination trips. Councilmember Rahn said he would like for someone to go out there, not rely on their study and see what the traffic looks like in the morning. Mayor Lee said we have some real traffic concerns, they need to come up with some other options. There was a discussion about having a workshop to hammer this out. Mr. Ben-Yisrael said are there any options that Council is contemplating at the moment that would result in them getting access on both Highway 21 and 9th Street because they have moved the entrance as far they could from the intersection, which makes since to prevent further conflict at the intersection. Their hands are tied when it comes to doing anything other than what is shown on Highway 21. 9th Street is a different story; they will put a decel right turn lane and increase the left turn stacking on 9th Street. They are willing to look at this and do improvements necessary to better the situation, but when it comes right in, right out on Highway 21 that is the best they will be able to do. Councilmember Blackwell said they could do a right in only off Highway 21 and exit on 9th Street. Mr. Ben-Yisrael asked if Council is willing to consider approving the site plan if they put in a right in only because they have an option to purchase the property contingent upon them getting what they consider satisfactory access. He has to go back and review this with his team internally but he would like to get an idea as to whether Council would approve this if the right in only works.

Motion to approve with a right in only off of Hwy 21: Councilmember Kirkland
Second: Councilmember Rahn
Vote by Council: Unanimous

6. Express Oil Change & Tire Engineers request approval of Preliminary/Final Site Plans for an auto service center. The property is located at Twelfth Street Lot 4; the property is owned by Kildare Land Company, LLC. The property is zoned GC (General Commercial). (Parcel #: R2780004)

Andy Goldman, with Express Oil Change and Tire was present. The bays will be facing Highway 21. Councilmember Rahn asked are you just doing oil changes. They will be doing oil changes and minor automotive only, new tires and new brakes things that will be done in a day. The new and used oil will be contained underneath the building in oil bins. Entrance and exit will be off of Twelfth Street.

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

7. Request approval to amend the Personnel Policy 065 Attendance and Leave, Sections 65.13 Sick Leave and 65.20 Annual Leave.

Kim Hesling was present. Mrs. Hesling said this will take effect in 2023.

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

8. Request approval to purchase 30 grinder pumps from Grainger in the amount of \$59,367.90. LI #506.4325.542107

Mr. Bowles said normally when he comes before Council the price is \$25,000 but prices have doubled.

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

9. Administrative Reports:

City Manager – Mr. Lynn asked Council to pray for one of our staff member that is going to have surgery; the CORE MPO presentation will be on October 24th at 6:00 pm; he will be out of the office Wednesday – Friday attending the Georgia County/City Manager Conference; the Recreation department will be hosting a Haunted House and on October 22nd a Trunk or Treat; and we will honor Halloween on the 31st.

Chief of Police – Chief Murrell said they have started a disaster relief effort for the victims of Hurricane Ian; he will be at a Police Chief conference in Dallas from the 14th – 19th.

Fire Department – Michael Whittle said Chief Reed is doing well after surgery.

Mayor and Council – Councilmember Rahn asked staff to put the Halloween information on the sign; Councilmember Browher mentioned Picket Fences. He would like to see us start the discussion back in a workshop setting. Councilmember Blackwell said there is a pothole at Christopher Court and Stephanie Avenue.

Mayor Lee said talked about the Health Department and the approval process issues that they have been having. There was a meeting with some board members and some selected officials. They are now doing an investigation so if you know of someone who has had an issue please let him know.

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

No executive session

Adjourn:

Motion: Councilmember Scott

Second: Councilmember Browher

Vote by Council: Unanimous