

North Augusta



South Carolina's Riverfront

MINUTES OF DECEMBER 6, 2021

Briton S. Williams, Mayor

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

ORDER OF BUSINESS

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

PUBLIC POWER HOUR

The December 6, 2021 Public Power Hour began at 5:00 p.m. Members present were Mayor Williams, Councilmembers Brooks, Carpenter, McCauley, McGhee, Presnell, and Toole. Also in attendance were Ricky Jones, Manager of Information Technology, J.D. McCauley, Manager of Human Resources, and Sharon Lamar, City Clerk.

- Kristi Atkins spoke to Council regarding modular homes outside/inside the City limits not being allowed to connect to City utilities.
- David Brizius and Robin Mitchell spoke to Council regarding a skate park in North Augusta.

Mayor Williams reminded citizens to check www.northaugusta.net/mayor to track action items and issues brought to Council at Public Power Hours. The Public Power Hour concluded at 5:38 p.m.

REGULAR MEETING

The regular meeting of the City Council of the City of North Augusta of December 6, 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 "City of North Augusta – Public Information" on www.Facebook.com and on the City YouTube page: "City of North Augusta Public Information" then adjourned at 6:22 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, Presnell, and Toole.

Also in attendance were Kelly F. Zier, City Attorney; Cammie T. Hayes, Chief Financial Officer; Thomas C. Zeaser, Director of Engineering and Public Works; James E. Sutton, Director of Public Services; John C. Thomas, Director of Public Safety; Thomas L. Paradise, Director of Planning and Development; J.D. McCauley, Manager of Human Resources; Ricky L. Jones, Manager of Information Technology, and Sharon Lamar, City Clerk.

The minutes of the regular City Council meeting of November 15, 2021 and the minutes of the November 29, 2021 Study Session were approved by general consent.

Mayor Williams called upon Kyle Smith, North Augusta High School Government Teacher, to introduce the many high school students in attendance.

ITEM 5. ANNEXATION: Ordinance No. 2021-21 – To Change the Corporate Limits of the City of North Augusta by Accepting the Petition Requesting Annexation by the Landowners and Annexing ±.98 Acres of Land Located at 1446 Hammond Pond Road and Owned by Henk De Graaf; Ordinance – Second Reading

On the motion of Councilmember Brooks, second of Councilmember Carpenter, Council agreed to consider an ordinance on second reading to change the corporate limits of the City by accepting the petition requesting annexation by the landowners and annexing ±.98 acres of land located at 1446 Hammond Pond Road and owned by Henk De Graaf. There were no comments from citizens. Council approved the final reading of the ordinance with a 7-0 vote.

Please see a copy of the proposed ordinance below:

ORDINANCE NO. 2021-21
TO CHANGE THE CORPORATE LIMITS OF THE CITY OF NORTH AUGUSTA BY ACCEPTING THE
PETITION REQUESTING ANNEXATION BY THE LANDOWNERS AND ANNEXING ± .98 ACRES OF
LAND LOCATED AT 1446 HAMMOND POND ROAD AND OWNED BY HENK DE GRAAF

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 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 City Council hereby accepts the Petition for Annexation as submitted by the Property Owner.
- II. The following described property shall be annexed into the City of North Augusta: The property granted to Henk De Graaf, recorded in book 4346, page 1492-1494, February 2011, being the same conveyed to Deed from Enon C. Thompson and Lois H. Thompson to Henk De Graaf and Laurie De Graaf dated January 24, 2007 and recorded in Book 4115, page 1704-1707. Also deed of Laurie De Graaf dated February 15, 2011 recorded February 15, 2011 in Bok 4346 at page 1492.

Tax Parcel No. 006-05-02-002

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 21, 2019, and prepared by the City of North Augusta.

