

MINUTES OF JANUARY 7, 2019

Robert A. Pettit, Mayor

James M. Adams, Jr., Councilmember J. Robert Brooks, Councilmember Pat C. Carpenter, Councilmember Fletcher L. Dickert, Councilmember Kenneth J. McDowell, Councilmember David W. McGhee, Councilmember

ORDER OF BUSINESS

REGULAR MEETING

The regular meeting of January 07, 2019, having been duly publicized, was called to order by Mayor Pettit at 7:04 p.m. and adjourned at 8:00 p.m. Per Section 30-4-80(e) notice of the meeting by email was sent out to the current maintained "Agenda Mailout" list consisting of news media outlets and individuals or companies requesting notification. Notice of the meeting was also posted on the outside doors of the Municipal Center, the main bulletin board of the Municipal Center located on the first floor, and the City of North Augusta website.

Mayor Pettit rendered the invocation and led in the Pledge of Allegiance.

Members present were Mayor Pettit and Councilmembers Adams, Brooks, Carpenter, Dickert, McDowell and McGhee.

Also in attendance were B. Todd Glover, City Administrator; Kelly F. Zier, City Attorney; Cammie T. Hayes, Director of Finance; Richard L. Meyer, Director of Parks, Recreation, & Tourism; John C. Thomas, Director of Public Safety; Thomas C. Zeaser, Director of Engineering

and Public Works; James E. Sutton, Director of Public Services; Lillian E. (Libby) Hodges, Director of Planning and Development; J. D. McCauley, Manager of Human Resources; and Sharon Lamar, City Clerk.

The minutes of the regular and study session minutes of December 17, 2018, were approved by general consent.

ITEM 5. PERSONNEL: Appointment of City Clerk

Upon the motion by Mayor Pettit, second by Councilmember McDowell, Council unanimously approved the appointment of Sharon Lamar as City Clerk.

ITEM 6. FINANCE: Ordinance No. 2018-15 – An Ordinance Relating to the Recovery of Collection Costs as a Part of Delinquent Debts Collected Pursuant to the Setoff Debt Collection Act – Ordinance, Third and Final Reading

On motion by Councilmember Carpenter, second by Councilmember Brooks, Council unanimously passed an ordinance on third reading relating to the recovery of collection costs as part of delinquent debts collected pursuant to the Setoff Debt Collection Act.

The ordinance text is as follows: *Please note that all complete exhibits and attachments are available in the Office of the City Clerk.*

ORDINANCE NO. 2018-15

AN ORDINANCE RELATING TO THE RECOVERY OF COLLECTION COSTS AS A PART OF DELINQUENT DEBTS COLLECTED PURSUANT TO THE SETOFF DEBT COLLECTION ACT

WHEREAS, the City of North Augusta, South Carolina is a claimant agency as defined in the Setoff Debt Collection Act, S.C. Code Ann. § 12-56-10, et seq. (the Act) and is therefore entitled to utilize the procedures set out in the Act to collect delinquent debts owed to the City of North Augusta, South Carolina; and

WHEREAS, "delinquent debt" is defined in the Act to include "collection costs, court costs, fines, penalties, and interest which have accrued through contract, subrogation, tort, operation of law, or any other legal theory regardless of whether there is an outstanding judgment for that sum which is legally collectible and for which a collection effort has been or is being made;" and

WHEREAS, the City of North Augusta, South Carolina has contracted with the Municipal Association of South Carolina to submit claims on its behalf to the SC Department of Revenue pursuant to the Act; and

WHEREAS, the Municipal Association of South Carolina charges an administrative fee for the services it provides pursuant to the Act; and

WHEREAS, the administrative fee charged by the Municipal Association of South Carolina is a cost of collection incurred by the City of North Augusta, South Carolina that arises through contract, and is therefore properly considered as a part of the delinquent debt owed to the City of North Augusta, South Carolina as that term is defined in the Act; and

WHEREAS, the City of North Augusta, South Carolina also incurs internal costs in preparing and transmitting information to the Municipal Association, which costs are also collection costs that are a part of the delinquent debt owed to the City of North Augusta, South Carolina; and

WHEREAS, the City of North Augusta, South Carolina may desire to recover its internal costs of collection by adding such costs to the delinquent debt;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of North Augusta, South Carolina, in meeting duly assembled and by the authority thereof, that:

- 1. The City of North Augusta, South Carolina may impose a collection cost of up to \$25.00 to defray its internal costs of collection for any delinquent debts that are sought to be collected pursuant to the provisions of the Setoff Debt Collection Act, S.C. Code Ann. § 12-5610 et. seq. This cost is hereby declared to be a collection cost that arises by operation of law and shall be added to the delinquent debt and recovered from the debtor.
- 2. The City of North Augusta, South Carolina hereby declares that the administrative fee charged by the Municipal Association of South Carolina is also a collection cost to the City/Town, which shall also be added to the delinquent debt and recovered from the debtor.
- 3. All Ordinances in conflict with this Ordinance are hereby repealed.
- 4. This Ordinance shall be effective on the date of final reading, provided however, that this ordinance is declared to be consistent with prior law and practice and shall not be construed to mean that any fees previously charged to debtors as costs of collection under the Act were not properly authorized or properly charged to the debtor.

		D	ONE	E, RATIFI	IED AND A	DOPTED	BY THE	E MAY	OR	AND	CITY	COUN	CIL
OF	THE	CITY	OF	NORTH	AUGUSTA	, SOUTH	CARO	LINA,	ON	THIS		DAY	OF
			, 2	019.									

ITEM 7: FINANCE: Resolution No. 2018-31 - A Resolution to Authorize the Municipal Association of South Carolina to act as a Claimant Agency for the Collection of Debt on Behalf of the City of North Augusta in Accordance with the Setoff Debt Collection Act

On motion by Councilmember Dickert, second by Councilmember McGhee, Council unanimously removed from table Resolution No. 2018-31.

Following removal of the resolution from the table, City Attorney, Kelly Zier, reported that he had contacted the Municipal Association of South Carolina to clarify the Council's understanding of entering into agreements containing indemnification clauses. He also received further information from the City's insurance company. With this clarification, an additional paragraph was added to the original resolution.

On motion by Councilmember McDowell, second by Councilmember McGhee, Council unanimously passed the resolution, as amended, to authorize the Municipal Association of South Carolina to act as claimant agency for the collection of debt on behalf of the City of North Augusta.

The original resolution made be found in the minutes from the December 17, 2018 City Council meeting.

The amended resolution text is as follows: *Please note that all complete exhibits and attachments are available in the Office of the City Clerk.*

RESOLUTION NO. 2018-31

TO AUTHORIZE THE MUNICIPAL ASSOCIATION OF SOUTH CAROLINA TO ACT AS CLAIMANT AGENCY FOR THE COLLECTION OF DEBT ON BEHALF OF THE CITY OF NORTH AUGUSTA IN ACCORDANCE WITH THE SETOFF DEBT COLLECTION ACT

WHEREAS, the Setoff Debt Collection Act (S.C. Code Ann. §12-56-10) allows the South Carolina Department of Revenue to render assistance in the collection of debt owed to political subdivisions of the State; and

WHEREAS, the Municipal Association of South Carolina will act as a claimant agency as provided by S.C. Code Ann. §12-56-10 for political subdivisions in South Carolina; and

WHEREAS, the City of North Augusta desires to participate in the Setoff Debt Collection Program of the Municipal Association;

NOW THEREFORE, BE IT RESOLVED that the City of North Augusta authorizes the City Administrator to enter into an agreement with the Municipal Association of South Carolina for the collection of debt owed the City of North Augusta.

BE IT FURTHER RESOLVED, that the City of North Augusta will defend the Municipal Association of South Carolina to the extent permitted by law, against any injuries, actions, liabilities or proceedings that arise solely from alleged actions or omissions of participants, employees, or agents over the course of the Association's performance under the setoff debt provisions.

BE IT FURTHER RESOLVED, that the City of North Augusta will defend the Municipal Association of South Carolina to the extent permitted by law, against any injuries, actions, liabilities or proceedings that arise solely from alleged actions or omissions of the South Carolina Department of Revenue (SCDOR) employees or agents, where the SCDOR seeks indemnification from the Association as a claimant agency under the setoff debt provisions.

BE IT FURTHER RESOLVED, that the City of North Augusta will not defend the Municipal Association of South Carolina against any injuries, actions, liabilities or proceedings that arise from alleged actions or omissions of the Association's employees or agents.

DONE, RATIFIED AND	ADOPTED BY THE MAYOR AND	CITY COUNCIL OF	THE CITY
OF NORTH AUGUSTA	SOUTH CAROLINA, ON THIS	DAY OF	,
2019.			

