



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

**Councilmember Present:**

Reese Browher  
Levi Scott, Jr.  
Patrick Kirkland – Present by phone  
Michelle Taylor  
Jesse Blackwell, Jr.  
Damon Rahn

**Present:**

Ken Lee, Mayor  
Jason Stewart, Interim City Manager  
Raymond Dickey, City Attorney  
Dulcia King, City Clerk – Present by phone  
Jonathon Murrell, Police Chief  
Lou Reed, Interim Fire Chief  
Mike Osborne, Recreation Director  
Tm Bowles, Public Works Director  
Elizabeth Cartwright, Finance Director

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

**Approval of the agenda:**

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

**Approval of the August 15, 2022 minutes:**

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

**Approval of the August 22, 2022 minutes with the following corrections:**

The first executive session Councilmember Blackwell made the motion and Council Scott the second.

New business item 4 Councilmember Scott made the motion and Councilmember Taylor the second. The vote was unanimous.

Motion to approve: Councilmember Scott

Second: Councilmember Taylor

Vote by Council: Unanimous

**Approval of the August 29, 2022 minutes with the following corrections:**

New business item 3, Councilmember Taylor seconded the motion.

Motion to approve: Councilmember Blackwell

Second: Councilmember Taylor

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.

**New 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)**

Tre Wilkins with Thomas and Hutton Engineering was present. Mr. Wilkins said this is the 4th parcel that they are working on. The other parcels are already zoned and annexed into the City. Jason Stewart said the Planning and Zoning Board recommended approval. Councilmember Rahn asked do we need a traffic control device, Mr. Wilkins said they are in the process of having traffic studies. Councilmember Blackwell asked was the entrance for this development going to be straight across from current development, Mr. Wilkins said right now the access is at Rincon Church of God. Councilmember Scott asked have they applied for the application with DOT for that State Road. Mr. Wilkins said they have a letter of intent from DOT permitting the access for that is on the map. Brett Bennett, with Greenland Developers said both projects have had traffic studies and both projects have LOI's. The LOI's were required for the access points to be across from one another. The traffic study across the road for the GIRP project is going to trigger a light at that intersection with the amount that is coming in there. It will not be installed until it is warranted. There was discussion on where the entrances would be once the project is complete.

Mona Underwood she has been talking to some groups and she wants a better future picture of our community. No one wants these. We do not have the infrastructure for this, the roads are not prepared. We can't get people in cars out of Effingham County we do not need to be adding semi trucks. Pooler, Port Wentworth and Bloomingdale has put a moratorium on warehouses. We feel the integrity of our community should carry a great weight in this in denying the request right now. She is not saying never just not right now, let's do some studies.

James McElevan, Hardy Road said he thinks we need to examine our policies and have a plan, he does not think the County has a plan. We need to have a plan before we start doing all of the stuff that they are asking us to do.

Steve Smith said he lives in Rincon. He gets to see all of this because he is a pilot and the warehouses are easy to see. He is amazed at all of the warehouses that have been built and that are under construction. He understands why the warehouses are here and does not think we can stop the warehouse but he does think we can do is get proper mitigation from the developers. The biggest mitigation we need is traffic, how do we get the eighteen wheelers into the warehouse and off of the interstate and back on the interstate without running them through downtown Rincon or on Highway 21. If they have to build a new highway to do that, that ought to be required.

Alfred Morris, Gavin Way asked how many people will work at these warehouses.