The property to be annexed shall be zoned R-14, Large Lot Single-Family Residential as shown on a map identified as "Exhibit B" titled "Zoning of Property Sought to be Annexed to the City of North Augusta." Said map is dated October 21, 2019 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 6. ENGINEERING AND PUBLIC WORKS: Ordinance No. 2021-22 – Amending Chapter 14, Article V, Division 3 of the City Code of the City of North Augusta, South Carolina; Ordinance – First Reading

On the motion of Councilmember Presnell, second of Councilmember Toole, Council agreed to consider an ordinance on first reading amending Chapter 14, Article V, Division 3 of the City Code. There were no comments from citizens. Council approved the first reading of the ordinance with a 7-0 vote.

Please see a copy of the proposed ordinance below:

ORDINANCE NO. 2021-22
AMENDING CHAPTER 14, ARTICLE V, DIVISION 3
OF THE CITY CODE OF THE
CITY OF NORTH AUGUSTA, SOUTH CAROLINA

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. Chapter 6, Article V, Division 3 entitled "Construction Permitting for Land Disturbing Activities," is hereby amended, and when amended shall read as follows:

DIVISION 3. CONSTRUCTION PERMITTING FOR LAND DISTURBING ACTIVITIES

Section 14-170. Purpose/intent

(No Change)

Section 14-170.1 Definitions

Bioretention: A stormwater treatment practice that uses a combination of plants and pervious soils to treat water quality and, to a limited extent, may address water quantity.

Clearing: Any activity that removes the vegetative surface cover.

Constructed wetland: A shallow water quality pond that mimics natural wetland functions using wetland plants.

Drainage way: Any channel that conveys surface runoff throughout the site.

Erosion control: Measures that minimize or prevent erosion such as mulches, erosion control matting, and grassing.

Erosion and sediment control plan: A set of plans prepared by or under the direction of a licensed professional engineer that indicates the specific measures and sequencing to be used in controlling sediment and erosion on a development site both before, during and after construction.

Forebay: A small pond at the head of a detention pond for the purpose of collecting sediment and facilitating simplified sediment removal.

Grading: Excavation or fill of material, including the resulting conditions thereof.

Perimeter control: A barrier that prevents sediment from leaving a site either by filtering sediment-laden runoff, or diverting it to a sediment trap or basin.

Phasing: Clearing a parcel of land in distinct phases, with the stabilization of each phase before the clearing of the next.

Sediment control: Measures that prevent eroded sediment from leaving the site.

Site: A parcel of land, or a contiguous combination thereof, where grading work is performed as a single unified operation.

Stabilization: The use of practices that prevent exposed soil from eroding (usually grass, mulch, geotextile fabric, or rock).

Start of construction: The first land-disturbing activity associated with a development, including land preparation such as clearing, grading and filling; installation of streets and walkways; excavation for basements, footings, piers or foundations; erection of temporary forms; and installation of accessory buildings such as garages.

Stormwater management manual: The manual produced by the city stormwater management department that provides requirements, guidance, and technical specifications for complying with this division.

Stormwater Maintenance Agreement: A written agreement from the landowner or responsible party assuring the maintenance and inspection of storm water management facilities and/or Best Management Practices related to them are maintained in proper working condition as shown or described on the approved development site plan in order to serve the intended purposes as set forth in this Ordinance and state regulations. The agreement grants permission of City or State inspectors to verify compliance. The agreement must be recorded with the land record for the parcel in the county it is located.

Stormwater treatment practice (STP): Any structural method of treating stormwater quantity or quality.

Section 14-170.2. Stormwater management permit required; exceptions.

(a) The surface of land in the city shall not be disturbed or altered for any purpose whatsoever until a stormwater management permit is issued to the person responsible for such construction. No permit shall be issued until the applicant has submitted a plan to control erosion and sedimentation and such plan has been approved by the city engineer or his designated representative. Additional permits required, must be acquired prior to start of construction.

(b) Exemptions.