Robert A.	. Pettit, Mayor
ATTEST	:
Sharon La	amar, City Cler

ITEM 8. ECONOMIC DEVELOPMENT:

Resolution No. 2019-1 - A Resolution in
Support of Option 1-1 for the New
Savannah Bluff Lock and Dam as
Presented by the Army Corps of
Engineers as a Mitigation Project for the
Savannah Port Deepening

On motion by Councilmember Carpenter, second by Councilmember McGhee, Council unanimously passed a resolution supporting Option 1-1 for the New Savannah Bluff Lock and Dam as presented by the Army Corps of Engineers.

Public comments were made by the following:

Mr. Perry Holcomb, 1891 Green Forrest Drive, North Augusta, South Carolina

On motion by Councilmember Carpenter, second by Councilmember McGhee, Mr. Holcomb was allowed five minutes of additional speaking time. Voting for the extended time were Councilmembers Carpenter, McGhee, Brooks, and Adams. Voting against the extended time were Mayor Pettit and Councilmembers McDowell and Dickert.

The ordinance text is as follows: *Please note that all complete exhibits and attachments are available in the Office of the City Clerk.*

RESOLUTION NO. 2019-1 A RESOLUTION IN SUPPORT OF OPTION 1-1 FOR THE NEW SAVANNAH BLUFF LOCK AND DAM AS PRESENTED BY THE ARMY CORPS OF ENGINEERS AS A MITIGATION PROJECT FOR THE SAVANNAH PORT DEEPENING

WHEREAS, the City relies on the Savannah River for drinking water, recreation, and as a beloved amenity that contributes to the quality of life for our citizens; and

WHEREAS, the City of North Augusta has branded itself as "South Carolina's Riverfront" and recently, along with private developers, has invested hundreds of millions of dollars into developing said riverfront; and

WHEREAS, the City and its citizens have grown reliant and accustomed to the river pool created by the Lock and Dam since it went into service in 1937; and

WHEREAS, the 2016 WIIN Act states that any mitigation project selected by the Corps must "maintain the pool ... as in existence on the date of enactment of this Act"; and

WHEREAS, the City believes that pool elevation to be 114.5 (NAVD 1988) as measured at Downtown Augusta location (as recorded at USGS Monitoring Gage #02196670); and

WHEREAS, the preferred option 2-6d as selected and presented by the Corps would lower said pool by approximately 2.5 - 3 ft.; and

WHEREAS, the Mayor and City Council, after examining all options presented by the Corps, believes that option 1-1 is the only option that comes close to maintaining the existing pool.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of North Augusta, in meeting duly assembled and by the authority thereof, that,

- 1. Option 1-1 as presented by Corps is the preferred option of the City.
- 2. Any and all measures should be undertaken by the Mayor and City Administrator to ensure that the present pool be maintained.

Done, ratified and adopted by the Mayor and City Council of the City of North Augusta, South Carolina, on this the 7^{th} day of January, 2019.

Robert A. Pettit, Mayor	
ATTEST:	
Sharon Lamar City Clerk	

ITEM 9. PUBLIC SAFETY: Resolution No. 2019-2 – A Resolution Authorizing the City to Enter into a Contractual Arrangement for the Purchase of a New Pumper for Public Safety from CPST II Funds

On motion by Councilmember Brooks, second by Councilmember Carpenter, the resolution authorizing the city to enter into a contractual arrangement for the purchase of a new pumper for Public Safety from CPST II funds was tabled by an unanimous vote of Council.

The (tabled) resolution text is as follows: *Please note that all complete exhibits and attachments are available in the Office of the City Clerk.*

RESOLUTION NO. 2019 - 2 AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A CONTRACTUAL ARRANGEMENT FOR THE PURCHASE OF A NEW PUMPER FOR PUBLIC SAFETY FROM CPST II FUNDS

WHEREAS, the City considers public safety a paramount duty of local government; and

WHEREAS, quality fire apparatus are an important asset to ensure proper fire protection; and

WHEREAS, the Mayor and City Council has determined that it is in the best interest of the City that such vehicles be purchased, and that \$500,000 of CPST II funds was recently prioritized by Council for such a purchase; and

WHEREAS, bids for pumpers were solicited by Public Safety and one bid was received from Spartan Fire and Emergency for a total of \$508,010 which includes equipment; and WHEREAS, a significant discount of \$13,292 is offered if paid in full by January 31, 2019 would bring the total to \$494,718; and

WHEREAS, in response to only receiving one bid, staff has investigated historical city purchases and other purchases made by other jurisdictions and believes the bid to be a valid and competitive price.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of North Augusta, South Carolina, in meeting duly assembled and by the authority thereof, that the City Administrator is hereby authorized to take such steps as necessary to complete this purchase to include the execution of the Purchase Agreement and any other documents necessary to complete the transaction.