Councilmember Rahn asked about Effingham County Traffic Council and did they plan for any expansion of Highway 21 because it took him 1 1/2 hours to get to work this morning. Mayor Lee said it is a there has been no discussion on expanding the lanes on Highway 21, it is a State Highway and DOT is a part of those discussions to his knowledge there has not been any immediate plans in regards to widening Highway 21. Councilmember Taylor asked Attorney Dickey about a study. Attorney Dickey said the City of Bloomingdale hired a group to do a study to determine the percentage for a town that size on how much should be zoned industrial, commercial and residential and it is about 90% complete. That is the reason they did a moratorium to see what that study entailed. Councilmember Rahn asked Mr. Bennett has there been any discussion on the Greenland property getting to the parkway. Mr. Bennett said in the development agreement they agreed to donate the right of way for the East West corridor to the City. The County is doing a traffic study so it is currently under way. The county has \$500,000 in TSPLOST dedicated to study and design and the City has money for the study and design. It is moving forward. Mr. Bennett said this will have a development agreement similar to what was done with GIRP, the developer will pay for any traffic light if needed. It is proposed that this project be a part of the (CID) Community Improvement District which will allocate four mils directly to improvements. The Highway 21 congestion could be resolved by providing some jobs that are not in Savannah versus every one having to go to Savannah. GDOT is beginning to look at a six lane Highway 21 between Rincon and 95. Councilmember Rahn said his biggest issue is traffic he has to leave earlier and earlier every day. Mr. Bennett said these projects have agreed to the CID and generate quite a bit of revenue that will more than pay for the East

West corridor along with TSPLOST. Councilmember Scott asked about the build out, Mr. Bennett said three to four years.

Mona Underwood said the people of Effingham feels like they have been over ran. We need a pause button. Councilmember Rahn asked if Mr. Bennett if he had the traffic and could he provide it to the Council, Mr. Bennett said yes.

Mr. Bennett said a large majority of this project, 90% of this is already zoned industrial and is in the City limits. There will be continued demand for it to be industrial by others, you will just be limiting the ability of this project, parcel it is a small piece. Councilmember Rahn asked about water and sewer, Mr. Bennett said it is already there. Also one of the things in the Development Agreement that he would like to mention, Habitat for Humanity has access issues with getting to their property, they would donate that access to Habitat for Humanity.

Motion to table until September 26: Councilmember Rahn  
Second: Councilmember Scott

Councilmember Browher asked do we need to direct staff in any way; he wants to make sure we have what we need on the 26<sup>th</sup>. He wants to be clear why we are tabling the item. Councilmember Rahn said he wants to review the traffic study to see what the impact is for the annexation and the intent.

Both motions were amended to table until October 10<sup>th</sup>.

Vote by Council: Unanimous

**2. Vote on a first reading of an ordinance to annex a 1.00 acre parcel located at 0 Frederick Street; the property is owned by Macomber Concentrations, Inc. (Parcel #04470001A00)**

Neil McKenzie with Coleman and Company was present. This is a remnant that will become a part of what will be the new well site.

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

**Public Hearing #1**

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

Open public hearing: 7:47 PM

**Public Hearing on the 2022 Millage Rate for the City of Rincon.**

Attorney Dickey said his understanding is this has been advertised in the paper as required by law and in addition to that the millage rate for 2022 appears to be 6.927 mils, which will be rolled back to zero.

Close public hearing: 7:48 PM

*Turn the meeting back over to Mayor Lee.*

**Vote to approve the 2022 Millage Rate for the City of Rincon.**

Mayor Lee said as Mr. Dickey has said the millage is calculated at 6.927 and as we have done in the past we have rolled back to 0 since 1998. Councilmember Taylor if we roll this back can we implement a tax, Attorney Dickey said it will have to be next year.

Motion to approve: Councilmember Scott  
Second: Councilmember Browner

Councilmember Rahn said he was surprised to see this on the agenda when we have not had any discussion or completed our budget for 2023. Attorney Dickey said this is for the year 2022, you have not done your 2023 budget yet.

Vote by Council: Unanimous

**Public Hearing #2**

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

Open public hearing: 7:51PM

**Public Hearing on 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)**

Attorney Dickey said the applicants have stepped out. He asked was the property marked, was this advertised in the legal organ and required property owners notified.

Close public hearing: 7:53 PM

*Turn the meeting back over to Mayor Lee.*

**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)**

Motion to table until October 10: Councilmember Rahn  
Second: Councilmember Scott  
Vote by Council: Unanimous

**Public Hearing #3**

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

Open public hearing: 7:55 PM

**Public Hearing on a petition filed by Coleman Company, Inc. for a Zoning Map Amendment, for a 1.00 acre tract located at 0 Frederick Street, to amend the zoning from R-1 (Residential) to R-5 (Residential); the property is owned by Macomber Concentrations, Inc. (Parcel #04470001A00)**

Mr. Stewart said this matches the zoning currently in Hickory Knob Subdivision. Mr. McKenzie said the parcel will be an open space. It is cut off by a pond so there is no way you can put a home on there. It is land locked by the new well site and a pond.

