

North Augusta



South Carolina's Riverfront

MINUTES OF MARCH 16, 2020

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 of the City Council of the City of North Augusta of March 16, 2020 having been duly publicized was called to order by Mayor Pettit at 7:04 p.m. and adjourned at 7:55 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, Councilmembers Brooks, Carpenter, Dickert, McGhee, Presnell, and Toole.

Also in attendance were Rachelle Moody, Interim City Administrator; Cammie T. Hayes, Director of Finance and General Services; Richard L. Meyer, Director of Parks, Recreation, & Tourism; John C. Thomas, Director of Public Safety; James E. Sutton, Director of Public Services; Lillian E. (Libby) Hodges, Director of Planning and Development; J.D. McCauley, Manager of Human

Resources; Ricky Jones, Manager of Information Technology; and Sharon Lamar, City Clerk. Members of the public and the media were also present.

The minutes of the Regular City Council Meeting and Study Session of March 2, 2020 and the Special Called Executive Session of March 9, 2020 were approved by general consent after one scrivener's error correction. Mayor Pettit suggested a correction be made to Item 5 of the March 2, 2020 City Council Meeting minutes. The words "comply with" were changed to "be consistent with."

ITEM 5. PERSONNEL: Retirement – Recognition of Service to the City of North Augusta

Mayor Pettit recognized Sergeant George W. Eakins and Christopher F. Toole for their years of service to the City of North Augusta. Each gentleman was presented a plaque commemorating their year of service.

Sergeant George W. Eakins
October 11, 1989 – February 28, 2020

George was a sergeant in Fire Division assigned to Headquarters. This is in recognition of **30 years** of dedicated service to the Citizens of North Augusta and to the men and women of the North Augusta Public Safety. You serve as an example in the Public Safety profession for others to follow. You will be missed by all that you have influenced during your long and outstanding career.

Christopher F. Toole
March 4, 1998 - March 4, 2020

Chris was a detective assigned to the Criminal Investigations Division. This is in recognition of **22 years** of dedicated service to the Citizens of North Augusta and to the men and women of the North Augusta Department of Public Safety. You served as an example in the Public Safety Profession for others to follow. You will be missed by all that you have influenced during your long and outstanding career.

ITEM 6. CITY CODE: Ordinance No. 2020-06 – An Ordinance to Amend Section 2-38 of the City of North Augusta Municipal Code – Agenda

On motion of Councilmember Carpenter, second of Councilmember Toole, Council agreed to consider on final reading an ordinance to amend Section 2-38 of the City of North Augusta Municipal Code – Agenda. Kelly Zier, City Attorney, explained the background for these changes. The final reading was approved unanimously.

Please see the text of the proposed ordinance below:

ORDINANCE NO. 2020-06
AN ORDINANCE TO AMEND SECTION 2-38 AGENDA

WHEREAS, Section 2-38 of the City Code provides for matters related to the preparation and publication of the Agenda for Council meetings; and,

WHEREAS, this Section was codified, at least as early as 1956 with some minor revisions since then to establish its present form; and,

WHEREAS, prior to 2015 State Law did not require agendas for Council Meetings but a 2015 Amendment to Section 30-4-80 of the Code of Laws for the State of South Carolina now requires agendas; and,

WHEREAS, Mayor and City Council believe that it is appropriate to address the matter at this time and revise this Ordinance concerning the preparation of agendas; and,

WHEREAS, the Mayor and City Council believe that the deletion of the current Section 2-38 in its entirety and replacement of same with a revised version is appropriate.

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. Section 2-38, entitled **AGENDA** is hereby amended by deleting the entire section as currently drawn and inserting in its place the following, so that such Ordinance, when revised, would read as follows:

SECTION 2-38 AGENDA

(A) An agenda shall be prepared for all regularly scheduled or special meetings of the City Council. Said agenda must be posted on a bulletin board in a public accessible place at the office or meeting place of the City Council and on the City Website, at least twenty-four (24) hours prior to such meetings. Once such agenda for a regular, called, special, or re-scheduled meeting is posted pursuant to this Ordinance, no items may be added to the agenda without an additional twenty-four (24) hours' notice to the public, which must be made in the same manner as the original posting. After the meeting begins, an item upon which action can be taken only may be added to the agenda by 2/3 vote of the members present and voting; however, if the item is one upon which final action can be taken at the meeting or if the item is one in which there has not been and will not be an opportunity for public comment with prior notice given in accordance with this Section, it only may be added to the agenda by 2/3 vote of the members present and

voting and upon a finding by the body that an emergency or exigent circumstance exists, if the item is not added to the agenda.

