

North Augusta



South Carolina's Riverfront

MINUTES OF AUGUST 2, 2021

Briton S. Williams, Mayor

*J. Robert Brooks, Councilmember
Pat C. Carpenter, Councilmember
Jenafer F. McCauley, Councilmember
David W. McGhee, Councilmember
Eric H. Presnell, Councilmember
Kevin W. Toole, Councilmember*

ORDER OF BUSINESS

The Public Power Hour and regular City Council meeting were streamed for public viewing online at: "City of North Augusta – Public Information" on [www.Facebook.com](https://www.facebook.com/cityofna) and "City of North Augusta Public Information" on [www.YouTube.com](https://www.youtube.com/c/cityofna)

PUBLIC POWER HOUR

The August 2, 2021 Public Power Hour began at 5:00 p.m. Members present were Mayor Williams, Councilmembers Brooks, Carpenter, McCauley, McGhee, and Toole. Also in attendance were J.D. McCauley, Manager of Human Resources, and Sharon Lamar, City Clerk.

- Dave Sam spoke to Council regarding cars disregarding yellow and red traffic lights at major intersections in the City.
- Tom Kinney spoke to Council about traffic issues and the need for additional Code Enforcement Officers. (See attached provided comments.)
- Kevin Adams spoke to Council regarding citizens' ability to vote for City events.
- Tom Kinney spoke to Council regarding Aiken County property seizures within the City.
- Kevin Adams spoke to Council regarding property on Plank Road and North Augusta Gardens.

The Public Power Hour concluded at 5:36 p.m. Copies of speakers' comments are attached, as provided.

REGULAR MEETING

The regular meeting of the City Council of the City of North Augusta of August 2, 2021 having been duly publicized was called to order by Mayor Williams at 6:00 p.m. and also 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 6:23 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 Williams rendered the invocation and the Pledge of Allegiance.

Members present were Mayor Williams, Councilmembers Brooks, Carpenter, McCauley, McGhee, and Toole. Councilmember Presnell was absent.

Also in attendance were James S. Clifford, City Administrator; Rachele Moody, Assistant City Administrator; Kelly F. Zier, City Attorney; Thomas C. Zeaser, Director of Engineering and Public Works; Cammie T. Hayes, Chief Financial Officer; Richard L. Meyer, Director of Parks, Recreation, and Tourism; James Sutton, Director of Public Services; John C. Thomas, Director of Public Safety; J.D. McCauley, Manager of Human Resources; Ricky Jones, Manager of Information Technology and Sharon Lamar, City Clerk.

The minutes of the regular City Council meeting of July 19, 2021 and the minutes of the July 26, 2021 Study Session were approved by general consent.

ITEM 5. PUBLIC SAFETY: Presentation to Department of Public Safety from Pedego Electric Bikes of Aiken

Coker Day, owner of Pedego Electric Bikes of Aiken, presented the gift of an electric bike to the Department of Public Safety. John Thomas, Director of Public Safety thanked Mr. Day and his associates for their generosity. He explained the bike would be an asset to the department and his officers are already looking forward to using this new tool.

ITEM 6. CITY COUNCIL: Recognition of Municipal Elected Official Institute of Government 2021 Graduates

Charlie Barrineau, Municipal Association of South Carolina Field Services Manager, recognized the City's 2021 Municipal Elected Official Institute of Government graduates, Bob Brooks and Kevin Toole. These two Councilmembers join 2017 graduate, David McGhee, in this accomplishment.

ITEM 7. EASEMENT: Ordinance No. 2021-08 – Granting Easements across City Property on Georgia and Carolina Avenues to Adjoining Property Owners Who Rely Upon Such Easements to Provide Access to Their Properties; Ordinance – Second Reading

On the motion of Councilmember Carpenter, second of Councilmember McGhee, Council agreed to consider an ordinance on second reading granting easements across City property on Georgia and Carolina Avenues to adjoining property owners who rely upon such easements to provide access to their properties. With no comments from citizens, Council adopted the ordinance on second reading with a vote of 6-0.