- (1) Any emergency activity that is immediately necessary for the protection of life, property or natural resources.
- (2) Existing nursery and agricultural operations conducted as a permitted main or accessory use.
- (3) Land disturbing activities undertaken on forest land for the production and harvesting of timber and timber products.
- (4) Land disturbing activities conducted pursuant to a federal environmental permit, including permits issued under section 404 of the Federal Clean Water Act.
- (5) Projects regulated under the SC Mining Act.
- (6) Construction, renovation or land improvement of single-family residences, one duplex dwelling or their accessory buildings which are separately built and not part of a subdivision development, and not located within the designated 100-year floodplain, provided that such construction does not materially impede the runoff capability of the existing major drainage channels.

- (7) Certain activities undertaken by utility providers that are not substantial land disturbing activities and are therefore not intended to be regulated by this chapter. These activities include but are not limited to the following:
 - a. Installation of utilities on sites of one acre or less.
 - b. Projects undertaken under jurisdiction of the state public service commission, and including work permitted by the Federal Energy Regulatory Commission.
 - c. Installation of utilities in a ditch section one foot or less in width.
 - d. Installation of utility poles.
 - e. Maintenance of easements and rights-of-way.
 - f. Service connections (i.e. tapping mains lines and/or setting meters, including installation of a manhole, valve box or fire hydrants).
 - g. Emergency repairs.
- (8) Construction activities of the state department of transportation.
- (9) Activities relating to the routine maintenance and/or repair or rebuilding of the tracks, rights-of-way, bridges, and any other related structures and facilities of a railroad company.
- (10) Minor land disturbing activities, as determined by the city engineer, which would not violate the integrity of this chapter.

Section 14-170.3. Application, review and approval, and issuance of stormwater management permit.

(a) *Application.* All applications for stormwater management permits shall be submitted to the Stormwater Management Department (SWMD) through the Planning and Development Department for processing and permit issuance. Applications for permits shall be accompanied by three (3) copies of the applicants stormwater and erosion control plan. Stormwater and erosion control plans shall conform to the requirements of section 14-174.

- (1) Each application shall bear the name(s) and address(es) of the owner or developer of the site, and of any consulting firm retained by the applicant together with the name of the applicant's principal contact at such firm.
- (2) Each application shall include a statement that any land clearing, construction, or development involving the movement of earth shall be in accordance with the erosion and sediment control plan, and that an authorized representative shall inspect the site every seven (7) days and after every one-half-inch rain to ensure compliance with the plan.

(b) *Fee.* The application shall be accompanied by nonrefundable fee.

(c) *Review and approval.* The SWMD will review each application for a stormwater management permit to determine its conformance with the provisions of this regulation. Within ten (10) working days after receiving an application, the SWMD shall, in writing:

- (1) Approve the permit application;
- (2) Approve the permit application subject to such reasonable conditions as may be necessary to secure substantially the objectives of this regulation, and issue the permit subject to these conditions; or
- (3) Disapprove the permit application, indicating the deficiencies and the procedure for submitting a revised application and/or submission.

Failure of the SWMD to act on original or revised applications within ten (10) working days of receipt shall authorize the applicant to proceed in accordance with the plans as filed unless such time is extended by agreement between the applicant and the SWMD.

Major amendments of the stormwater and erosion control plan shall be submitted to the SWMD and shall be processed and approved, or disapproved, in the same manner as the original plans for a fee assessed at fifty percent (50%) of the original stormwater review fee for the permit. Field modifications of a minor nature may be authorized by the SWMD by written authorization to the permittee.

Transfer of ownership of permitted projects is allowed with proper notification to the stormwater department during the permit period.