BE IT FURTHER RESOLVED that the funds for such purchase will come from the Capital Projects Sales Tax II Fund.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS _____ DAY OF JANUARY, 2019.

Robert A	A. Pettit, Mayor
ATTES	T:
MILLO	1.
Sharon I	Lamar, City Clerk

ITEM 10. JUSTICE AND LAW: 2019 JURY BOX

On motion by Councilmember Brooks, second by Councilmember McGhee, Council unanimously agreed to accept the 2019 Jury Box.

ITEM 11. CITIZENS COMMENTS/RECOGNITION OF VISITORS:

A. <u>Citizen Comments:</u> Please see the attached Speaker Forms completed by citizens for the January 7, 2019 Council meeting.

Augustine Mims Ed Elser Tyler Galles MaryLou Seymour

B. <u>Council Comments:</u> Mayor Pettit acknowledged and thanked local artist, Tony Carr, for the recent gift and installation of a metal sculpture on the first floor of the Municipal Center.

There being no further business, Council adjourned at 8:00 p.m.

Robert A. Pettit, Mayor

Respectfully submitted,

Sharon Lamar

SPEAKER FORM

NAME:	TEVZY HOLESME
ADDRESS:	1891 Green Forest Dr.
_	North Rugusta, &c 29341
TELEPHONE:	803-279-4839
PLEASE PR	OVIDE A ONE SENTENCE SUMMARY OF YOUR COMMENT TO COUNCIL.
	(For example: I support the resolution because)
THIS FORM	WILL BE ATTACHED TO THE MINUTES OF THE CITY COUNCIL MEETING.
AGENDA ITEM/TOPIO	Resolution 2019-01
SUMMARY:	Copy of presentation attached
_	STATING WAR PROPODED VESTILATIONS
	should not be approved as it reads



PRESENTATION TO THE CITY COUNCIL OF NORTH AUGUSTA REGARDING PROPOSED RESOLUTION NO. 2019-01, JAN. 7, 2019

by H. Perry Holcomb, 1891 Green Forest Drive, North Augusta, SC 29841

RESOLUTION NO. 2019-1

A RESOLUTION IN SUPPORT OF OPTION 1-1 FOR THE NEW SAVANNAH BLUFF LOCK AND DAM AS PRESENTED BY THE ARMY CORPS OF ENGINEERS AS A MITIGATION PROJECT FOR THE SAVANNAH PORT DEEPENING

WHEREAS, the City relies on the Savannah River for drinking water, recreation, and as a beloved amenity that contributes to the quality of life for our citizens; and

WHEREAS, the City of North Augusta has branded itself as "South Carolina's Riverfront" and recently, along with private developers, has invested hundreds of millions of dollars into developing said riverfront; and

WHEREAS, the City and its citizens have grown reliant and accustomed to the river pool created by the Lock and Dam since it went into service in 1937; and

WHEREAS, the 2016 WIIN Act states that any mitigation project selected by the Corps must "maintain the pool ... as in existence on the date of enactment of this Act"; and

WHEREAS, the City believes that pool elevation to be 114.5 (NAVD 1988) as measured at Downtown Augusta location (as recorded at USGS Monitoring Gage #02196670); and

WHEREAS, the preferred option 2-6b as selected and presented by the Corps would lower said pool by approximately 2.5 - 3 ft.; and

WHEREAS, the Mayor and City Council, after examining all options presented by the Corps, believes that option 1-1 is the only option that comes close to maintaining the existing pool.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of North Augusta, in meeting duly assembled and by the authority thereof, that ,

- 1. Option 1-1 as presented by Corps is the preferred option of the City.
- 2. Any and all measures should be undertaken by the Mayor and City Administrator to ensure that the present pool be maintained.

Done, ratified and adopted by the Mayor and City Council of the City of North Augusta, South Carolina, on this the 7^{th} day of January, 2019.