- (B) The agenda shall be prepared by the City Clerk pursuant to direction by the Mayor, City Administrator or Council as provided hereafter. All reports, communications, Ordinances, resolutions, contract documents, or other matters to be submitted to the Council shall be delivered to the City Clerk. For regular Council meetings that are currently scheduled on Mondays, the documents should be delivered to the Clerk no later than 5:00 pm on the Wednesday prior to the Monday meeting. Documents received after such time may be included on the agenda if approved by the City Administrator. Delivery of documentation for items to be placed on a special called meeting would be on a time schedule as established by the City Administrator.
- (C) In order for an item to be placed on an agenda, either for a regular or a special called meeting, authorization for placement on the agenda would need to be made by the Mayor, City Administrator or any two (2) Council Members. Such authorization would need to be in written form. An e-mail authorization would be considered written.
- (D) Upon receipt of materials and authorization for the preparation of the agenda, the City Clerk shall immediately arrange a list of such matters according to the order of business and furnish each member of the Council, the Mayor, City Administrator and the City Attorney with a copy thereof prior to the Council meeting. Such delivery should be as far in advance of the meeting as time for preparation will permit.
- (E) In the event that an item placed on the agenda is defeated by a formal vote of Council, that same item may not be placed back on the agenda as set forth in item "C" above for a period of six (6) months unless at a subsequent Council Meeting, by a majority vote of the Council members present and voting, it is directed that the item be placed back on the agenda.

II. All Ordinances or parts of Ordinances in conflict herewith or, to the extent of such conflict, hereby repealed.

III. 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 _____, 2020.

ITEM 7 FINANCE: Ordinance No. 2020-08 – Authorizing the City of North Augusta to Enter into an Agreement with Aiken County Regarding the Aiken County Capital Sales Tax IV (“CPST 4”)

On motion of Councilmember Brooks, second of Councilmember McGhee, Council agreed to consider on final reading an ordinance authorizing the City of North Augusta to enter into an agreement with Aiken County regarding the Aiken County Capital Project Sales Tax IV. Kelly Zier, City Attorney, explained the agreement is a compromise of workable procedures that protects Aiken County as it maintains and distributes the funding from CPST IV. Councilmember Dickert stated that he would not be supporting the ordinance. He does not believe the ordinance is necessary. Councilmember Presnell added he is reluctantly changing his vote from the first reading. He said there is more to lose than gain if the agreement is not approved. Mayor Pettit stated that while he shared Councilmember Dickert’s concerns, the Public Safety Headquarters is too important to delay. He believes should the City choose to not approve the agreement it would be a long drawn out process to reestablish a new procedures. The final reading of the ordinance passed with a 5-2 vote. Voting for the ordinance were Councilmembers Brooks, Carpenter, McGhee, Presnell and Mayor Pettit. Voting against the ordinance were Councilmembers Dickert and Toole.

Please see a copy of the proposed ordinance below:

ORDINANCE NO. 2020-08
AUTHORIZING THE CITY OF NORTH AUGUSTA TO ENTER INTO AN AGREEMENT WITH
AIKEN COUNTY REGARDING THE AIKEN COUNTY CAPITAL PROJECT SALES TAX IV
(“CPST 4”)

WHEREAS, the Capital Projects Sales Tax Act is codified in South Carolina Code Sections 4-10-300 to 4-10-380 (“the Act”); and

WHEREAS, the Aiken County Council approved Ordinance 18-07-23 on July 31, 2018, pursuant to the Act, which authorized a referendum on the reimposition and continuation of the Capital Project Sales Tax in Aiken County and Section 22 of the Ordinance requires that to receive allocations of sales tax revenues from CPST 4, a municipality must enter into a contract with the County that contains certain provisions and is in a form approved by the Aiken County Council; and

WHEREAS, the referendum on the reimposition and continuation of the Capital Project Sales Tax was approved by the voters on November 6, 2018; and

WHEREAS, the City Council of the City of North Augusta desires to enter into the agreement with Aiken County attached hereto as Exhibit A and is incorporated herein by reference; and

WHEREAS, the City Council of the City of North Augusta believes adoption of this ordinance 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:

- Section I. The Mayor is given the authority by this ordinance to execute on behalf of the City of North Augusta the attached Exhibit A and all other documents necessary to give this agreement its full force and effect.
- Section II. All Ordinances or parts of Ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.
- Section III. 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 MARCH, 2020.

ITEM 8. PLANNING AND DEVELOPMENT: Ordinance No. 2020-10 – Abandoning a Road Right-of-Way shown on a Plat for Hammonds’ Ferry, Phase D, Sections 1 and 4, dated January 2, 2020, in the City of North Augusta

On motion of Councilmember Dickert, second of Councilmember Presnell, Council agreed to consider on final reading an ordinance to abandon a road right-of-way shown on a plat for Hammond’s Ferry, Phase D, Sections 1 and 4, dated January 2, 2020, in the City of North Augusta. The final reading of the ordinance was approved unanimously.