Section 14-170.4. Stormwater and erosion control plans

(a) *General requirements.*

- (1) Stormwater and erosion control plans for land disturbance activities of one (1) acre or more must be prepared by a registered professional engineer, registered landscape architect, or tier B land surveyor licensed by the state.
- (2) Applications shall include a natural resources map identifying soils, forest cover, and resources protected by other agencies having jurisdiction.
- (3) A sequence of construction of the development site, including stripping and clearing, rough grading, construction of utilities, infrastructure, and buildings, and final grading and landscaping. Sequencing shall identify the expected date on which clearing will begin, the estimated duration of exposure of cleared areas, and the sequence of clearing, installation of temporary erosion and sediment measures, and establishment of permanent vegetation.
- (4) Provisions for maintenance of stormwater control facilities, including easements and estimates of the cost of maintenance. An executed, signed, and notarized maintenance agreement and maintenance plan from the responsible party(ies) or individual(s) accepting ownership and maintenance of permanent stormwater control

devices/structures during construction must be provided prior to stormwater permit issuance.

- a. A notarized permanent stormwater maintenance responsibility agreement and a maintenance plan for stormwater control facilities or treatment practices must be executed and must be recorded as part of the land/property record in the county where it is located and the agreement constitutes a covenant running with the land, and shall be binding on the Landowner, its administrators, executors, assigns, heirs and any other successors in interests, including but not limited to any homeowners' association. This step must be completed prior to requesting a notice of termination (NOT) for your stormwater permit.
- b. Any changes in permanent maintenance responsibilities must be documented with a new notarized maintenance agreement and maintenance plan and recorded with the land in the county in which it resides as soon as approved by the city. The city must be notified of the change by providing a new notarized agreement and a letter of acceptance from the entity accepting permanent maintenance responsibilities. Prior to executing a change of ownership of maintenance responsibility, a letter of inspection may be requested by either party involved and obtained from the city SWMD at no fee. Subsequent inspection letters if requested will be available for a \$50.00 fee to be paid prior to the inspection.
- c. Failure to execute, record and/or acquire approval from the city for a change of ownership and maintenance responsibilities agreement for the stormwater control devices at a site constitutes leaving the original recorded agreement in force, and that agreement will be enforceable by the stormwater department for maintenance responsibility.

(b) Water quantity design requirements.

- (1) Stormwater management requirements for a specific project shall be based on the entire area to be developed, or if phased, the initial submittal shall control that area proposed in the initial phase and establish a procedure and obligation for total site control.
- (2) Post-development peak discharge rates shall not exceed pre-development discharge rates for the two-, ten-, and twenty-five-year frequency twenty-four-hour duration storm event.
- (3) Discharge velocities shall be reduced to provide a nonerosive velocity flow from a structure, channel, or other control measure or the velocity of the twenty-five-year, twenty-four-hour storm runoff in the receiving waterway prior to the land disturbing activity, whichever is greater.
- (4) Watersheds, other than designated watersheds, that have well documented water quantity problems may have more stringent, or modified, design criteria as determined by the SWMD for development or redevelopment.

- (5) An emergency spillway should safely pass the 100-year storm event.
- (6) Dry ponds must dewater within seventy-two (72) hours.
- (7) Additional requirements are found in the stormwater management manual.

(c) *Water quality design requirements.*

(1) *Clearing and grading.*

- a. Clearing and grading of natural resources, such as forests and wetlands, shall not begin until all applicable local, state, and federal permits have been granted.
- b. Clearing techniques that retain natural vegetation and retain natural drainage patterns, as described in the stormwater management manual, should be used.
- c. Phasing shall be required on all sites disturbing greater than twenty (20) acres, with the size of each phase to be established at plan review and as approved by the SWMD.
- d. Clearing, except that necessary to establish sediment control devices, shall not begin until all sediment control devices have been installed and have been stabilized.

(2) *Erosion control.* Plans shall include all erosion and sediment control measures necessary to meet the objectives of this regulation throughout all phases of construction and permanently, after completion of development of the site.