Close public hearing: 7:57 PM

*Turn the meeting back over to Mayor Lee.*

**Vote on the first reading of a petition filed by Coleman Company, Inc. for a Zoning Map Amendment, for a 1.00 acre tract located at 0 Frederick Street, to amend the zoning from R-1 (Residential) to R-5 (Residential); the property is owned by Macomber Concentrations, Inc. (Parcel #04470001A00)**

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

**Old Business:**

**1. Request for Council to issue a 10 day notice according to the ordinance for nuisance on property located at 202 Weisenbaker Street and to pay all assessed fees. (Tabled at the 8/22/2022 meeting)**

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

David Mattos, Building Inspector said he has had no contact with the owner. Councilmember Browher asked if the owner in charge with renovating this himself, Mr. Mattos said no.

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

**2. Second reading of the City of Rincon Capital Cost Recovery Fee Ordinance. (Tabled at the 8/22/2022 meeting)**

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

Mayor Lee said this was tabled so we would have the opportunity to review the information. Councilmember Rahn said he is still curious on the calculation. The calculation was explained.

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

**New Business:**

**3. Vote on a request filed by Keystone Homes to release the Warranty Bond and Agreements Submitted for Hickory Knob Phase 12 for Infrastructure and Grass Maintenance.**

Mr. Stewart said this request is from Keystone Homes and they have approved inspections on infrastructure. In December 2020 they surrendered a cash bond of \$23,641.70 for the infrastructure and \$8,250.00 for grass maintenance. They are prepared to turn the infrastructure, sewer and streets, over to the City and requesting the cash bond.

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

**4. Vote on a request filed by Kern & Company LLC for approval on a Recombination for the following acres and locations; 2.82 acres at 1301 W. Hwy 21 N., 3.23 acres at 1349 Hwy 21, 135.30 acres at 0 Hardy Road, 354.33 acres at 0 Hwy 21 and 1018.02 acres at 0 Hwy 21 to create two new parcels. The properties are owned by City of Rincon, J & W Landholdings LLC and Greenland Developers Inc. (Parcel #'s R2170009, R2170010, R2190001, R2190002, and R2610001)**

Mr. Stewart said is a request to reflect the terms of the Greenland Developers/GIRP concept. Brett Bennett said this is GIRP phase 1 and Phase 2. Councilmember Taylor asked can they place a sign out saying trucks entering and exiting the highway, Mr. Bennett said yes.

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

**5. Request approval to pay M.E. Sack Engineering \$51,683.20 for engineering services associated with the WWTP Expansion for the months of July and August 2022. LI #320.4335.541453**

Marcus Sack was present by phone. Mayor Lee said there is an issue on where some of the funds have been allocated and Mrs. Cartwright will look towards Council for direction. Mrs. Cartwright said it looks like the funds were put into the operating account and not the SPLOST account. An account like this should not be in an operating account. There is a zero budget in the actual SPLOST account; it looks like the money was put in the operating account in error. Attorney Dickey said, so that the audit is clean you will probably need to put it as an agenda item.

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

**6. Griffin Contracting, Inc. request approval of pay request #5 in the amount of \$17,767.20 for the 2021 TSPLOST Rincon-Middleground Road. LI #335.411.549104**

Doug Morgan said this is the change that was approved over the summer for the water connections at Middleground Road and 7<sup>th</sup> Street. This was approved June 7<sup>th</sup>. The total was 17,767.20 not \$17,747.20.

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

**7. Griffin Contracting, Inc. request approval of pay request #6 in the amount of \$377,945.41 for the 2021 TSPLOST Rincon-Middleground Road. LI #335.411.549104**

Mr. Morgan said this is the final pay request. The total is \$377,945.41 not 337,945.41. We still have the retainage and will do a final walk through.