Please see a copy of the proposed ordinance below:

**ORDINANCE NO. 2020-10
ABANDONING A ROAD RIGHT-OF-WAY SHOWN ON A PLAT FOR HAMMOND’S
FERRY, PHASE D, SECTIONS 1 AND 4, DATED JANUARY 2, 2020, IN THE CITY OF
NORTH AUGUSTA**

WHEREAS, at its regularly scheduled meeting of February 20, 2020, the North Augusta Planning Commission considered the request of property owners, Westo Development Company, LLC, Christine McElmurray, and Clay N. and Leila E. Stallworth, for the City to abandon a section of a platted road right-of-way adjoining their properties; and

WHEREAS, the portion of road right-of-way requested to be abandoned is shown as Tracts A, B, C, D, E, F and G, on a plat prepared for Hammond’s Ferry Phase D, Section 1, Lots 7, 8 & 9 of Block 16, and Section 4, Lots 1, 2, 3 & 4 of Block 17, by H & C Surveying, Inc., dated January 2, 2020; and

WHEREAS, THE Planning Commission, after reviewing the request, determined that the subject abandoned right-of-way would not conflict with the City’s Comprehensive Plan. Therefore, abandonment of the road right-of-way would be appropriate; and

WHEREAS, upon completion of their review, the Planning Commission unanimously recommended to the City Council that the subject right-of-way be abandoned; and

WHEREAS, the Planning Commission held a duly advertised public hearing on the requested abandonment on February 20, 2020, for the purpose of receiving input from the public on the requested abandonment; and

WHEREAS, following consideration of the recommendation from the Planning Commission and any input received at the public hearing, Mayor and Council have determined that it is appropriate that the City abandon any interest in the identified road right- of- way.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and City Council in meeting duly assembled and by the authority thereof, that the section of platted but unopened and unnamed road right-of-way described herein is hereby abandoned.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS ____ DAY OF _____, 2020.

ITEM 9. CENSUS: Resolution No. 2020-11 – Encouraging the Citizens of North Augusta to Participate in the Census 2020

On the motion of Councilmember Presnell, second of Councilmember Brooks, Council agreed to consider a resolution encouraging the citizens of North Augusta to participate in the Census 2020. Councilmembers Dickert and Carpenter stated they have already complete their survey and it took very little time. Councilmember McGhee assured those present the Census was not designed to “tract” personal information, but to help appropriate funding to municipalities, etc. based on population. The resolution was approved with no dissenting votes.

Please see a copy of the proposed resolution below:

RESOLUTION 2020-11
ENCOURAGING THE CITIZENS OF NORTH AUGUSTA
TO PARTICIPATE IN THE CENSUS 2020

WHEREAS, North Augusta’s political representation in the United States Congress and in the State Legislature relies on census population totals; and

WHEREAS, Federal and State funds are returned to governments and agencies in Aiken County each year based on census statistics; and

WHEREAS, the United States government has designated April 1, 2020 as Census Day with invitations to respond to the Census being delivered to homes between March 12 – 20 with options for responding to include mail, telephone and online methods; and

WHEREAS, City Council wants to encourage all North Augusta citizens to participate in the Census;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council in meeting duly assembled and by the authority thereof that all North Augusta Citizens are encouraged to respond to Census 2020 questionnaires, which will be sent to each household.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS _____ DAY OF _____, 2020.

ITEM 10. FINANCE: Resolution No. 2020-12 – A Resolution Finding that All Conditions Precedent to the Issuance of Not to Exceed \$10,250,000 General Obligation Bonds have been Met and Directing the Authorized Officers to Effect the Issuance of Such Bonds; and Matters Related Thereto

On the motion of Mayor Pettit, second of Councilmember McGhee, Council agreed to consider a resolution finding that all conditions precedent to the issuance of not to exceed \$10,250,000 General Obligation Bonds have been met and directing the authorized officers to effect the issuance of such bonds; and matters related thereto. Mayor Pettit confirmed the City was able to secure 1.19 % interest rate. Councilmember Dickert questioned what happens next. Rachele Moody, Interim City Administrator, stated the project team will continue to meet and plan. Bids will be posted in late summer. Joe Lucas, Bond Counselor with Pope Flynn, LLC, told Council that Regions Capital Business won the bid for the bonds that will be issued later this week. The resolution was unanimously approved.

Please see a copy of the proposed resolution below:

RESOLUTION NO. 2020-12
A RESOLUTION FINDING THAT ALL CONDITIONS
PRECEDENT TO THE ISSUANCE OF NOT TO EXCEED
\$10,250,000 GENERAL OBLIGATION BONDS HAVE BEEN
MET AND DIRECTING THE AUTHORIZED OFFICERS TO
EFFECT THE ISSUANCE OF SUCH BONDS; AND MATTERS
RELATED THERETO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, IN MEEETING DULY ASSEMBLED:

Section 1 Findings of Fact.

