

North Augusta



South Carolina's Riverfront

MINUTES OF DECEMBER 20, 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

REGULAR MEETING

The regular meeting of the City Council of the City of North Augusta of December 20, 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](https://www.facebook.com) and on the City YouTube page: "City of North Augusta Public Information" then adjourned at 7:00 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 read the Christmas Story from Luke 2:1-21 and rendered the Pledge of Allegiance.

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

Also in attendance were James S. Clifford, City Administrator; Rachele Moody, Assistant City Administrator; Kelly F. Zier, City Attorney; Cammie T. Hayes, Chief Financial Officer; Thomas C. Zeaser, Director of Engineering and Public Works; Karl Waldhauer, Parks, Recreation and Tourism Department Superintendent of Facilities and Programs; 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 December 6, 2021 and the minutes of the December 13, 2021 Study Session were approved by general consent.

ITEM 5. PROCLAMATION: Good Samaritan Recognition

Mayor Williams recognized and thanked Allison Shellstrom for her compassionate response to an injured Public Safety Lieutenant.

Please see a copy of the proclamation below:

PROCLAMATION

WHEREAS, on Thursday, December 9, 2021 City of North Augusta Public Safety officers were pursuing a possible suspect, when an emergency situation began in the middle of the street in downtown North Augusta; and

WHEREAS, our brave officers of the North Augusta Public Safety department were attempting to apprehend the suspect while ensuring the safety of the public; and

WHEREAS, a Public Safety Lieutenant was injured by gunfire; and

WHEREAS, when Allison Shellstrom saw the officer, she volunteered to drive him to a local hospital to insure he received immediate medical attention and care; and

WHEREAS, the City of North Augusta is blessed to have such a thoughtful, caring and compassionate citizen who was not afraid to come to the Lieutenant's aide.

NOW THEREFORE, I, Briton S. Williams, on of behalf of the citizens of the City of North Augusta with sincere and heartfelt gratitude do hereby recognize and honor

Allison Hudson Shellstrom

and call upon all citizens of the City of North Augusta, South Carolina to express their appreciation to Ms. Shellstrom for her selfless act of compassion.

- 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 8. 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 – Second Reading

On the motion of Mayor Williams, second of Councilmember McCauley, at the request of the land owners, Council agreed to table an ordinance 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 was no discussion. Council tabled the ordinance with a 7-0 vote.

Please see a copy of the tabled 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:

- I. 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.

- II. 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."
- 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. ZONING: Ordinance No. 2021-25 – To Amend the Zoning Map of the City of North Augusta, South Carolina by Rezoning \pm 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 - Second Reading

On the motion of Councilmember Toole, second of Councilmember McGhee, Council agreed to consider an ordinance on second reading to amend the zoning map of the City of North Augusta by rezoning \pm 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 second 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 \pm 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 10. PUBLIC SAFETY: Ordinance No. 2021-24 – To Authorize the Purchase and Financing of Radios for the Department of Public Safety; Ordinance – Second Reading

On the motion of Councilmember Presnell, second of Councilmember McCauley, Council agreed to consider an ordinance on second reading to authorize the purchase and financing of radios for the Department of Public Safety. There were no comments from citizens. Council approved the second 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 11. PUBLIC SAFETY: Resolution No. 2021-47 - Resolution Approving Financing Terms for the Financing of Public Safety Radios

On the motion of Councilmember McCauley, second of Councilmember Carpenter, Council agreed to consider a resolution to approve financing terms for the financing of Public Safety radios. 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. 2021-47
RESOLUTION APPROVING FINANCING TERMS FOR
THE FINANCING OF PUBLIC SAFETY RADIOS

WHEREAS, the City of North Augusta, SC ("Borrower") has previously determined to undertake a project for the financing of public safety radios (the "Project"), and the Chief Financial Officer has now presented a proposal for the financing of such Project.

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

1. The Borrower hereby determines to finance the Project through Truist Bank ("Lender") in accordance with the proposal dated December 8, 2021. The amount financed shall not exceed \$642,000.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 1.51%, and the financing term shall not exceed five (5) years from closing.

2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the Borrower are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.

3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by Borrower officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the

intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

4. The Borrower shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations.

5. The Borrower intends that the adoption of this resolution will be a declaration of the Borrower's official intent to reimburse expenditures for the Project that are to be financed from the proceeds of the Lender financing described above. The Borrower intends that funds that have been advanced, or that may be advanced, from the Borrower's general fund or any other Borrower fund related to the Project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of Borrower officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

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

ITEM 12. PUBLIC SAFETY: Resolution No. 2021-48 – A Resolution Authorizing an Asbestos Abatement Services Contract for City Owned Property at 1208 Georgia Avenue, Site of the New Public Safety Headquarters

On the motion of Councilmember Toole, second of Councilmember McCauley, Council agreed to consider a resolution authorizing an Asbestos Abatement Services Contract with G&P Construction, Hauling and Environmental, LLC. There were no comments from citizens. Councilmember McGhee recused himself from this item. Council approved the resolution with a unanimous vote of 6-0.