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

**8. Sikes Brothers, Inc. request approval of pay request #1 in the amount of \$159,368.67 for the 2022 LMIG Rincon - 6th Street. LI #320.4100.541417**

Mr. Morgan said they paved this last week. This billing is for the bulk of the milling.



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

**9. Sikes Brothers, Inc. request approval of change order #1 for a contract increase of \$22,962.50, for a total contract cost of \$270,578.35. LI #320.4100.541417**

Mr. Morgan said this is the one that he and Tim Bowles presented to Council at a workshop because of the standing water that they saw during the milling operation.

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

Councilmember Taylor asked Mr. Morgan about stripping on Willowpeg Way. Mr. Bowles said he has the paint strippers ready to stripe the lines but the paint has been on backorder for four months.

Councilmember Rahn asked about the cost of the original bid. Councilmember Browher asked would we need to amend the budget, yes.

**10. Request approval of an agreement between Lewis and Clark Circus and the City of Rincon to have a Circus at Freedom Park from September 23 – September 25, 2022.**

Mike Osborne said they want to get approval to make sure they are a go with the event. It will be no cost for the City.

Motion to approve: Councilmember Scott  
Second: Councilmember Blackwell

Councilmember Browher asked about the number of shows. Mr. Osborne said there will be two shows on Friday and three shows on Saturday and Sunday. Councilmember Rahn asked what kind of City resources are you using. Mr. Osborne said when they had the Rodeo the County provided the EMS at no cost, as far as the Circus they have never had anyone. Police does drive by.

Vote by Council: Unanimous

**11. Request approval to host a Christmas Event at Freedom Park from November 25 – December 23, 2022.**

Mr. Osborne said this is the event they tried to bring in last year and now they are ready to go. It will be no cost to us. They will have a skating rink, petting zoo, Christmas lights and there will be between five to seven rides. There will be an admission to get in the gate instead of charging for the rides. It will be open from Wednesday – Sunday.

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

**12. Request approval to pay MR Systems \$8,827.81 for repairs to the Reese Pines and Ridgewood Lift Station SCADA. LI #506.4325.521200**

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

**13. Approval or denial to mow the right-of-way at Ninth Street and Georgia Avenue.**

Councilmember Browher said he has asked Mr. Stewart several times about this, it is a small patch where the big oak trees are. Mr. Bowles said it was mowed Friday. Councilmember Browher said he drove by and it didn't look mowed. Mr. Bowles said he will check again. Councilmember Browher said he just wanted this addressed.

**14. Approval or denial to direct City staff to work with Hargray Communications and Georgia Power to fix the entrance light at Dasher's Landing.**

Mr. Bowles said this had already been turned in to Georgia Power. No action.

**15. Administrative Reports:**

**City Manager** – Mr. Stewart said this is his last meeting and he has enjoyed working with Council this has been one of his most memorable stops. Mayor Lee thanked Mr. Stewart for what he has done for our City.

**City Engineer** – Mr. Morgan said the Fort Howard sidewalk project is done. It has been given to Mr. Bowles so they can have a meeting with him to go over the finals, the same with water line project from Chimney Road to the roundabout. Mr. Bowles said they will need to have a workshop on that; the Highway 21 sidewalks DOT has preliminary approved them and asked him to formally submit the permits for construction of those, so that has been done. So we have two sidewalks projects that we will be bidding soon and a water line project; the LMIG project is almost done; they have bid the public works shop paving project, when the bid date came no one submitted bid. They did a new bid date one week later and one bid came in over the budget of \$300,000 at \$771,057.25.

**Chief of Police** – Chief Murrell said two people are leaving the Police Department, the Police Clerk, Amber Dixon and Brian Mihuta; they have an interview tomorrow; he wants to look at sponsoring and paying people through the police academy

**Fire Department** – Chief Reed said he will have surgery on September 21. Mayor Lee asked about the false alarms.

**Recreation Dept.** – Mr. Osborne said he is also short one staff person; he thanked Council for supporting him with all of the events; he will be going out for surgery on tomorrow.

**Mayor and Council** – Councilmember Browher asked about Picket Fences.

**16. 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 Taylor  
Second: Councilmember Rahn  
Vote by Council: Unanimous

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

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

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

No action taken.

**Adjourn:**

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