



**OFFICIAL MINUTES
RINCON CITY COUNCIL MEETING
MONDAY, JUNE 12, 2023
COUNCIL CHAMBERS
107 W. 17TH STREET
7:00 PM**

Councilmember Present:

Levi Scott, Jr.
Jesse Blackwell, Jr.
Patrick Kirkland
Michelle Taylor

Councilmember Absent:

Reese Browher
Damon Rahn

Present:

Ken Lee, Mayor
Raymond Dickey, City Attorney
Dulcia King, City Clerk
Jonathon Murrell, Police Chief
Mikw Whittle, Fire Captain
Terri Lewis, Planning and Development Director
Tm Bowles, Public Works Director
Tommy Kee, WWTP Director
Elizabeth Cartwright, Finance Director
Bryan Bessinger, Golf Course Manager

The meeting was called to order at 7:04 PM. The Invocation was given by Councilmember Blackwell and Pledge to the Flag was recited.

Approval of the agenda with the following:

Old business item 4 will be the first item addressed and the addition of new business item 4A acceptance of Damon Rahn's resignation from Rincon City Council effective June 2, 2023.

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

Approval of the May 22, 2023 minutes:

Motion to approve: Councilmember Kirkland

Second: Councilmember Scott

Vote by Council: Unanimous

Public Hearing #1

Turn meeting over to public hearing officer, Raymond Dickey:

Open public hearing: 7:07 PM

Public Hearing on a petition filed by Lawrence Alexander Homes, LLC, on behalf of Maui Plaza, LLC, requesting a variance to reduce the minimum width of each lot within a proposed 35-lot single-family subdivision. The property is located at 1678 Fort Howard Road and is zoned R4 (Single Family Residential). (Parcel # 04630029)

Attorney Dickey asked was the property marked, required property owners notified and advertisement placed. Mrs. Lewis said yes.

Alex Long, property owner was present. Mr. Long said this is a proposal to reduce the road frontage on a R4 property in a 35 lot subdivision. The key thing to understand is he is not asking to reduce the overall lot size, he is asking to reduce the road frontage to 85 feet from the required 100 feet, so they can work within the wetlands that are on the property so as not to impact those. The hardship is the wetlands that run through the middle of the property. Mrs. Lewis said the Planning and Zoning Board recommended approval with the condition that wetland areas 1 and 2 not be disturbed except for the .094 acres that is needed for the road. Mr. Long said that they are not asking to reduce the overall lot size they are asking to reconfigure the lot so they can work within the wetlands that are on the property. There will be no properties facing Fort Howard. The lot sizes will remain at or greater than what is required by R4, the side set back will remain the R4 the only variance is the difference in the frontage.

Close public hearing: 7:17 PM

Turn the meeting back over to Mayor Lee.

Public Hearing #2

Turn meeting over to public hearing officer, Raymond Dickey:

Open public hearing: 7:17 PM

Public Hearing on a petition filed by Richard and Geraldine Busse requesting a variance to build a screened in room within the required 25' rear setback. The property is located at 213 St. Andrews Road and is zoned MXU (Planned Unit Developments). (Parcel # 2470229)

Attorney Dickey asked was the property properly marked, property owners surrounding were notified by mail and an advertisement place in the legal organ, Mrs. Lewis said yes. Mr. Busse said they want to put a screen in porch on an existing patio, something to go sit outside and not be bugged. Councilmember Blackwell asked will it have roof and attached to primary residence, Mr. Bussey said yes. Mrs. Lewis said the Planning and Zoning Board recommended approval 6 to 0. Councilmember Scott informed Mr. Busse that if he decides to close it in, he will have to come back to Council.

Close public hearing: 7:21 PM

Turn the meeting back over to Mayor Lee.

Vote on a petition filed by Richard and Geraldine Busse requesting a variance to build a screened in room within the required 25' rear setback. The property is located at 213 St. Andrews Road and is zoned MXU (Planned Unit Developments). (Parcel # 2470229)

Motion to approve: Councilmember Blackwell
Second: Councilmember Taylor

Both motions were amended to include motion to approve a screen porch over an existing patio.

Vote by Council: Unanimous

Old Business:

4. Vote on the First Reading of a petition filed by BKB Properties, LLC., requesting a Conditional Use to utilize the property as a self-service storage facility. The property, located at 0 Magnolia Drive, is zoned GC (General Commercial) and is owned by BKB Properties, LLC. (Parcel # R2090006) (Tabled at the 5/22/2023 meeting)

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

This item requires four votes affirmative or negative. Councilmember Taylor is recusing herself, so there will be no action taken on this tonight.

Motion to table until June 26: Councilmember Taylor

Second: Councilmember Scott

Vote by Council: Unanimous

1. Vote on the Second Reading of an ordinance to annex a 388.21-acre parcel located at 923 Old Augusta Road; the property is owned by Mill Creek Hunting Preserve, Inc. (Parcel # 04750058) (Tabled at the 5/8/2023 meeting)

Motion to remove from table: Councilmember Kirkland

Second: Councilmember Scott

Vote by Council: Unanimous

Attorney Dickey said he has had communication with the parties involved and new issues that have come up. They are asking for all this to be tabled for 30 days. A motion was made to table all items pertaining to Mill Creek Hunting Preserve until July 10.

