



**OFFICIAL MINUTES  
RINCON CITY COUNCIL MEETING  
MONDAY, DECEMBER 12, 2022  
COUNCIL CHAMBERS  
107 W. 17<sup>TH</sup> STREET  
7:00 PM**

**Councilmember Present:**

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

**Present:**

Ken Lee, Mayor  
Jonathan Lynn, City Manager  
Raymond Dickey, City Attorney  
Dulcia King, City Clerk  
Jonathon Murrell, Police Lieutenant  
Lou Reed, Interim Fire Chief  
Tm Bowles, Public Works Director  
Elizabeth Cartwright, Finance Director  
Paul Goth, Lost Plantation Golf Course General Manager

The meeting was called to order at 7:02 PM. The Invocation was given by Mayor Lee and Pledge to the Flag was recited.

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

Removal of new business item 1.

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

**Approval of the November 28, 2022 minutes with the following:**

Correction of grammatical errors, deficit was spelled incorrectly, on the overage Mrs. Cartwright is referring to it should say their goal is a surplus and where it says Councilmember it should say Councilmember Browher.

Motion to approve: Councilmember Blackwell

Second: Councilmember Browher

Vote by Council: Unanimous

**Public Hearing:**

*Turn meeting over to public hearing officer, Raymond Dickey:*

Open public hearing: 7:06 PM

**Public Hearing on an application filed by Superior Fence & Rail Company for a Zoning Map Amendment, for a 1.061 acre tract located at 616 Towne Park Loop, to amend the zoning from GC (General Commercial) to LN (Limited Industrial); the property is owned by Rx Elite Fitness. (Parcel #: R2640016)**

Attorney Dickey asked was the proper signage place on the property, was an ad placed in the legal organ and were the property owners within the required distance notified by mail. Mr. Lynn said yes.

Tyler Pratt with Superior Fence and Rail Company was present. Mr. Pratt said the reason they want to rezone to Limited Industrial is because of the yard storage for overflow material. They will fence the bulk of the property. It will be privacy fencing so they can store overflow bulk items and park their work vehicles. They need the flexibility of the outdoor space to store bulk material. No material will be built on site. The Planning and Zoning Board recommended denying the application and they come back and ask for a Conditional Use. Councilmember Taylor asked would they stack the material high, Mr. Pratt said no. Councilmember Rahn asked what is the difference between this storage and that of Tractor Supply or Lowes. Mr. Lynn said there is no real difference the only difference he sees is that at Tractor Supply or Lowes is enclosed. Mr. Pratt said there is a 6 foot buffer between the property and the apartments and he is willing to plant some bushes for an additional buffer.

Close public hearing: 7:22 PM

*Turn the meeting back over to Mayor Lee.*

**Vote on the first reading of an application filed by Superior Fence & Rail Company, requesting a Zoning Map Amendment for a 1.061 acre tract located at 616 Towne Park Loop, to amend the zoning from GC (General Commercial) to LN (Limited Industrial); the property is owned by Rx Elite Fitness. (Parcel #: R2640016)**

Petitioner requested to withdraw this request. No action taken.

**New Business:**

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

This item was removed from the agenda.

**Old Business:**

**1. Sikes Brother, Inc request approval of Pay Request #3 in the amount of \$18,776.42 for the 2022 LMIG Rincon – 6th Street project. LI #320.4100.541417 (Tabled at the 11/28/2022 meeting)**

Motion to remove from table: Councilmember Taylor

Second: Councilmember Scott

Vote by Council: Unanimous

Mr. Bowles said we will have to resubmit once the punchlist items are complete. No action taken.

**New Business:**

**2. Cranston LLC request approval of Preliminary Sketch Plans for a Major Subdivision. The property is located at 0 Fairmont Drive. The property is 73.71 acres and is zoned R-4 (single family residential); the property is owned by Eddie and Darnett Coleman. (Parcel #: R2740001A00)**

Shane Conway, JDC Creations and Matt Randall Cranston LLC were present. Mr. Cranston said they are looking to develop 139 lots; Mayor said so this would be preliminary site plan approval. He knows this has gone before the Planning Board and they have had several questions and they choose not to take any action and to table this. His would like the Planning & Zoning Board to go through their concerns with the developer before it comes to Council. Mr. Cranston said certainly they want to work with the Planning Board to incorporate any comments that they can but they are not trying to ask for any variance and they are within the zoning code. He understands there were concerns about another connection and use of the bridge, they worked with the fire department and were able to eliminate that connection. They would not put any additional strain on the bridge. Mayor Lee said his hope was that the homeowners would help work with the developers as far as the concerns they have and the other people in the area have, to bring us something that would be reasonable to consider. There was discussion on what roads are owned by the County, City and Homeowners Association. Freddy Long, resident of Kate's Cove said the front part of Kate's Cove is County Roads as soon as you get to the wood bridge that is owned by the Homeowners Association. In order for them to have a second access they would need to come on a private bridge and a private road and with that many trucks we