- a. Soil must be stabilized within fourteen (14) days of clearing or inactivity in construction.
- b. If vegetative erosion control methods, such as seeding, have not become established within twenty-one (21) days, the SWMD may require that the site be reseeded, or that a non-vegetative option be employed.
- c. On steep slopes or in drainage ways, special techniques that meet the design criteria outlined in the stormwater management manual shall be used to ensure stabilization.
- d. Soil stockpiles must be stabilized or covered within twenty-one (21) days of inactivity.
- e. Techniques shall be employed to prevent the blowing of dust or sediment from the site.
- f. Techniques that divert upland runoff past disturbed slopes shall be employed.
- g. Energy dissipation shall be provided at all outfalls.

(3) *Sediment control.*

- a. Sediment controls shall be provided in the form of settling basins or sediment traps or tanks, and perimeter controls.

- b. Where possible, settling basins shall be designed in a manner that allows adaptation to provide long-term stormwater management.
 - c. Adjacent properties shall be protected with perimeter controls.
 - d. A fifty-foot long by six-inch deep stone construction exit shall be provided.
- (4) *Stormwater treatment practices.* Post-construction water quality must be addressed for all sites containing one or more acres of disturbance.
- a. Water quality volume design requirements require implementation of the one-inch sizing criterion.
One-inch sizing: The first one inch of water from any storm event, draining from that portion of the site that discharges to the stormwater treatment unit, must be collected and released over a twenty-four-hour period.
 - b. Dry ponds are not an acceptable stand-alone water quality treatment technology. When used they should be preceded by a forebay and used in conjunction with infiltration, vegetative filters, or inline treatment. Dry ponds must dewater within seventy-two (72) hours.
 - c. Technologies that may be used to meet water quality requirements include but are not limited to infiltration, bioretention, in-line treatment devices, disconnected impervious areas, vegetated filter strips, constructed wetlands, and wet ponds. Vegetative swales combined with bioretention or another infiltration technology is the preferred method of water quality treatment. Landscaped areas should be designed, where possible, to incorporate stormwater management. Peak flow control may be achieved by adding inline or overflow storage such as parking lot detention, pipe storage or a dry pond.

Sec. 14-170.5. Design guidelines.

Specific requirements, guidance and technical specifications for compliance with this ordinance are found in the city stormwater management manual. Although the intention of the plan is to establish uniform design practices, it neither replaces the need for engineering judgment nor precludes the use of information not presented. Other accepted engineering and construction procedures and practices may be used if approved by the SWMD.

Sec. 14-170.6. Variances.

The Stormwater Management Department may grant a written variance from any requirement of the stormwater management requirements if there are exceptional circumstances applicable to the site such that strict adherence to the provisions of these regulations will result in

unnecessary hardship and not fulfill the intent of the policy. A written request for variance shall be provided to the SWMD and shall state the specific variances sought and the reasons with supporting data for their granting. The SWMD shall not grant a variance unless and until the applicant provides sufficient specific reasons justifying the variance. The SWMD will conduct its review of the request for variance within ten (10) working days. Failure of the SWMD to act by the end of the tenth working day will result in the automatic approval of the variance.

A project may be eligible for a waiver or variance of stormwater management for water quantity control if the applicant can demonstrate that:

- (1) The proposed project will return the disturbed area to a pre-development runoff condition and the pre-development land use is unchanged at the conclusion of the project.
- (2) The proposed project does not increase the rate of runoff from a site by more than one cfs for each of the two-, ten- and twenty-five-year storm events and the disturbed area is less than one acre.
- (3) The proposed project will have no significant adverse impact on the receiving natural waterway or downstream properties; or
- (4) The imposition of peak control requirements for rates of stormwater runoff would aggravate downstream flooding.

Sec. 14-170.7. Inspection.

