

North Augusta



South Carolina's Riverfront

MINUTES OF MAY 20, 2019

Robert A. Pettit, Mayor

*J. Robert Brooks, Councilmember
Pat C. Carpenter, Councilmember
Fletcher L. Dickert, Councilmember
David W. McGhee, Councilmember
Eric H. Presnell, Councilmember
Kevin W. Toole, Councilmember*

ORDER OF BUSINESS

REGULAR MEETING

The regular meeting the City Council of the City of North Augusta of May 20, 2019, having been duly publicized, was called to order by Mayor Pettit at 7:00 p.m. and adjourned at 7:27 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 the Pledge of Allegiance.

Members present were Mayor Pettit and Councilmembers Brooks, Carpenter, Dickert, McGhee, Presnell, and Toole.

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; Lillian E. (Libby) Hodges, Director of Planning and Development; J. D. McCauley, Manager of Human Resources; and Sharon Lamar, City Clerk. Members of the public and media were also present.

The minutes of the regular meeting and study session of May 6, 2019 were approved by general consent.

ITEM 5. PLANNING & DEVELOPMENT: Planning Commission Recommendation and Project Staff Report: RZM 19-001 Riverside Village Rezoning, Receipt by Council – Motion

With a motion by Councilmember Dickert, second by Councilmember Brooks, Council agreed with no dissenting votes to receive for consideration the Planning Commission Recommendation and Project Staff Report: RZM 19-001 Riverside Village Rezoning. Councilmember Toole recused himself from the vote due to a professional relationship with Greenstone Properties.

Please see the minutes from the May 6, 2019 Council meeting for a copy of the recommendation and report.

See ATTACHMENT #5 for Councilmember Toole's Recusal Statement.

ITEM 6. PLANNING & DEVELOPMENT: Ordinance No. 2019-02 – To Amend the Zoning Map of the City of North Augusta, South Carolina by Rezoning ± 9.58 Acres of Land Owned by Greenstone Properties, and Located West of Georgia Avenue between the North Augusta Greenway and the Savannah River, Aiken County Tax Parcels #007-18-05-002, 007-18-05-004, 007-14-19-001, 007-14-19-005, 007-14-19-007, 007-17-02-005, 007-17-02-008, 007-18-06-001, 007-17-02-006, 007-17-02-004, and 007-13-42-003, from PD, Planned Development, to D, Downtown.

Ordinance, Third and Final Reading

On motion by Councilmember Carpenter, second by Councilmember Presnell, Council passed an ordinance on third and final reading to amend the zoning map of the City of North Augusta, South Carolina by rezoning ± 9.58 acres of land owned by Greenstone Properties, and located west of Georgia Avenue between the North Augusta Greenway and the Savannah River, Aiken County Tax Parcels #007-18-05-002, 007-18-05-004, 007-14-19-001, 007-14-19-005, 007-14-19-007, 007-17-02-005, 007-17-02-008, 007-18-06-001, 007-17-02-006, 007-17-02-004, and 007-13-42-003, from PD, Planned Development, to D, Downtown.

All Councilmembers voted in favor of the ordinance except Councilmember Toole, who recused himself from the vote due to a professional relationship with Greenstone Properties.

See **ATTACHMENT #5** for Councilmember Toole's Recusal Statement.

The ordinance text is as follows:

ORDINANCE NO. 2019-02
TO AMEND THE ZONING MAP OF THE CITY OF NORTH AUGUSTA,
SOUTH CAROLINA BY REZONING ± 9.58 ACRES OF LAND OWNED BY
GREENSTONE PROPERTIES, AND LOCATED WEST OF GEORGIA AVENUE BETWEEN
THE NORTH AUGUSTA GREENEWAY AND THE SAVANNAH RIVER, AIKEN COUNTY
TAX PARCELS #007-18-05-002, 007-18-05-004, 007-14-19-001, 007-14-19-005, 007-14-19-
007, 007-17-02-005, 007-17-02-008, 007-18-06-001, 007-17-02-006, 007-17-02-004, and 007
13-42-003, FROM PD, PLANNED DEVELOPMENT, TO D, DOWNTOWN.

WHEREAS, on December 17, 2007, by Ordinance 2007-22, the North Augusta City Council adopted the North Augusta Development Code and a citywide Zoning Map which is consistent with the City's North Augusta 2017 Comprehensive Plan; and

WHEREAS, pursuant to Section 5.3, North Augusta Development Code, the North Augusta Planning Commission may recommend amendments to the Zoning Map, provided such amendments are consistent with the City's North Augusta 2017 Comprehensive Plan; and

WHEREAS, the North Augusta Planning Commission, following an April 18, 2019, public hearing, reviewed and considered a request by Greenstone, LLC, to amend the Official Zoning Map of North Augusta from Planned Development (PD) to Downtown, Mixed Use (D). The Planning Commission report has been provided to City Council.

