

# North Augusta



*South Carolina's Riverfront*

## MINUTES OF FEBRUARY 1, 2021

*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**

### **VIRTUAL REGULAR MEETING**

The regular meeting of the City Council of the City of North Augusta of February 1, 2021 having been duly publicized was called to order by Mayor Pettit at 7:01 p.m. and streamed online for public viewing at the City Facebook page: "City of North Augusta – Public Information" and City YouTube page: "City of North Augusta Public Information" then adjourned at 7:35 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 James S. Clifford, City Administrator; Rachelle Moody, Assistant City Administrator; Kelly F. Zier, City Attorney; Cammie T. Hayes, Chief Financial Officer; Richard

L. Meyer, Director of Parks, Recreation, and Tourism; 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.

The minutes of the Virtual Study Session and City Council meeting of January 4, 2020 were approved by general consent.

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

Mayor Pettit recognized the service of Mike Chavous, Maintenance Foreman II for the North Augusta Parks, Recreation, & Tourism Department. Mike began his employment with the City of North Augusta on January 17, 2008. Mike accepted the challenge of a career change in 2008 as he had worked as a glass blower for many years. It is only fitting that Mike retired on Tuesday, January 19, 2021 with 13 years of service to the City.

Mike Chavous is the definition of a public servant; a person who performs duties for others, a devoted and helpful follower, and employee that served without prejudice, without being asked, who served in humility, who served without expectation, and an employee who served with energy and passion. Nothing made Mike Chavous smile more than being told how beautiful the fields and facilities at Riverview Park are. There's a reason, because he was the person responsible for making it happen.

Mike Chavous has carried a large responsibility within the Parks, Recreation & Tourism Department that included the following duties:

- ensuring the athletic fields were manicured and playable for the youth and adult athletic games, which included irrigation, mowing, edging, painting lines, dragging fields, and chalking lines on fields.
- ensuring that the Greenway is blown off and safe for use every day.
- ensuring that the restroom facilities are cleaned every morning and presentable to our customers.
- ensuring that the splash pads were ready for operation each season.
- ensuring that the rental facilities were clean and ready to go.
- Maintenance, repairs, and purchasing of equipment that the Riverview Park crew needs for everyday operation.
- assisting with Christmas decorations around the city.
- Manager of the hospitality portion of the Nike Peach Jam Tournament.

Mike Chavous is the employee that everyone leaned on when a special event, tournament, or project needed fulfilling. Mike always answered the call to assume additional duties or make the best of a difficult situation without hesitation. Whether on the clock or not, Mike always was invested in protecting the interests and high standards of the City of North Augusta while being an excellent servant to the citizens of North Augusta at the same time.

**ITEM 6. CITY CODE: Ordinance No. 2021-01 – An Ordinance Amending Section 6.3 Code of Ordinances for the City of North Augusta Related to the Requirement of Licensed**

**Contractors to Provide a Surety Bond to the City as a Condition of Being Issued a License to do Business in the City. This Ordinance Deleting Such Section in Its Entirety; Ordinance – Final Reading**

On the motion of Councilmember Carpenter, second of Councilmember Presnell, Council agreed to consider an ordinance on final reading to amend Section 6.3 Code of Ordinances for the City of North Augusta related to the requirement of licensed contractors to provide a Surety Bond to the City as a condition of being issued a license to do business in the City. This ordinance would delete such section in its entirety. Kelly Zier, City Attorney, explained the bond causes more difficulty and hardship for contractors wishing to do business in the City. Councilmember McGhee reminded citizens to continue to do their due diligence when choosing a contractor. He also noted contractors are still required to provide bonds for their state licensure. There were no comments from citizens. The final reading of the ordinance was approved with a unanimous vote of 7-0.