would request something to take care of the bridge. The bridge is not going to be able to handle that kind of access. We have lots of concerns. Attorney Dickey said what needs to be determined is the ingress and egress. Mayor Lee said there are a number of concerns but access is the number one concern. Mr. Cranston said residents are concerned about access to the north, we can make that a grass pave so that it just looks like grass and supports an emergency vehicle. They will not use it for a construction access. Mr. Long said Kate's Cove is willing to work with the developers if they put 59 homes in there. Attorney Dickey said the ordinance requiring two entrances require that they both be to City streets specifications to traffic and not just public safety. If Council approves the emergency access the developers would have to come back for a variance to allow it. Councilmember Taylor asked are these going to be purchased home and why 139. Mr. Cranston said that is what the zoning ordinance allows. Councilmember Blackwell said that does not fit in with the current neighborhood of Kate's Cove that's the concern some of the residents have it does not meet their HOA requirements. Councilmember Scott said his concern is not what is allowed there because we do have the right to determine the impact that it would have. He would like to have more clarification about the bridge as well. He could not approve a project like that right now tonight. Councilmember Rahn said he doesn't see the updates, in order for him to approve a site plan he needs to see a site plan. Councilmember Taylor said she has a problem with the roads, it is a lot. Mr. Cranston said they are doing what is currently in the City of Rincon Code and they are doing a traffic study. Councilmember Kirkland said there are a lot of things that concern us about this project, the entrance is one and the traffic is another. He thinks we need to take a harder look at this. Mayor Lee asked Attorney Dickey what could be the outcome if this were denied. Attorney Dickey said it is a site plan they can always bring it back. He said the issue is whether they can meet the standards for two entrances and two exits, with the proper width of a City street. The other thing is they need to bring back their legal entitlement to show they have a right to use these accesses. If the access is to phase three, those are still private roads those. Those are some of the major things that need to be brought back to Council before he recommends going forward with a site plan. If Council wants to table to give the planning and Zoning Board time to give their input and concerns you have the authority to do that. Mayor Lee said Council is not ready to accept what is before them tonight. There was discussion on the easements to the roads. Councilmember Scott said we are at the point where the petitioner to withdraw or Council needs to table or deny the request.

Councilmember Browher made a motion to table and said he thinks it is very important that the Planning and Zoning Board has a say to keep it consistent. He would like the Planning Board to look at this project and review it before it comes back to Council and make that a part of the motion. Councilmember Rahn said since this has already been before the Planning Board would that be an issue. Attorney Dickey said they (petitioner) do not have to go back, what Council is asking is that it be sent back to the Planning Board so they can review it and give their recommendation.

Motion to table until January 23rd: Councilmember Browher  
Second: Councilmember Blackwell  
Vote by Council: Unanimous

**3. Request approval to pay M.E. Sack Engineering \$16,527.50 for engineering services associated with the expansion of the Wastewater Treatment Plant.  
LI #320.4335.541453**

Marcus Sack was not present but he did email Council an email update. This project will be completed in 2025. Mr. Lynn said they going to start bidding out the equipment.

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

**4. Second reading of the proposed FY 2023 City of Rincon Budget.**

Mayor Lee said they had another workshop, he thinks it was very productive and came away with a good feeling about the budget. Councilmember Kirkland asked when he would get a final copy. Mr. Lynn said he would get a signed copy to Council.

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

**5. Request approval to contract with Jim Watkins for maintenance of the Lost Plantation Golf Course.**

Mayor Lee said in this we have a total contract amount for the year and Mr. Goth will be responsible for monitoring the hours to make sure we stay within that budget.

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

**6. Request approval of rate changes for Lost Plantation Golf Course for 2023 and to officially change the name to Rincon Golf Course.**

Mayor Lee said this item should also include the approval of the name change to Rincon Golf Course. A motion was made to approve the rates and name change to Rincon Golf Course.

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

**7. Request approval to accept bid for a Mobile Air Compressor from Technology International in the amount of \$26,630.00. LI #320.4100.541215 and 320.4325.541215**

Tim Bowles said this is a budgeted item and it was advertised in the paper.

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

**8. Request approval to surplus the Water Tower located at West Fourth Street and North Columbia Avenue.**

Mr. Bowles said this is the old water tower and it is beyond repair. Right now it is turned off. Savannah River Utilities will take it down for free. Mr. Lynn said a copy of the liability insurance is included in the packet.

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

**9. Request approval to surplus a 2005 Ford Taurus SE.**

This is the vehicle at City Hall and it is not running. The battery has been replaced several times.

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

**10. Request approval of the 2023 GMA Telecommunications and Right of Way Management invoice in the amount of \$6,168.96. LI #100.1300.521200**

Mr. Lynn said annual agreement with GMA to make sure the companies are paying the correct Franchise Fees.

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

**11. Administrative Reports:**

**City Manager** – Mr. Lynn said he is getting ready to start the roll out of a Newsletter in January; Eggs and Issues breakfast is tomorrow morning; we will not be having second Council meeting this month; he will be out of the office from the 27<sup>th</sup> -30<sup>th</sup>; and he wanted

to send prayers out to the Mayor of Emerson Georgia's family, he and his wife were involved in a car accident.

**Fire Department** – Chief Reed said he hopes to have two full time staff in January.

**Water/Sewer/Public Works** – Councilmember Taylor said she would like the prisoners to go up and down Hwy 21 at least once week picking up trash.

**Mayor and Council** – Councilmember Browher asked what does the code say about a tractor trailers on roads like Carolina Avenue. A tractor trailer turned off Carolina Avenue onto 15<sup>th</sup> Street and got stuck. Mr. Bowles said he does not think we have a weight limit ordinance. Attorney Dickey said he has available to Council an ordinance concerning tractor trailers. It has to do with weight limits and what can be on City streets. Councilmember Browher asked about a Picket Fences update. Mr. Lynn said he does not have an update. Attorney Dickey said after Mr. Lynn comes back from vacation we can look at some things. Councilmember Rahn said we need get back on the truck ordinance and false alarm ordinance. Councilmember Scott asked about collecting fire fees on empty buildings. Those buildings could catch fire. We have to do everything we can to push the owners to not let a building stay empty. With those buildings empty like that there is a higher risk for vandalism. Staff will look into making sure fires fess are on the accounts of empty buildings.

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

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

Motion to return to meeting: Councilmember Kirkland  
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 Scott  
Vote by Council: Unanimous

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

No action taken.

**Adjourn:**

Motion: Councilmember Blackwell

Second: Councilmember Rahn

Vote by Council: Unanimous