Motion to table until July 10: Councilmember Blackwell

Second: Councilmember Kirkland

Vote by Council: Unanimous

2. Vote on the Second Reading of a petition filed by Brett Bennett of Greenland Developers, Inc. on behalf of William Exley, CEO of Mill Creek Hunting Preserve, Inc. requesting a Zoning Map Amendment for a 213.121-acre parcel located at 923 Old Augusta Road to amend the zoning from B-3 (Highway Commercial District) to GA (General Agriculture); the property is owned by Mill Creek Hunting Preserve, Inc. (Parcel # 04750058) (Tabled at the 5/8/2023 meeting)

Motion to remove from table: Councilmember Scott

Second: Councilmember Blackwell

Vote by Council: Unanimous

Motion to table until July 10: Councilmember Kirkland

Second: Councilmember Blackwell

Vote by Council: Unanimous

3. Vote on the Second Reading of a petition filed by Brett Bennett of Greenland Developers, Inc. on behalf of William Exley, CEO of Mill Creek Hunting Preserve, Inc. requesting a Zoning Map Amendment for a 175.024-acre parcel located at 923 Old 6. Augusta Road to amend the zoning from B-3 (Highway Commercial District) to LN (Limited Industrial); the property is owned by Mill Creek Hunting Preserve, Inc. (Parcel # 04750058) (Tabled at the 5/8/2023 meeting)

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

Motion to table until July 10: Councilmember Blackwell
Second: Councilmember Taylor
Vote by Council: Unanimous

5. First reading of an Ordinance to amend Chapter 42 of the Rincon Code of Ordinances. (Tabled at the 5/8/2023 meeting)

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

Attorney Dickey said the changes to the flood ordinance is mandated by the State. It changes section 42-41.

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

New Business:

1. Request approval to purchase chemicals for the Wastewater Treatment Plant from Zeta Solutions, LLC. in the amount of \$15,300.00. LI #506.4335.531123

Mr. Kee said this is for phosphorus control. It has been about 5 ½ month since the last order.

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

2. Vote on a resolution to establish a moratorium on constructing fences in the City of Rincon for a period of 90 days or until updated language has been adopted.

Mrs. Lewis said this moratorium to give us time to update the language of the fence ordinance. She has done some research and drafting and will take it to the Planning Board and bring it back for the first reading. There will be an opportunity for people to review the language and comment. Mayor Lee asked would this affect any existing fences, no it will not. Attorney Dickey said there are some constructions going on currently under a development agreement so they will not be a part of this moratorium.

Motion to approve: Councilmember Scott

Second: Councilmember Taylor

Vote by Council: Unanimous

3. Request to approve I3 Public Sector to provide updated Finance and Utility Billing Software.

Mrs. Cartwright said this is approval for new software at a cost of \$47,040. This will improve the efficiency of billing as well as finance and make it a lot smoother transition. It will talk to the Court software and Police software. Councilmember Kirkland asked that Aaron White look at the software. Mrs. Cartwright said she did get three quotes, one from Tyler and the other was double the price of I3. This is cloud based. Councilmember Kirkland said his big concern is the integration piece and would like Mr. White to take a look at this. Mayor Lee asked would there be some efficiency and time saving, Mrs. Cartwright said yes as well as some money savings. They have a program as far as mailing right now we pay \$7,000 or mailing and they charge \$3,388. Training will be provided. The annual fee going forward will be \$15,540.

Motion to approve: Councilmember Scott

Second: Councilmember Kirkland

Councilmember Kirkland asked will this get us away from the card and receive an actual envelope, yes.

Vote by Council: Unanimous

4. Approval of the appointment of Rebecca Boston to serve as the non-public representative of Effingham County and the cities of Guyton, Rincon and Springfield for the Coastal Regional Commission Council.

Mayor Lee said that Herb Jones has served in this position for 15 years and he has served well. There is a recommendation from the County to nominate Rebecca Boston. Mayor Lee said she will be a great person to serve.

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

4A. Acceptance of Damon Rahn's resignation from Rincon City Council effective June 2, 2023.

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

5. Administrative Reports:

Chief of Police – Chief Murrell said they will be giving out the Life Saving Award from four Firefighters and a Police Officer; they have a second suspect in Fox Trace shooting; three Tahoe's are equipped; and canine Demon had first successful tract.

Building/Zoning Dept. – Mrs. Lewis said the roof project started Friday and most have been completed.

Water/Sewer/Public Works – Councilmember Blackwell thanked Mr. Bowles for speed limit signs in Williamsburg. Councilmember Kirkland thanked him for working on the signs on Magnolia Drive.

Finance – Mrs. Cartwright said she is working through audit and mentioned the good job that the Recreation Department did at Giles Park.

Rincon Golf Course – Mr. Bessinger said they had a great first month; he is starting to settle in; and they are up in revenue, but rounds are down.

Mayor and Council – Councilmember Taylor said she would like to know, according to the Charter a special meeting of Mayor and Council can be called by two Councilmembers, we went against the Charter. The Mayor called a meeting for Jonathan Lynn's suspension, we are supposed to get notice 48 hours ahead of time. She did not get notice 48 hours ahead of time. She wants to know why we went against the Charter for Jonathan's thing. Attorney Dickey said he does not have the Charter in front of him but the Mayor or two Councilmembers can call a meeting. She asked are we supposed to notify everyone within 48 hours in advance, Attorney Dickey said he did not know he would have to look at that part. Mona Underwood, Planning Board member, interjected and said he did know, Attorney Dickey said no he didn't.

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

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

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

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

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

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

No action taken.

Adjourn:

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