Please see a copy of the proposed ordinance below:

ORDINANCE NO. 2021-01  
AN ORDINANCE AMENDING SECTION 6.3 CODE OF ORDINANCES FOR  
THE CITY OF NORTH AUGUSTA RELATED TO THE REQUIREMENT OF  
LICENSED CONTRACTORS TO PROVIDE A SURETY BOND TO THE  
CITY AS A CONDITION OF BEING ISSUED A LICENSE TO DO BUSINESS  
IN THE CITY. THIS ORDINANCE DELETING SUCH SECTION IN ITS  
ENTIRETY

WHEREAS, Section 6-3 of the City Code requires, as a condition to being issued a City Business License, that a contractor file a surety bond with the City; and,

WHEREAS, the City is currently in the process of making changes to City Business License requirements that would result in more conformity with requirements by municipalities throughout the state; and,

WHEREAS, this requirement by the City for the filing of a surety bond is not consistent with the general practice throughout the State; and,

WHEREAS, the bond requirement of this Section does not relate to protections to citizens related to the work being performed by the contractor, but is specifically related to providing protections to the City related to failure by the contractor to comply with City ordinances and to require payment for damages done to City property; and,

WHEREAS, a determination has been made that such bonds have been rarely, if ever, utilized by the City; and,

WHEREAS, the City has other procedures available to protect the City's interest;  
and,

WHEREAS, Mayor and City Council, upon a full review of this matter, have determined that it would be appropriate to discontinue such requirement.

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 6.3. Surety Bond Required by Licensed Contractors, is hereby amended by deleting such section in its entirety.
- II. All other ordinances or parts of other ordinances in conflict herewith are to the extent of such conflict, hereby repealed.
- III. This Ordinance shall become effective immediately upon its adoption on second 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 \_\_\_\_\_, 2021.

**ITEM 7. BOARDS AND COMMISSIONS: Appointments – Recommendation by Mayor**

Mayor Pettit recommended the following appointments to the Building Codes Board of Adjustments and Appeals; Board of Zoning Appeals; and Parks, Recreation, and Tourism Advisory Commission. Council concurred unanimously with the appointments.

<u>Name</u>	<u>Term Expires</u>	<u>New/Reappointment</u>
<u>Building Codes Board of Adjustments and Appeals</u>		
Barry Calloway	1/31/25	Reappointment
<u>Board of Zoning Appeals</u>		
William H. Burkhalter, Jr.	1/31/22	New
Jim Newman	1/31/25	Reappointment
Kathie Stallworth	1/31/25	Reappointment
<u>Parks, Recreation, and Tourism Advisory Commission</u>		
Joe Bickley	1/31/25	Reappointment

**ITEM 8. FINANCE: Resolution No. 2021-03 – Approving the Annual Assessment Report and Amendment of the Assessment Roll for the Ballpark Village Municipal Improvement District and Confirming the Collection of Annual Assessments Therein for the 2020-2021 Assessment Year**

On the motion of Councilmember Dickert, second of Councilmember Toole, Council agreed to consider a resolution to approve the Annual Assessment Report and Amendment of the



Assessment Roll for the Ballpark Village Municipal Improvement District and confirming the collection of the annual assessments therein for the 2020-2021 assessment year. There were no comments from citizens. Jim Clifford, City Administrator, explained this resolution shows the procedure and schedule for the tax and MID payments for property at Riverside Village. The resolution was adopted with a unanimous vote of 7-0.

Please see a copy of the proposed resolution below:

### RESOLUTION 2021-03

#### APPROVING THE ANNUAL ASSESSMENT REPORT AND AMENDMENT OF THE ASSESSMENT ROLL FOR THE BALLPARK VILLAGE MUNICIPAL IMPROVEMENT DISTRICT AND CONFIRMING THE COLLECTION OF ANNUAL ASSESSMENTS THEREIN FOR THE 2020-2021 ASSESSMENT YEAR

The City Council (the "*City Council*") of the City of North Augusta, South Carolina (the "*City*"), hereby finds and determines:

**WHEREAS**, The Ballpark Village Municipal Improvement District (the "*Improvement District*"), located in the City of North Augusta was created by the City Council pursuant to the Municipal Improvement Act, Title 5, Chapter 37, Code of Laws of South Carolina 1976, as amended (the "*Act*"), through an ordinance enacted on February 6, 2017, wherein the Improvement District was created and special assessments (the "*Assessment*" or "*Assessments*") were authorized to be imposed and collected (the "*Assessment Ordinance*"); and