Please see a copy of the proposed ordinance below:

ORDINANCE NO. 2021-08
GRANTING EASEMENTS ACROSS CITY PROPERTY LOCATED ON GEORGIA AND
CAROLINA AVENUES TO ADJOINING PROPERTY OWNERS WHO RELY UPON SUCH
EASEMENTS TO PROVIDE ACCESS TO THEIR PROPERTIES.

WHEREAS, originally what is now known as Calhoun Park was a Square bordered by West Forest Avenue on the North and Jackson Avenue on the South with residential properties on the East and West; and

WHEREAS, with the construction of Georgia Avenue and Carolina Avenue, what was previously a Square known as Calhoun Place was divided into three (3) parcels; and

WHEREAS, the parcel between Georgia and Carolina Avenue became known as Calhoun Park and the remaining parcels on each side of Georgia and Carolina Avenue that were originally a part of Calhoun Place are unnamed but are properties that are titled to the City; and

WHEREAS, the adjoining properties on Carolina and Georgia Avenue have always utilized these parcels to have ingress and egress to their property; and

WHEREAS, it is common that when real estate is being purchased or mortgaged, that a requirement is that ingress and egress access be confirmed; and

WHEREAS, currently there are five (5) properties, four (4) on the Georgia Avenue side and one (1) on the Carolina Avenue side that require an ingress and egress easement across the City Property to verify and confirm that there is access to either Georgia Avenue or Carolina Avenue; and

WHEREAS, the Mayor and City Council have determined that it is appropriate to formally confirm and grant ingress and egress easements across City Property to the parcels in question.

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:

- A. Parcel No. 007-10-07-001 known as 708 Carolina Avenue is hereby granted the right of ingress and egress across the property belonging to the City known as Tax Map and Parcel No. 007-10-09-002 in accordance with the Exhibit attached hereto marked Exhibit A and incorporated by reference.
- B. That Parcel No. 007-10-07-001; 715 Georgia Avenue; Parcel No. 007-10-07-006; 713 Georgia Avenue; Parcel No. 007-10-07-005 711 Georgia Avenue and Parcel No. 007-10-07-004 709 Georgia Avenue are specifically granted ingress and egress to Georgia Avenue across property belonging to the City known as Tax Map and Parcel No. 007-10-07-007, in accordance with the attachment hereto marked Exhibit "B" and incorporated by reference.
- C. That the walkway/sidewalk in front of 715 Georgia Avenue across the City's property is also granted an easement.
- D. All easements granted are non-exclusive but shall be considered appurtenant to the properties indemnified.
- E. That the City Administrator is specifically authorized to execute any further deeds or documents necessary to carry out the intent of this Ordinance.
- F. This Ordinance shall become effective immediately upon its adoption on the second and final reading.
- G. All Ordinances or parts of Ordinances in conflict herewith are to the extent of such conflict hereby repealed.

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

ITEM 8. ANNEXATION: Ordinance No. 2021-09 – To Change the Corporate Limits of the City of North Augusta by Accepting the Petition Requesting Annexation by the Landowners and by

Annexing ±0.5 Acres of Land Located on Carriage Lane and Owned by Gore & Gore Investment Properties, LLC; Ordinance – First Reading

Mayor Williams recused himself from the discussion of this ordinance. Mayor Pro Temp Brooks brought the motion to the Council. On the motion of Councilmember Carpenter, second of Councilmember McGhee, Council agreed to consider an ordinance on first reading to change the corporate limits of the City of North Augusta by accepting the petition requesting annexation by the landowners and by annexing ±0.5 acres of land located on Carriage Lane and Owned by Gore & Gore Investment Properties, LLC. There were no comments from citizens. The first reading of the ordinance was approved with a 5-0 vote of Council with one recusal.

Please see ATTACHMENT #8 for a copy of the Recusal Form.