Please see ATTACHMENT #12 for a copy of Councilmember McGhee's Recusal Statement.

A copy of the proposed resolution below:

RESOLUTION NO. 2021-48
A RESOLUTION AUTHORIZING AN ASBESTOS ABATEMENT SERVICES CONTRACT FOR CITY OWNED PROPERTY AT 1208 GEORGIA AVENUE, SITE OF NEW PUBLIC SAFETY HEADQUARTERS

WHEREAS, an asbestos inspection was performed at 1208 Georgia Avenue and it was determined that asbestos abatement services are needed prior to moving forward with building demolition at the site; and

WHEREAS, City staff, in conjunction with the City's project manager Capstone Services, has received and reviewed two proposals; and

WHEREAS, both proposals are in the estimated range as provided by the inspection vendor; and

WHEREAS, the lowest proposal received is from G&P Construction, Hauling & Environmental, LLC (G&P) totaling \$10,177; and

WHEREAS, Administration supports the asbestos abatement services contract to continue to move forward with site demolition at 1208 Georgia Avenue; and

WHEREAS, City Council believes it to be in the best interest of the City to contract for asbestos abatement services to support continued forward progress on the new Public Safety Headquarters.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of North Augusta, in meeting duly assembled and by the authority thereof, that a contract be entered into with G&P for asbestos abatement services with charges not to exceed \$10,200 to be charged to the Public Safety Headquarters project.

BE IT FURTHER RESOLVED that the City Administrator shall be authorized to sign all documents relating to the identified contractual services.

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

ITEM 13. FINANCE: Resolution No. 2021-49 – A Resolution Authorizing Funding Allocation Recommendations of the Accommodations Tax Advisory Committee for the Disbursement of Revenues from the Accommodations Tax Year 2020-2021

On the motion of Councilmember Brooks, second of Councilmember Carpenter, Council agreed to consider a resolution authorizing funding allocation recommendations of the Accommodations Tax Advisory Committee for the disbursement of revenues from the Accommodations Tax Year 2020-2021. 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. 2021-49
A RESOLUTION AUTHORIZING FUNDING ALLOCATION RECOMMENDATIONS
OF THE ACCOMMODATIONS TAX ADVISORY COMMITTEE FOR THE DISBURSEMENT OF
REVENUES FROM THE ACCOMMODATIONS TAX YEAR 2020-2021

HEREAS, the City of North Augusta receives state accommodations tax funding from the state of South Carolina; and

WHEREAS, the City receives more than fifty thousand dollars in state accommodations taxes and pursuant to Section 6-4-25 Code of Laws of South Carolina, formed a local advisory committee consisting of seven members via Resolution 2019-32 and updated via Resolution 2020-45; and

WHEREAS, Section 6-4-10(4) provides, in part, that the funds received by a municipality collecting more than fifty thousand dollars from the state accommodations tax must allocate the remaining balance, after statutory directed allocations to the General Fund and advertising and promotion funds, to the special fund to use for tourism related expenditures; and

HEREAS, the local accommodations tax advisory committee received ten applications for funding for accommodations tax year 2020-2021; and

WHEREAS, the funding for accommodations tax year 2020-2021 to be allocated to applicants totaling \$76,064.13; and

WHEREAS, the local accommodations tax advisory committee met and reviewed the applications, spoke with applicants and voted to recommend the following funding allocations for Council's consideration:

Project Name	Organization	Amount Requested	Allocated Amount
Vaughn Taylor Championship	American Junior Golf Association -Patrick Cansfield	\$15,000.00	\$5,000.00
Jack-O-Lantern Jubilee	NAPRT - Rick Meyer	\$25,000.00	\$25,000.00
Pole Barn with fireplace	Olde Towne Preservation Association - Lynn Thompson	\$35,000.00	\$6,564.13
2022 Sharon Jones Amphitheater Concert Series	NAPRT - Derek Boyd	\$20,000.00	\$15,000.00

2022 River Event	NAPRT - Rick Meyer	\$15,000.00	\$10,000.00
Entertainment Event MFOCTA/BLOA Joint Academy	City of North Augusta - Cammie Hayes	\$7,000.00	\$2,500.00
Arts & Heritage Rack Cards	Arts & Heritage Center - Mary Ann Bigger	\$2,000.00	\$2,000.00
Spring Concert Series	Friends with Benefits Fund - George Claussen	\$10,000.00	\$10,000.00
FY 2020-2021 Recommended Allocation			\$76,064.13

OW 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 funding be allocated as recommended by the local accommodations tax advisory committee and that the funding source be the Accommodations Tax Fund for tax year 2020-2021.