**WHEREAS**, certain capitalized terms undefined herein have such meanings as set forth in the Rate and Method of Apportionment of Assessment, Appendix A of the Assessment Roll (the "*Rate and Method*"), which was approved by the Assessment Ordinance; and

**WHEREAS**, the Assessments have been imposed on the Assessed Property within the Improvement District pursuant to the Act and the Assessment Ordinance. The Assessment, including the Annual Parcel Assessment, the Annual Parcel Credit and the Annual Payment for each Parcel, is recorded on the Assessment Roll, attached hereto as Appendix B-1 and Appendix B-2 of the Annual Assessment Report and Amendment of the Assessment Roll for 2020-2021 Assessment Year (the "*Annual Assessment Report*") attached hereto as *Exhibit A*, which is being updated in accordance with the Rate and Method, as detailed below, through City Council's approval of the Annual Assessment Report; and

**WHEREAS**, pursuant to a Resolution of the Board of Directors (the "*Board*") of the North Augusta Public Facilities Corporation (the "*Corporation*") adopted by the Board on February 20 2017, the Corporation issued its \$69,450,000 Installment Purchase Revenue Bonds, Taxable Series 2017B, dated May 16, 2017 (the "*Series 2017B Bonds*"), in order to obtain a portion of the funds necessary to defray the cost of the Public Improvements. Simultaneously with the issuance of the Series 2017B Bonds, the City issued its \$43,412,000 Tax Increment Revenue Obligation, Series 2017A to the Corporation (the "*2017 TIF Obligation*"). By Ordinance enacted on February 6, 2017, the City Council approved the issuance of the Series 2017B Bonds and the 2017 TIF

Obligation. Debt service requirements of the Series 2017B Bond will be paid from Available Sources (as that term is defined in the Official Statement dated May 2, 2017 (the "**Official Statement**") relating to the Series 2017 Bonds), which include TIF Revenues (as defined in the Official Statement) and Assessments. Payments to the Corporation by the City pursuant to the 2017 TIF Obligation shall constitute a dollar for dollar credit against the City's obligation to make Base Payments (as defined in the Official Statement); and

**WHEREAS**, in order to facilitate the collection of the Assessments, the City shall update Appendix B-1 and B-2 of the Assessment Roll each Assessment Year to reflect (i) the current Parcels in the Improvement District, (ii) the Assessment for each Parcel, including any adjustments to the Assessment as provided for in Section C of the Rate and Method; (iii) the Annual Assessment; (iv) the Annual Parcel Assessment for each Parcel, (v) the Annual Payment to be collected from each Parcel for the current Assessment Year, (vi) prepayments of the Assessment as provided for in the Annual Assessment Report, and (vii) termination of the Assessment as provided for in the Annual Assessment Report; and

**WHEREAS**, the City Council has received the Annual Assessment Report, prepared by MuniCap, Inc., the Administrator of the Improvement District, in accordance with the Rate and Method.

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

- I. The Annual Assessment Report is hereby approved.
- II. The Rate and Method provides for the annual collection of the Annual Payment. As shown by the Annual Assessment Report, the sum of the Annual Payment for all Parcels in the Improvement District for the 2020-2021 Assessment Year is \$777,779.04. The billing of the Assessments to be collected from each Parcel as indicated in the Annual Assessment Report for the 2020-2021 Assessment Year is hereby confirmed.
- III. This ordinance shall become effective as of the date hereof.

**DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS 1st DAY OF FEBRUARY, 2021.**

**ITEM 9. ELECTIONS: Ordinance No. 2021-02 – An Ordinance to Partner with the Aiken County Board of Registration and Elections to Conduct a Portion of the 2021 City of North Augusta Municipal General Election; Ordinance - First Reading**

On the motion of Mayor Pettit, second of Councilmember Brooks, Council agreed to consider an ordinance on first reading to partner with the Aiken County Board of Registration and Elections

to conduct a portion of the 2021 City of North Augusta Municipal General Election. Kelly Zier, City Attorney, explained this request is to partner with Aiken County for their assistance on Election Day, April 27<sup>th</sup>, 2021. There were no comments from citizens. The first reading of the ordinance was approved with a unanimous vote of 7-0.