- (a) The SWMD shall conduct routine inspections and shall either approve that portion of the work completed or shall notify the permittee wherein the work fails to comply with the stormwater and sediment control plan as approved. Plans for grading, stripping, excavating, and filling work bearing the stamp of approval of the SWMD shall be maintained at the site during the progress of the work. The permittee shall notify the SWMD at least two (2) working days before the start of construction.
- (b) The permittee or his/her agent shall make regular inspections of all control measures at least every seven (7) days and after every one-half-inch rain event. The purpose of such inspections will be to determine the overall effectiveness of the stormwater and sediment control plan, and the need for additional control measures. All inspections shall be documented in written form.
- (c) The SWMD shall enter the property of the applicant as deemed necessary to make regular inspections to ensure the validity of the reports.
- (d) If inspection of a project results in an "unsatisfactory" rating indicating noncompliance with the site permit, upon request one follow-up re-inspection to verify compliance will be conducted at no charge. All subsequent inspections requested by the permit holder or project manager to verify the site has been brought back into compliance will require a \$50.00 re-inspection fee to be paid to the city prior to re-inspection. The city utilizes

an Enforcement Response Plan (ERP) that fully explains the inspection protocols, ratings, time frames set to bring the site into compliance, and enforcement policy.

- (e) The SWMD shall make regular post-construction maintenance inspections of stormwater treatment and control devices and provide a written report to the owner of record (per the stormwater maintenance agreement, or if none, the property owner) of such device outlining deficiencies and required corrective actions.

Section 14-170.8. Construction site pollution prevention

(No Change)

Section 14-170.9. Enforcement

(No Change)

- II. All Ordinances or parts of Ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.
- III. This Ordinance shall become effective 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. ANNEXATION: Ordinance No. 2021-23 – To Change the Corporate Limits of the City of North Augusta by Accepting the Petition Requesting Annexation by the Landowners and Annexing ±43.9 Acres of Land Located along Martintown Road and Owned by Adams Brothers Properties, LLC; Ordinance – First Reading

On the motion of Councilmember Carpenter, second of Councilmember Presnell, Council agreed to consider an ordinance on first reading to change the corporate limits of the City by accepting the petition requesting annexation by the landowners and annexing ±43.9 acres of land located along Martintown Road and owned by Adams Brothers Properties, LLC. There were no comments from citizens. Council approved the first reading of the ordinance with a 7-0 vote.

Please see a copy of the proposed ordinance below:

ORDINANCE NO. 2021-23

TO CHANGE THE CORPORATE LIMITS OF THE CITY OF NORTH AUGUSTA
BY ACCEPTING THE PETITION REQUESTING ANNEXATION BY THE LANDOWNERS AND ANNEXING
± 43.9 ACRES OF PROPERTY LOCATED
ON W. MARTINTOWN ROAD AND OWNED BY
ADAMS BROTHERS 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 property is not situated within the area of the North Augusta 2017 Comprehensive Plan for review for consistency with the Future Land Use Classification of the properties as specified in the Land Use Element.

WHEREAS, the annexation request and zoning classification has been reviewed by the Planning Commission which has recommended annexation of the properties with ± 9.0 acres zoned R-7 Small Lot Single-Family Residential and ±34.1 acres as R-10 Medium Lot Single Family Residential.

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 of land, with all improvements thereon, being in the County of Edgefield containing ± 43.9 acres and appearing on that plat prepared and recorded in the Office of the Clerk of Court for Edgefield County in Record Book 1866 at page 241, including all adjacent right-of-way.

Tax Map & Parcel No.: 106-00-00-041

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" prepared by the City of North Augusta.

- VI. The zoning classification shall be \pm 9 acres as R-7 Small Lot Single-Family Residential and \pm 34.1 acres as R-10 Medium Lot, Single-Family Residential, as shown on a map identified as "Exhibit B" titled "Zoning Exhibit for Martintown Ridge."
- 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 8. PUBLIC SAFETY: Resolution No. 2021-46 – Resolution to Approve an Intergovernmental Agreement Between the City of North Augusta and Aiken County Related to the Purchase and Funding of Radios for the Department of Public Safety for the City of North Augusta

On the motion of Councilmember Carpenter, second of Councilmember McCauley, Council agreed to consider a resolution to approve an intergovernmental agreement between the city of North Augusta and Aiken County related to the purchase and funding of radios for the Department of Public Safety for the City of North Augusta. There were no comments from citizens. Council approved the resolution with a 7-0 vote.