WHEREAS, the City Council (the “City Council”) of the City of North Augusta, South Carolina (the “City”), pursuant to Ordinance No. 2018-07 of the City Council (the “Ordinance”), ordered a bond referendum to be held in the City of North Augusta on November 6, 2018;and

WHEREAS, the Boards of Voter Registration and Elections of Aiken County and Edgefield County conducted a referendum in the City in accordance with the Ordinance on November 6, 2018 (the “Bond Referendum”) where a ballot question regarding authorization for

the City to issue not exceeding \$10,250,000 of general obligation bonds (the “Question”) was submitted to the qualified electors of the City; and

WHEREAS Section 1.01(9) of the Ordinance conditions the issuance of any bonds under the Ordinance upon both (1) a favorable referendum pursuant to the Capital Projects Sales Tax Act (the “CPST Referendum”) as evidenced by the declaration of the result of the County Council of Aiken County, South Carolina pursuant to Section 4-10-330(F) of the Capital Project Sales Tax Act, and (2) a favorable Bond Referendum; and

WHEREAS, the CPST Referendum in the County resulted favorably as declared by the County Council of Aiken County by resolution adopted November 13, 2018, and attached hereto as Exhibit A; and

WHEREAS, the Bond Referendum in the City resulted favorably to the Question as set forth in City Resolution 2018-27 dated November 19, 2018.

Section 2 Finding and Direction Pursuant to Section 1.01(9) of the Ordinance.

City Council hereby finds that the conditions of Section 1.01(9) of the Ordinance have been met and directs the Authorized Officers (as defined in the Ordinance) to proceed to issue the Bonds or BANs authorized under the Ordinance.

Section 3 Effective Date.

This resolution shall be effective on the date of adoption hereof by City Council.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS THE 16TH DAY OF MARCH, 2020.

ITEM 11. FINANCE: Resolution No. 2020-13 – A Resolution Identifying a North Augusta Project for the Edgefield County Capital Project Sales Tax

On the motion of Mayor Pettit, second of Councilmember Carpenter, Council agreed to consider a resolution identifying a North Augusta project for the Edgefield County Capital Project Sales Tax. Rachele Moody, Interim City Administrator, explained Edgefield County has assembled an exploratory CPST Commission and will add this referendum to the November 2020 ballot. The City is eligible for a \$50,000 project and wishes to submit a project to purchase park maintenance equipment for property known as North Augusta Country Club Park. The resolution was approved unanimously.

Please see a copy of the resolution below:

RESOLUTION NO. 2020-13
A RESOLUTION IDENTIFYING A NORTH AUGUSTA PROJECT
FOR THE EDGEFIELD COUNTY CAPITAL PROJECT SALES TAX

WHEREAS, Edgefield County Council, in anticipation of conducting a referendum in 2020, has appointed a Capital Projects Sales Tax Commission to consider proposals for funding capital projects with Edgefield County from the proceeds of a Capital Project Sales Tax and to formulate the referendum question that is to appear on the ballot; and

WHEREAS, Mayor and member of City Council wish to submit for consideration a project to be funded in North Augusta:

Project	Funding Request
Park maintenance equipment for City property known as North Augusta Country Club Park	\$50,000

NOW THEREFORE BE IT RESOLVED by Mayor and City Council for the City of North Augusta in a meeting duly assembled and by the authority thereof that the project listed in this resolution shall be submitted to the Edgefield County Sales Tax Commission for inclusion in the 2020 referendum.

DONE, RETIFIED, AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS ____ DAY OF MARCH, 2020.

ITEM 13. ADMINISTRATIVE REPORTS:

Mayor Pettit reminded citizens to complete the Census 2020.

He also congratulated the North Augusta High School Lady Jackets basketball team on their fourth consecutive State Championship. He confirmed that a banquet will be planned in May for the girls to receive their championship rings. Other options are also being considered to celebrate the team.

ITEM 14. CITIZENS COMMENTS/RECOGNITION OF VISITORS:

Please see the attached Speaker Forms, if completed, for the March 16, 2020 Council Meeting.

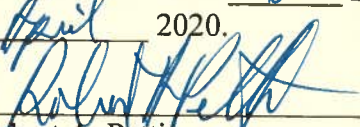
A. Citizen Comments were made by:

Leary Bartles (No speaker form submitted)

B. Council Comments:


Councilmember Dickert asked for timelines for Fire Station I and the Flythe property sale.

There being no further business, Council adjourned at 7:55 p.m. Council reconvened to continue Study Session and Executive Session.

APPROVED THIS 6 DAY OF
April 2020.


Robert A. Pettit
Mayor

Respectfully submitted,



Sharon Lamar
City Clerk