Please see a copy of the proposed ordinance below:

ORDINANCE NO. 2021-02  
AN ORDINANCE TO PARTNER WITH THE AIKEN COUNTY BOARD OF  
REGISTRATION AND ELECTIONS TO CONDUCT A PORTION OF THE  
2021 CITY OF NORTH AUGUSTA MUNICIPAL GENERAL ELECTION

WHEREAS, in accordance with the Laws of South Carolina, and Ordinance No. 2020-35 adopted December 7, 2020, the City of North Augusta will hold an election on April 27, 2021 to elect the Mayor and three City Council Members; and

WHEREAS, the City desires to partner with the Aiken County Board of Registration and Elections to conduct a portion of the election; and

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 City Administrator is authorized to enter into an agreement with the Aiken County Board of Registration and Elections. Under the terms of the agreement, the Aiken County Board of Registration and Elections will provide:
  - a. Staffing of polling locations on Election Day, Tuesday, April 27, 2021
  - b. Delivery, set-up, maintenance, and removal of voting machines
  - c. Absentee and provisional ballots; seals, forms, and supplies
  - d. Poll workers and support staff
- II. The Aiken County Board of Registration and Elections has estimated the election costs and expenses to be \$5,376.82 and to be paid from the City Council Professional Services account.
- III. This Ordinance shall become effective immediately upon its adoption on second 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 10. PLANNING AND DEVELOPMENT: Resolution No. 2021-04 – Accepting a Deed of Dedication for the Streets, Sanitary Sewer, Stormwater Collection and Fire Suppression Systems, Detention Ponds and Associated Easements and Rights of Way, Along with a Maintenance Guarantee and Letter of Credit, for Wando Woodlands, Phase 7**

On the motion of Councilmember Carpenter, second of Councilmember Toole, Council agreed to consider a resolution to accept a Deed of Dedication for the streets, sanitary sewer, Stormwater collection and fire suppression systems, detention ponds and associated easements and rights of way, along with Maintenance Guarantee and Letter of Credit for Wando Woodlands, Phase 7. There were no comments. The resolution for adopted with a 7-0 unanimous vote.

Please see a copy of the proposed resolution below:

RESOLUTION NO. 2021-04  
ACCEPTING A DEED OF DEDICATION FOR THE STREETS, SANITARY SEWER,  
STORMWATER COLLECTION AND FIRE SUPPRESSION SYSTEMS, DETENTION  
PONDS AND ASSOCIATED EASEMENTS AND RIGHTS OF WAY, ALONG WITH A  
MAINTENANCE GUARANTEE AND LETTER OF CREDIT,  
FOR WANDO WOODLANDS, PHASE 7

WHEREAS, Wando Partners, L.P. developed Wando Woodlands, Phase 7 according to the requirements of the North Augusta Planning Commission and the City, and owns the streets, utilities and easements; and

WHEREAS, pursuant to §5.8.4.3 of the North Augusta Development Code, the Director of Planning and Development and the City Engineer approved the final subdivision plat for recording on December 10, 2020 and

WHEREAS, it is the policy of the City that, upon approval of a final subdivision plat, the City will, following inspection by the City's Engineering department, accept a deed of dedication for the streets, utilities, etc. for the purpose of ownership and maintenance when said deed is accompanied by a maintenance guarantee; and

WHEREAS, a maintenance guarantee and supporting letter of credit accompany the deed; and

WHEREAS, the City Engineer has made final inspection of the subject improvements and these improvements meet City standards.



NOW THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of North Augusta, South Carolina, in meeting duly assembled and by the authority thereof, do hereby accept a deed of dedication for:

ALL those certain streets and roadways located in Wando Woodlands Section 7 designated as a portion of Dietrich Lane (50 foot right of way) and Otto Run (50 foot right of way) as shown and delineated on a plat of Wando Woodlands Section 7 dated October 29, 2019 and recorded in the Office of the RMC for Aiken County, South Carolina, in Plat Book 62, at Page 580 and in the Office of the RMC for Edgefield County, South Carolina on Judgement Roll 40406. Reference is made to said plat, which is incorporated herein by reference, for a more complete and accurate description as to the metes, bounds and location of said property.