Please see a copy of the proposed resolution below:

RESOLUTION NO. 2021-46

RESOLUTION TO APPROVE AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF NORTH AUGUSTA AND AIKEN COUNTY RELATED TO THE PURCHASE AND FUNDING OF RADIOS FOR THE DEPARTMENT OF PUBLIC SAFETY FOR THE CITY OF NORTH AUGUSTA

WHEREAS, The City has a need to acquire new radios to be used as part of its emergency communications equipment inventory, for the Public Safety Department, such radios qualifying for purchase through the use of E-911 fees; and,

WHEREAS, By resolution number 17-05-84 Aiken County established an E-911 fee radio grant policy and process; and,

WHEREAS, The City has requested funding through such grant process; and,

WHEREAS, The City has been advised by the County that the City's application has been approved; and,

WHEREAS, It is now necessary that the City and County enter into an Agreement to specifically provide the details related to the receipt of such grant by the City; and,

WHEREAS, Section 6-1-20 authorizes contractual agreements related to public services between Counties and Municipalities; and,

WHEREAS, The City and Aiken County have prepared an Intergovernmental Agreement that the City Council deems 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 the Intergovernmental Agreement between the City of North Augusta and County of Aiken related to the purchase and funding of radios for the Department of Public Safety, such Agreement attached hereto, marked Exhibit "A", and incorporated by reference is hereby approved. Be it further resolved that the City Administrator is authorized to execute said agreement on behalf of the City.

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

ITEM 9. PUBLIC SAFETY: Ordinance No. 2021-24 – To Authorize the Purchase and Financing of Radios for the Department of Public Safety

On the motion of Councilmember Presnell, second of Councilmember Brooks, Council agreed to consider an ordinance on first reading to authorize the purchase and financing of radios for the Department of Public Safety. There were no comments from citizens. Council approved the first reading of the ordinance with a 7-0 vote.

Please see a copy of the proposed ordinance below:

ORDINANCE NO. 2021-24
TO AUTHORIZE THE PURCHASE AND FINANCING OF RADIOS FOR THE DEPARTMENT OF
PUBLIC SAFETY

WHEREAS, the radios currently used by the Department of Public Safety are over 10 years old and currently are not totally compatible with other law enforcement agencies in the area; and

WHEREAS, the City will be able to utilize a County program for the funding of such radios that will result in E-911 fees paying 75% of the cost; and

WHEREAS, the City will be able to arrange for a lease purchase of the radios with the City currently receiving bids from several financial institutions to provide such funding; and

WHEREAS, the Mayor and City Council acknowledge the need for the replacement of the radios and believe that the current plan for the purchase and financing of the purchase is appropriate and should be authorized.

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. That the City is authorized to enter into a purchase of radios as determined to be necessary by the Director of Public Safety.
2. That the authorization for purchase is at an amount not to exceed (\$1,000,000.00) one million dollars with the approval of an intergovernmental agreement between the City of North Augusta and Aiken County that will result in 75% of the purchase price being paid utilizing E-911 fees.
3. That the lease purchase of said radios shall be through a financial institution that is selected by the Director of Finance and General Services following the receipt of bids/proposals.
4. That the City Administrator is authorized to execute such documents as required for the purchase and financing of the radios.
5. The City's funding source for this purchase is the Capital Projects Fund.