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:

- I. The property owned by the owned by Greenstone Properties, and located west of Georgia Avenue between the North Augusta Greenway and the Savannah River, Aiken County Tax Parcels #007-18-05-002, 007-18-05-004, 007-14-19-001, 007-14-19-005, 007-14-19-007, 007-17-02-005, 007-17-02-008, 007-18-06-001, 007-17-02-006, 007-17-02-004, and 007-13-42-003, from PD, Planned Development to D, Downtown.
- II. Said property being officially rezoned to the classification D, Downtown zoning, more specifically in accordance with the map attached hereto as Exhibit "A," the official Zoning Map of the City of North Augusta is to be so amended.
- III. All ordinances or parts of Ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

IV. This Ordinance shall become effective immediately upon its adoption on third and final reading.

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

First Reading _____

Robert A. Pettit, Mayor

Second Reading _____

Third and Final Reading _____

ATTEST:

Sharon Lamar, City Clerk

ITEM 7. PARKS, RECREATION, & TOURISM: Ordinance No 2019-03 – To Exercise an Option to Purchase Property Formerly Known as North Augusta Country Club and to Convey Title to Property owned by the City in Exchange for Said Property, Ordinance, Second Reading

On motion by Councilmember Brooks, second by Councilmember Carpenter, Council unanimously passed an ordinance on second reading to exercise an option to purchase property formerly known as North Augusta Country Club and to convey title to property owned by the City in exchange for said property.

Upon reflection of the May 6, 2019 Council meeting, Mayor Pettit commented that he should after read the ordinance in its entirety as was the practice subsequent to the lawsuit challenging Council’s right to amend an attachment to a resolution. He stated that he should have read this one prior to Council considering it. He then read the ordinance.

The ordinance text is as follows:

ORDINANCE NO. 2019-03
AN ORDINANCE TO EXERCISE AN OPTION TO PURCHASE PROPERTY FORMERLY KNOWN AS NORTH AUGUSTA COUNTRY CLUB AND TO CONVEY TITLE TO PROPERTY OWNED BY THE CITY IN EXCHANGE FOR SAID PROPERTY.

WHEREAS, in approximately the year 2000, Mayor and City Council determined that additional recreational space was required to meet the needs of the increase in geographical size, as well as population of the City; and,

WHEREAS, for a considerable period of time the matter was studied to include attempts to expand Riverview Park; and,

WHEREAS, it was ultimately determined that there was not viable ability to expand Riverview Park to provide for the increased needs and that it would be appropriate to attempt to provide recreational opportunities located in a different area of the City; and,

WHEREAS, for a number of years the City considered several different parcels of property to meet this need and ultimately determined that the best opportunity, at that time, involved property located in Edgefield County, adjacent to Murrah Road and Five Notch Road; and

WHEREAS, from 2006 to 2009 the City acquired approximately 181.01± acres of property in that area with the intention of ultimately developing a recreational facility at said site; and,

WHEREAS, the general consensus of Mayor and City Council was that the location was not ideal but appeared to be the best site available; and,

WHEREAS, since the time of acquiring the Murrah Road/Five Notch Road property, an additional site of a size that would meet the needs of the City has become available; and,

WHEREAS, the North Augusta Country Club property consisting of approximately 147.98± acres has been offered to the City, by the current owner, in exchange for the City deeding to the Seller the Edgefield County property acquired previously; and,

WHEREAS, Mayor and City Council have determined that the North Augusta Country Club Property is in a much better geographical location to address the recreational needs of the community and that the exchange of the properties is in the best interest of the City.

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 Administrator is authorized to exercise the Option that has been obtained from DWT Properties, LLC providing for an exchange of properties as outlined above.
2. That following the exercise of the Option, the City Administrator is authorized to move forward with such actions as necessary to closeout this transaction, to include executing a deed conveying the 181.01± acres of property, owned by the City, to DWT Properties, LLC. in exchange for the City receiving a deed to 147.98± acres consisting of the majority of the property formally known as North Augusta Country Club.

This Ordinance shall become effective immediately upon its adoption on the third and final reading.

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

First Reading: _____

Second Reading: _____

ROBERT A. PETTIT, MAYOR

Third Reading: _____

ATTEST:

SHARON LAMAR, CITY CLERK

ITEM 8. PARKS, RECREATION & TOURISM: Resolution No. 2019-15 – Supporting North Augusta Forward’s Contracting Studio Main, LLC to Update the North Augusta Downtown Connector Master Plan and Preliminary Construction Documentation

On motion of Councilmember Dickert, second by Councilmember Brooks, Council approved a resolution to support North Augusta Forward’s contracting with Studio Main, LLC to update the North Augusta Downtown Greenway Connector Master Plan and preliminary construction documentation with no opposing votes. Mayor Pettit corrected a scrivener’s error in the next to the last paragraph by inserting the word “set” after the word “as”.