Robert A.	Pettit, M	ayor	
ATTEST:			



SELA NOR ROOSE OF ONE



BUILDING STRONG

- De-authorized the Lock and Dam
- Constructs an in channel fish passage
- navigation, water supply, recreation, and Preserves upstream pool for purposes of directs analysis of two options:

Repair of the lock wall and modify the structure

water damming structure (or weir) Remove entire lock and dam after constructing a

Parmers Delivering Value Today for a Selfer Tomorro

(c) Project Modifications .--

(1) In general.--Notwithstanding any other provision of law, the Project is modified to include, as the Secretary determines to be necessary--

(A)(i) repair of the lock wall of the New Savannah Bluff Lock and Dam and modification of the structure such that the structure is able--

(I) to maintain the pool for navigation, water supply, and recreational activities, as in existence on the date of enactment of this Act; and

(II) to allow safe passage over the structure to historic spawning grounds of shortnose sturgeon, Atlantic sturgeon, and other migratory fish; or

(ii)(I) construction at an appropriate location across the Savannah River of a structure that is able to maintain the pool for water supply and recreational activities, as in existence on the date of enactment of this Act; and

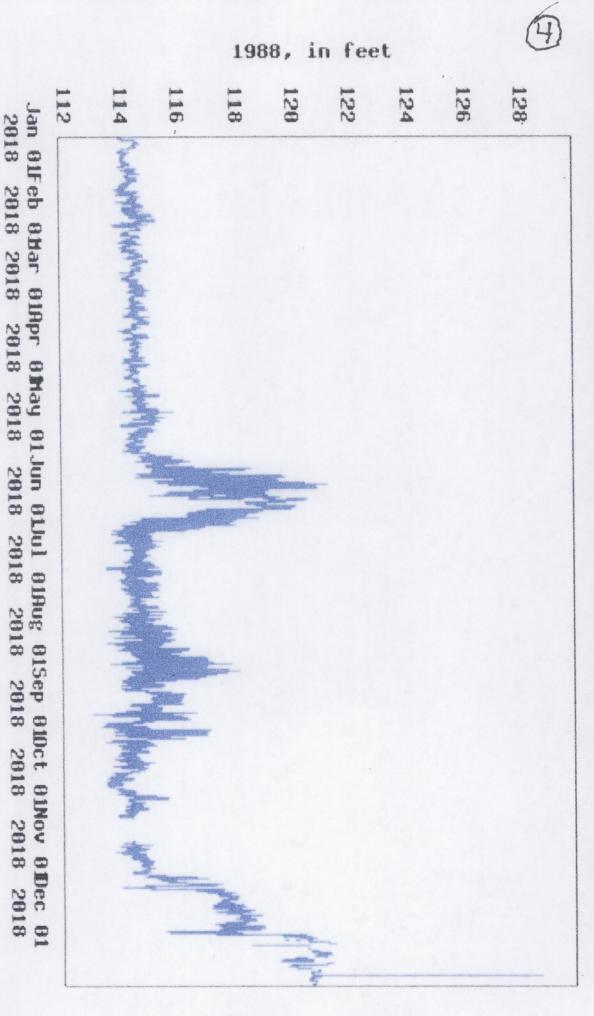
(II) removal of the New Savannah Bluff Lock and Dam on completion of construction of the structure; and

(B) conveyance by the Secretary to Augusta-Richmond County, Georgia, of the park and recreation area adjacent to the New Savannah Bluff Lock and Dam, without consideration.

NOTE THE POOL HEIGHT IS NOT SPECIFIED, JUST THE POOL BE MAINTAINED FOR THREE PURPOSES

> NOTE IF AN ALTERNATIVE IS SELECTED, THE POOL WILL BE MAINTAINED FOR TWO PURPOSES

JSGS 02196670 SAVANNAH RIVER JEFFERSON DAVIS BR, AT AUGUSTA, GA



Provisional Bata Subject to Revision --

ha rock ramp signing ck and dam would be would be 560 feet in width. ced Weir Impact to Water Levels at 5th Street Bridge Repair fock wall and stain gate structure accessing lock wall Walkway for St. Bridge would range between 1 to 9 inches lower than today's conditions impacts gradually attenuating along the river upstream. The water level at 5th adjacent area of the park on the Georgia side of the river. This alternative slightly lowers the average pool elevation near the lock and dam, with constructed through the area of the existing lock chamber and into the lock wall. Additionally, a 200-foot wide fish ramp structure would be This alternative consists of repairing the dam gates, piers and the riverside Alternative: Retain Dam GA side Fish Passage Construct fish passage with fixed crest weir