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

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

ITEM 10. ZONING: Ordinance No. 2021-25 – To Amend the Zoning Map of the City of North Augusta, South Carolina by Rezoning ±1.63 Acres of Land Owned by Second Providence Baptist Church, Aiken County Tax Parcel #006-20-06-003, #006-20-06-004, #006-20-06-005, and #006-20-06-006 from R-10 Medium Lot, Single Family Residential to GC, General Commercial; Ordinance - First Reading

On the motion of Councilmember Carpenter, second of Councilmember McGhee, Council agreed to consider an ordinance on first reading to amend the zoning map of the City of North Augusta by rezoning ±1.63 acres of land owned by Second Providence Baptist Church from r-10 Medium Lot, Single Family Residential to GC, General Commercial. There were no comments from citizens. Council approved the first reading of the ordinance with a 7-0 vote.

Please see a copy of the proposed ordinance below:

ORDINANCE NO. 2021-25
TO AMEND THE ZONING MAP OF THE CITY OF NORTH AUGUSTA,
SOUTH CAROLINA BY REZONING ± 1.63 ACRES OF LAND
OWNED BY SECOND PROVIDENCE BAPTIST CHURCH,
AIKEN COUNTY TAX PARCEL #006-20-06-003, #006-20-06-004, #006-20-06-005. AND #006-20-
06-006 FROM R-10 MEDIUM LOT, SINGLE-FAMILY RESIDENTIAL TO
GC, GENERAL COMMERCIAL

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 a November 18, 2021 public hearing, reviewed and considered a request by the Second Providence Baptist Church to amend the Official Zoning Map of North Augusta from R-10 (Medium Lot, Single-Family Residential) to General Commercial (GC) for tax parcel #006-20-06-003, #006-20-06-004, #006-20-06-005. AND #006-20-06-006 and unanimously recommends the request. The staff report and results of this hearing have 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. A parcel consisting of ±1.63 acres owned by Second Providence Baptist Church, is hereby rezoned from R-10 (Medium Lot, Single-Family Residential) to GC, General Commercial. Said property is Aiken County tax map parcel #006-20-06-003, #006-20-06-004, #006-20-06-005. AND #006-20-06-006 and specifically identified on Exhibit "A" attached hereto.
- II The Official Zoning Map for the City of North Augusta is hereby amended to reflect this rezoning.

- 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 11. ADMINISTRATIVE REPORTS

Cammie Hayes, Chief Financial Officer/Deputy City Administrator, thanked the Public Safety and Public Services departments for their extra efforts to insure the safety of citizens who attended the North Augusta Lions Club Christmas Parade on Sunday.

ITEM 12. PRESENTATIONS/COMMUNICATIONS/RECOGNITION OF VISITORS:

A. Citizen Comments:

None

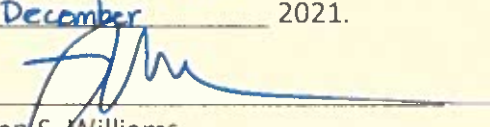
B. Council Comments:

- Councilmember Carpenter explained to the students in attendance that Council had a Study Session last week to discuss the agenda items.
- Councilmember Presnell thanked the students for attending and encouraged them to come back again and perhaps attend a Study Session to get a better understanding of how local government works.
- Mayor Williams added the following:
 - He thanked the North Augusta Lions Club for organizing the Christmas Parade on Sunday. He also thanked the City departments who helped make the event a success.
 - He thanked Derek Boyd and his department for planning the North Augusta Christmas Tree lighting. The Mayor was glad to see such a large crowd enjoying the event and staying Downtown after.
 - The Mayor recognized Roy Kibler and his staff for the Arbor Day Tree Planting Celebration and thanked the Carolina Hills Garden Club for their sponsorship and the gift of the tree plaque.
 - Beginning in 2022 the Public Power Hours will begin at 5:30 p.m.
 - Mayor Williams thanked Tina Chudgar for the gift of the gazebo in memory of her husband.

ITEM 13. ADJOURNMENT


The regular City Council meeting adjourned at 6:22 p.m.

APPROVED THIS 20th DAY OF
December 2021.



Briton S. Williams
Mayor

Respectfully submitted,



Sharon Lamar
City Clerk