The resolution text is as follows:

RESOLUTION NO. 2019-15
SUPPORTING NORTH AUGUSTA FORWARD’S CONTRACTING STUDIO MAIN, LLC
TO UPDATE THE NORTH AUGUSTA DOWNTOWN GREENEWAY CONNECTOR
MASTER PLAN AND PRELIMINARY CONSTRUCTION DOCUMENTATION

WHEREAS, in 2015, North Augusta 2000, an eleemosynary organization whose mission is to help improve North Augusta through quality of life and economic development initiatives, contracted Alta Planning & Design, with consent from the Mayor and City Council, to conduct a downtown Greenway connector study, and

WHEREAS, in Resolution 2015-19 the Mayor and City Council of North Augusta commended North Augusta 2000 for its action in pursuing the possible Downtown Greenway Connector that would benefit the citizens of this community, and

WHEREAS, in Resolution 2016-34 the Mayor and City Council of North Augusta accepted the Alta Downtown Greenway connector study and endorsed the concept of the Downtown Greenway Connector as an economic driver for downtown, and

WHEREAS, in Resolution 2018-09 the Mayor and City Council included \$900,000 for the Downtown Greenway Connector in Capital Projects Sales Tax IV funding, and

WHEREAS, North Augusta Forward, formerly North Augusta 2000, has advised the City of its desire to retain Studio Main, LLC to update the North Augusta Downtown Greenway Connector Master Plan and prepare preliminary construction documentation of Phase one, and

WHEREAS, Studio Main, LLC will involve the development of a North Augusta Greenway Downtown Master Plan Update and supporting documents to illustrate the desired vision, trail routing, and destinations as identified by the City of North Augusta and the North Augusta Downtown Greenway steering committee, and

BE IT FURTHER RESOLVED that the City commits its cooperation to North Augusta Forward and Studio Main, LLC for this design phase; and,

BE IT FURTHER RESOLVED that nothing, as set forth in this resolution, commits the City to any specific development plan and that any decision by the City to pursue such Downtown Greenway Connector is a matter that would require future consideration by Mayor and Council; and

BE IT FURTHER RESOLVED that the City is greatly appreciative and commends North Augusta Forward for its action in pursuing this possible Downtown Greenway Connector that would benefit the citizens of this community.

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

Robert A. Pettit, Mayor

ATTEST:

Sharon Lamar, City Clerk

Council Comments:

Councilmember Carpenter commented that she wants to be sure that this project is clearly communicated to downtown business owners. She noted that businesses on the West Avenue side of downtown use space behind their buildings for parking more than the businesses on the East Avenue side.

Councilmember McGhee added that this update was necessary because the original designer has moved to another company.

Councilmember Dickert is excited to begin this project, but believes that the City should move ahead in “small bites” to allow businesses and citizens to adjust to the new initiative.

Mayor Pettit is anxious to see how this connector will encourage economic growth.

ITEM 9. FINANCE: Authorization of Budget Expenditure for North Augusta High School Basketball Banquet

Mayor Pettit approved the use of \$500.00 of the Council Contingency to cover the cost of any excess North Augusta High School basketball banquet expenses not covered by the sale of tickets. The event was held May 14 to honor the Lady Jackets' third consecutive South Carolina AAAA Girls Basketball State Champions.

ITEM 11. CITIZENS COMMENTS/RECOGNITION OF VISITORS:

A. Citizen Comments:

B. Council Comments:

Councilmember Carpenter stated that she is looking forward to celebrating Memorial Day on Monday, May 27; “the ultimate patriotic holiday”.


There being no further business, Council adjourned at 7:27 p.m.

APPROVED THIS 3rd DAY OF
JUNE, 2019.



David W. McGhee, Mayor Pro Tempore

Respectfully submitted,



Sharon Lamar
City Clerk

RECUSAL STATEMENT

Member Name: Kevin Toole

Meeting Date: 5/20/2019

Agenda Item: Section _____ Number: Items 5+6

Topic: Planning + Development

The Ethics Act, SC Code §8-13-700, provides that no public official may knowingly use his office to obtain an economic interest for himself, a family member of his immediate family, an individual with whom he is associated, or a business with which he is associated. No public official may make, participate in making, or influence a governmental decision in which he or any such person or business has an economic interest. Failure to recuse oneself from an issue in which there is or may be conflict of interest is the sole responsibility of the council member (1991 Op. Atty. Gen. No. 91-37.) A written statement describing the matter requiring action and the nature of the potential conflict of interest is required.

Justification to Recuse:

Professionally employed by or under contract with principal

Owns or has vested interest in principal or property

Other: Professional Relationship with
Greenstone Properties

Date: 5/20/2019

[Signature]
Member

Approved by Parliamentarian: _____