Please see a copy of the proposed ordinance and exhibits below:

ORDINANCE NO. 2021-09
TO CHANGE THE CORPORATE LIMITS
OF THE CITY OF NORTH AUGUSTA BY ACCEPTING THE PETITION REQUESTING ANNEXATION BY
THE LANDOWNERS AND BY ANNEXING
± 0.5 ACRES OF LAND LOCATED ON CARRIAGE LANE
AND OWNED BY GORE & GORE INVESTMENT PROPERTIES, LLC

WHEREAS, Section 5-3-150(3) of the Code of Laws of the State of South Carolina provides that: "Notwithstanding the provisions of subsections (1) and (2) of this section, any area or property which is contiguous to a municipality may be annexed to the municipality by filing with the municipal governing body a petition signed by all persons owning real estate in the area requesting annexation. Upon the agreement of the governing body to accept the petition and annex the area, and the enactment of an ordinance declaring the area annexed to the municipality, the annexation is complete"; and

WHEREAS, the Mayor and City Council of the City of North Augusta, have reviewed the petition of the landowners requesting that their property be annexed into the City and determined that such Petition should be accepted and the property annexed into the City; and

WHEREAS, the zoning classification recommended for the properties proposed for annexation has been reviewed for consistency with the Future Land Use Classification of the properties as specified in the Land Use Element of the North Augusta 2017 Comprehensive Plan;

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 Petition of the landowners is accepted and the following described property shall be annexed into the City of North Augusta:

A portion of the parcel containing ±0.25 acres located on Carriage Lane, being shown and designated as Lot B on a plat prepared by William H. McKie, III, PLS and recorded in the Aiken County RMC Office in Plat Book 59, page 459, records of the RMC for Aiken County, South Carolina.

Tax Map & Parcel No.: 012-13-02-041

And

A parcel containing ±0.25 acres located on Carriage Lane, being shown and designated as Lot A on a plat prepared by William H. McKie, III, PLS and recorded in the Aiken County RMC Office in Plat Book 59, page 459, records of the RMC for Aiken County, South Carolina.

Tax Map & Parcel No.: 012-13-02-045

The property to be annexed is also shown on a map identified as "Exhibit A" titled "Map of Property Sought to be Annexed to the City of North Augusta" dated March 15, 2021, and prepared by the City of North Augusta.

- II. The zoning classification shall be R-5, Mixed Residential, as shown on a map identified as "Exhibit B" titled "R-5 Zoning of Property Sought to be Annexed to the City of North Augusta" dated March 15, 2021, and prepared by the City of North Augusta.
- 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 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 9. ANNEXATION: Ordinance No. 2021-10 – To Change the Corporate Limits of the City of North Augusta by Accepting the Petition Requesting Annexation by the Landowners and Annexing ±14.3 Acres of Property Located Along Edgefield Road and Owned by QuikTrip Corporation; Ordinance – First Reading

On the motion of Councilmember Brooks, second of Councilmember Toole, Council agreed to consider an ordinance on first reading to change the corporate limits of the City of North Augusta by accepting the petition requesting annexation by the landowners and by annexing ±14.3 acres of property located along Edgefield Road and owned by QuikTrip Corporation. There were no citizen comments. The first reading of the ordinance was approved with a 6-0 vote of Council.

Please see a copy of the proposed ordinance below:

ORDINANCE NO. 2021-10
TO CHANGE THE CORPORATE LIMITS OF THE CITY OF NORTH AUGUSTA
BY ACCEPTING THE PETITION REQUESTING ANNEXATION BY THE LANDOWNERS AND ANNEXING
± 14.3 ACRES OF PROPERTY LOCATED
ALONG EDGEFIELD RD AND OWNED BY QUIKTRIP CORPORATION

WHEREAS, Section 5-3-150(3) of the Code of Laws of the State of South Carolina provides that: "Notwithstanding the provisions of subsections (1) and (2) of this section, any area or property which is contiguous to a municipality may be annexed to the municipality by filing with the municipal governing body a petition signed by all persons owning real estate in the area requesting annexation. Upon the agreement of the governing body to accept the petition and annex the area, and the enactment of an ordinance declaring the area annexed to the municipality, the annexation is complete"; and