TOGETHER WITH all (a) curbs and gutters located within the aforesaid right of way of the streets and roadways; (b) sidewalks located within the aforesaid right of way of the streets and roadways; (c) sanitary sewerage collection systems including lift stations located on the property shown on the aforesaid plat; (d) storm water collection system including storm water detention areas located on the property shown on the aforesaid plat; (e) greenways or other pedestrian connections outside the road rights-of-way but located on the property shown on the aforesaid plat, and (f) a perpetual and non-exclusive easement and rights-of-way for streets, sidewalks and potable water, sanitary sewage and storm water collection systems located on the property shown on the aforesaid plat.

Being a portion of the property conveyed to Wando Partners, L.P. by Title to Real Estate from Gustav Schickendanz, Trustee, dated January 4, 2006 recorded in Record Book 4039, at Page 1283 in the Office of the RMC for Aiken County, South Carolina.

Tax Map & Parcel: Portion of 001-16-01-002

BE IT FURTHER RESOLVED that a Maintenance Guarantee and Irrevocable Letter of Credit in the amount of \$73,000.00 are hereby accepted.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

**ITEM 11. PRESENTATIONS/COMMUNICATIONS/RECOGNITION OF VISITORS:**

A. Citizen Comments:

Fred Ilardi (See attached comments)

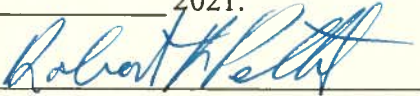
B. Council Comments:

Councilmember Dickert reminded citizens of the Republican Primary on Tuesday, February 9, 2021.


Mayor Pettit celebrated Friday, January 29, 2021's Groundbreaking Ceremony for Public Safety Fire Station 1. He acknowledged it was a "GREAT DAY" to get the long awaited project underway. He thanked and recognized those who began planning for this project by appropriating funds in CPST III.

There being no further business, Council adjourned at 7:35 p.m.

APPROVED THIS \_\_\_\_\_ DAY OF  
\_\_\_\_\_ 2021.

  
\_\_\_\_\_  
Robert A. Pettit  
Mayor

Respectfully submitted,

  
\_\_\_\_\_  
Sharon Lamar  
City Clerk

**FW: North Augusta Council Meeting 2/01/2021**

Lamar, Sharon &lt;SLamar@northaugusta.net&gt;

Mon 2/1/2021 11:20 AM

To: 'lamar4@live.com' &lt;lamar4@live.com&gt;

-----Original Message-----

From: MSN &lt;fred00701@msn.com&gt;

Sent: Monday, February 01, 2021 11:06 AM

To: Lamar, Sharon &lt;SLamar@northaugusta.net&gt;

Subject: North Augusta Council Meeting 2/01/2021

&gt; Dear Ms.Lamar:

&gt; Please have read the following questions read and hopefully

&gt; answered at the North Augusta City Council Meeting of 02/01/2021 1. After checking the City web site the financial results of December 2020 have not been posted. A whole month has past and there are still no results. Can someone let us know why? It appears that this information is normally posted each month by the 20th. What makes December unique? We understand that the City , at year end ,has to prepare detailed financial reports. The reports we are looking for are similar to the ones posted each month and appear to be "flash" reports. Are they available now for December and why the delay?

&gt; 2. As all know the principal investor for Riverside Village is delinquent on substantial tax payments. When the City prepared the budget for 2020 these taxes were required to meet City financial obligations. How is this deficiency being alleviated and from what accounts are funds being transferred to make up this deficiency for 2020?

&gt; 3. There was a closed door Study Session tonight on the "Annual Assessment Report" for Riverside Village. Why was this a closed door meeting, are the assessments changing from 2020, and when will this information be released?

&gt; 4. As all know there is a City primary election February 9,2021. Are financial results being delayed until the primary election is completed and for what reason if true?

Thank you in advance for your attention to this matter.

Sincerely,

Fred Ilardi

201-214-3010

&gt;

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