Recommended Plan: Alt 2-6d - Fixed Weir-

Construct excavated floodplain bench to manage flood impacts

Remove Lock and Dam

Construct in-river Fish Passage leading to one of three fixed crest weir heights

impact to Water Levels

of 5th Street Bridg

The recommended alternative consists of a fixed crest weir that is higher than the other two dry floodplain alternatives. It has a rock ramp sloping upstream from the existing dam location. The lock and dam would be removed. A floodplain bench approximately 250 feet wide would be excavated on the Georgia side of the river and would be grassed or paved to prevent erosion. The weir would be 500 feet in width. The water level at 5th St. Bridge would range between 1 and 2 feet lower than today's conditions with average flow.



Total Costs Comparison



BUILDING STRONG

SOLD SIMIS OF STATES

GA Side Fish Passage (1-1) City's Choice

Fixed Weir (2-3)

Fixed Weir w/ Floodplain (2-6a)

Low Fixed Weir w/ Dry Floodplain (2-6b)

Fixed Weir w/ Dry Floodplain (2-6c)

Gated Bypass Channel (2-8)

otal Life Coat

\$142,560,000

→\$140,021,000 \$65,636,000

\$76,313,000

\$71,800,000 \$72,028,000

High Fixed Weir w Dry Floodplain (2-6d) -> \$73,308,000 \$190,129,000

Corps Reserventa tres

Partners Delivering Value Today for a Better Tomorrow

SPEAKER FORM

NAME:	egustine Mins
ADDRESS:	38 PLANK AE
TELEPHONE:	803 341-2874
	A ONE SENTENCE SUMMARY OF YOUR COMMENT TO COUNCIL.
(1	For example: I support the resolution because)
THIS FORM WILL	BE ATTACHED TO THE MINUTES OF THE CITY COUNCIL MEETING.
COUNCIL MEETING DATE:	1-7-19
AGENDA ITEM/TOPIC:	Litter & conditions of NA Gardens Apt.
SUMMARY	
FLERINA	
	CDEAVED FORM
,	SPEAKER FORM 1) ESSE
NAME;	
ADDRESS:	711 GEORGIA AVE
	N A SC 29841
TELEPHONE:	206-399-0747
PLEASE PROVID	E A ONE SENTENCE SUMMARY OF YOUR COMMENT TO COUNCIL.
	(For example: I support the resolution because)
THIS FORM WILL	L BE ATTACHED TO THE MINUTES OF THE CITY COUNCIL MEETING.
COUNCIL MEETING DATE:	1-7-19
AGENDA ITEM/TOPIC:	RIVER LOCK + DAM
SUMMARY	
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	NOT REPULISING THE LOCK+ FO
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	THE TANK THE PARTY OF TANK OF THE PARTY OF T

NAME: Tyler Galles

ADDRESS: 71 Center St.

N. Augusta, SC 24841

PLEASE PROVIDE A ONE SENTENCE SUMMARY OF YOUR COMMENT TO COUNCIL.

TELEPHONE:

(For example: I support the resolution because ...)

THIS FORM WILL BE ATTACHED TO THE MINUTES OF THE CITY COUNCIL MEETING.

COUNCIL MEETING DATE: $\sqrt{7/19}$ AGENDA ITEM/TOPIC: Public Comment

SUMMARY I Would like to update city council

on Friends of North Augusta Animals

For 2018:

NAME:	Marylos Seymar
ADDRESS:	464 Hickory Dr
	N. Augusta'S(
TELEPHONE:	8033341219
PLEASE P	ROVIDE A ONE SENTENCE SUMMARY OF YOUR COMMENT TO COUNCIL.
	(For example: I support the resolution because)
THIS FOR	M WILL BE ATTACHED TO THE MINUTES OF THE CITY COUNCIL MEETING.
COUNCIL MEETING	
AGENDA ITEM/TOP	ic: animal Services
SUMMARY	I want to see an imal
	Services improved in
	N. Augusta

SPEAKER FORM

Note:

Ms. Seymour provided Council with a petition containing 105 signatures, as well as, a significant stack of paperwork containing Transfer Forms and veterinary invoices which are available in the Office of the City Clerk.