WHEREAS, the Mayor and City Council of the City of North Augusta, have reviewed the petition of the landowners requesting that their property be annexed into the City and determined that such Petition should be accepted and the property annexed into the City; and

WHEREAS, the zoning classification recommended for the properties proposed for annexation has been reviewed for consistency with the Future Land Use Classification of the properties as specified in the Land Use Element of the North Augusta 2017 Comprehensive Plan;

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:

V. The Petition of the landowners is accepted and the following described property shall be annexed into the City of North Augusta:

A parcel containing ±14.3 acres located along Edgefield Road, as shown on a plat made for Norman M. Pate and Jo M. Pinner by Tripp Land Surveying, Inc., dated May 7, 2013, and recorded in Misc. Book 57, Page 203, records of Aiken County, South Carolina, including all adjacent right-of-way.

Tax Map & Parcel No.: 011-07-01-003

The property to be annexed is also shown on a map identified as "Exhibit A" titled "Map of Property Sought to be Annexed to the City of North Augusta" dated October 1, 2020 and prepared by the City of North Augusta.

- VI. The zoning classification shall be GC, General Commercial, as shown on a map identified as "Exhibit B" titled "General Commercial Zoning of Property Sought to be Annexed to the City of North Augusta" dated October 1, 2020, and prepared by the City of North Augusta.
- VII. All Ordinances or parts of Ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.
- VIII. 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 10. ENGINEERING AND PUBLIC WORKS: Resolution No. 2021-32 – Authorizing a Professional Services Contract for Geotechnical Engineering Services for the Knobcone Avenue Sidewalk Project

On the motion of Councilmember Carpenter, second of Councilmember McGhee, Council agreed to consider a resolution authorizing a professional services contract for Geotechnical Engineering Services for the Knobcone Avenue Sidewalk Project. There were no comments from citizens. The resolution was adopted with the 6-0 vote of Council.

Please see a copy of the proposed resolution below:

RESOLUTION NO. 2021-32
AUTHORIZING A PROFESSIONAL SERVICES CONTRACT FOR GEOTECHNICAL ENGINEERING SERVICES FOR THE KNOBCONE AVENUE SIDEWALK PROJECT

WHEREAS, the City of North Augusta (City) applied for and was awarded a Transportation Alternative Program (TAP) grant from the South Carolina Department of Transportation (SCDOT) to construct a sidewalk on Knobcone Avenue; and

WHEREAS, the City submitted preliminary construction plans to SCDOT for review; and

WHEREAS, in their review, the SCDOT identified certain elements that require geotechnical testing and engineering evaluation; and

WHEREAS, the SCDOT maintains an "On-Call" list of approved geotechnical engineering services consultants; and

WHEREAS, the City solicited written bids from three firms on the SCDOT's on-call list; and

WHEREAS, bids were received as follows:

Terracon Consultants, Inc. - \$19,600.00

F&ME Consultants - \$21,000.00

S&ME, Inc. - \$38,981.90

WHEREAS, the Director of Engineering & Public Works recommends award to the low-bidder, Terracon Consultants, Inc. to be in the best interest of the City.

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, Terracon Consultants, Inc. shall be awarded the contract to perform Geotechnical Engineering Services for the Knobcone Avenue Sidewalk Project at the bid amount of \$19,600.00.

BE IT FURTHER RESOLVED that funding for this contract shall be from the Street Improvement Fund, Sidewalk/Curbing Program.

BE IT FURTHER RESOLVED THAT THE City Administrator is authorized to execute any documents required for the entering into of this contract.

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. ADMINISTRATIVE REPORTS:

City Administrator, Jim Clifford, advised Council he had presented a sketch plan of the proposed Public Safety Headquarters plan to the Planning Commission. A public citizens' feedback opportunity is planned for Thursday, August 12 at 6:00 p.m. in the Palmetto Terrace. He will bring another update to Council at the next Study Session.

ITEM 12. PRESENTATIONS/COMMUNICATIONS/RECOGNITION OF VISITORS:

A. Citizen Comments:

None

B. Council Comments:

Mayor Williams offered the following announcements:

- Thank you to Animal Control Officer Mike Strauss and another PSO killed two rabid foxes in the City and rounded up two donkey who were loose in a neighborhood.
- The next "Meet the Mayor" event will be Tuesday, August 3 at 6:00 p.m. at SRP Federal Credit Union at 1070 Edgefield Road. Councilmembers McCauley and Toole will be in attendance with the Mayor.
- The Mayor encouraged all citizens to submit an idea for the 2022 River Event.
- The Mayor now has a webpage: www.northaugusta.net/mayor with posts of the Mayor's VLOG, the Mayor's bio, follow-up from Public Power Hours, and "Meet the Mayor" information.

ITEM 13. ADJOURNMENT

The regular City Council meeting adjourned at 6:23 p.m.

On the motion of Councilmember Brooks, second of Councilmember Toole, Council agreed to enter into an Executive Session in Council's Conference Room. Those in attendance were James S. Clifford, City Administrator; Rachele Moody, Assistant City Administrator; Kelly F. Zier, City Attorney; Cammie T. Hayes, Chief Financial Officer; J.D. McCauley, Manager of Human Resources; Ricky Jones, Manager of Information Technology and Sharon Lamar, City Clerk.

ITEM 14. LEGAL: Executive Session – Request of the City Administrator

In compliance with Section 30-4-70 (a) (2) the City Administrator requested an executive session for the purpose of:

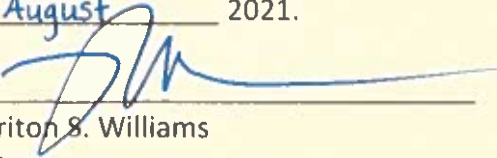
(2) Discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim

Discussion involves properties within Riverside Village

No action was taken by Council as this executive session was for informational purposes only.


On the motion of Councilmember McGhee, second of Councilmember McCauley, Council agreed to exit the Executive Session at 7:27 p.m.

APPROVED THIS 16th DAY OF
August 2021.



Briton S. Williams
Mayor

Respectfully submitted,



Sharon Lamar
City Clerk

Alternate method to deal with unregistered and nonfunctional vehicles parked in violation of Section 22-64.

If there is no garage or carport to park the vehicle in, the following procedures will be available to the owner of the vehicle in lieu of impoundment.

The vehicle will be parked in the yard after a plastic barrier is placed on top of the soil.

The fuel will be drained from the fuel tank.

All open body seams will be taped.

No broken vehicle parts or other trash will be stored in the vehicle.

The vehicle will be covered with a tarp. The tarp will be secured to the vehicle so that it can't be blown off.

The vehicle will be subject to inspection by code enforcement. If the measures outlined are not followed, the vehicle will be impounded and the vehicle owner will be responsible for all impoundment fees.

RECUSAL STATEMENT

Member Name: Briton S. Williams

Meeting Date: August 2, 2021

Agenda Item: Section New Business Number: #8

Topic: Ord. 2021-09 Annexation of property located on Carriage

Lane & owned by Gore & Gore Investment Properties, LLC

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.

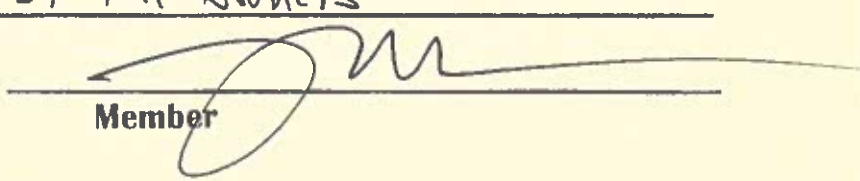
Justification to Recuse:

Professionally employed by or under contract with principal

Owns or has vested interest in principal or property

Other: ~~_____~~ business relationship
with one of the owners

Date: 8.2.2021


Member

Approved by Parliamentarian: _____