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

ITEM 14. CITY PROPERTY: Ordinance No. 2021-26 – To Convey a Portion of Tax Parcel 005-13-06-004 to the Wando Woodlands Property Owners Association, Inc.; Ordinance – First Reading

On motion of Councilmember Toole, second of Councilmember Brooks, Council agreed to consider an ordinance on first reading to convey a portion of tax parcel 005-13-06-004 to the Wando Woodlands Property Owners Association, Inc. 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. 2021-26
TO CONVEY A PORTION OF TAX PARCEL NUMBER
005-13-06-004 TO THE WANDO WOODLANDS PROPERTY
OWNERS ASSOCIATION, INC.

WHEREAS, on May 29, 2007 Wando Partners, L.P. conveyed ± 2.52 acres to the City of North Augusta identified as Tax Parcel Number 005-13-06-004, and

WHEREAS, the conveyed property was identified as “Common Space” and includes a detention pond that services the development; and

WHEREAS, the Wando Woodland Property Owners Association, Inc. would like to use and develop a portion of Tax Parcel Number 005-13-06-004 consisting \pm 0.17 acres as recreational space for the residents of the development; and

WHEREAS, the use of this \pm 0.17 acres by the Wando Woodland Property Owners Association will not affect the City of North Augusta's ability to maintain the infrastructure of the detention pond.

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 City Administrator is authorized to sign the deed and necessary documents for the conveyance of 0.17 acres of Tax Map Parcel number 005-13-06-004, to the Wando Woodland Property Owners Association.
- VI. All Ordinances or parts of Ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.
- VII. 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 _____, 2022.

ITEM 15. CITY COUNCIL: City of North Augusta City Council Meeting Schedule and Notice January 2022 through December 2022

The City Council Meeting Schedule and Notice for January 2022 through December 2022 was approved by general consensus. In accordance with South Carolina Code of Laws §30-4-80(a), public notice must be given to the general public that the City Council will hold meeting open to the public on the published dates and times

Please see a copy of the proposed schedule below:

City of North Augusta City Council

PUBLIC NOTICE

Meeting Schedule and Notice
January 2022 through December 2022



Pursuant to the South Carolina Code of Laws §30-4-80(a), notice is hereby given to the members of the North Augusta City Council and to the general public that the North Augusta City Council will hold meetings open to the public on the following dates and times. A copy of the agenda for each meeting will be available at least 24 hours in advance in the City Clerk's Office,

at 100 Georgia Avenue, North Augusta, South Carolina. A notice of each meeting will be sent by email to the current maintained "Agenda Mail Out" list consisting of news media outlets and individuals or companies requesting notification. Notice of the meetings will also be posted by the outside doors of the Municipal Center, on the main bulletin board located on the first floor of the Municipal Center, and on the website at www.northaugusta.net/government/council-meetings-agendas. For questions or further information, please contact the City Clerk at (803) 441-4202 or email to slamar@northaugusta.net.

Unless otherwise noted, regular City Council meetings listed below are to be held the first and third Mondays of each month on the third floor of the Municipal Center at 100 Georgia Avenue, North Augusta, South Carolina.

January 2022

- 03 Public Power Hour at 5:30 pm and Council Meeting at 6:00 pm
- 17 (No meeting will be held in observance of Martin Luther King, Jr. Day)
- 31 Study Session at 6:00 pm

February 2022

- 07 Public Power Hour at 5:30 pm and Council Meeting at 6:00 pm
- 21 (No meeting will be held in observance of Presidents' Day)
- 28 Study Session at 6:00 pm

March 2022

- 07 Public Power Hour at 5:30 pm and Council Meeting at 6:00 pm
- 14 Study Session at 6:00 pm
- 21 Council Meeting at 6:00 pm
- 28 Study Session at 6:00 pm

April 2022

- 04 Public Power Hour at 5:30 pm and Council Meeting at 6:00 pm
- 11 Study Session at 6:00 pm
- 18 Council Meeting at 6:00 pm
- 25 Study Session at 6:00 pm

May 2022

- 02 Public Power Hour at 5:30 pm and Council Meeting at 6:00 pm
- 09 Study Session at 6:00 pm
- 16 Council Meeting at 6:00 pm
- 23 Study Session at 6:00 pm
- 30 (No meeting will be held in observance of the Memorial Day Holiday)

June 2022

- 06 Public Power Hour at 5:30 pm and Council Meeting at 6:00 pm
- 13 Study Session at 6:00 pm
- 20 Council Meeting at 6:00 pm

July 2022

- 04 (No meeting will be held in observance of the Independence Day Holiday)
- 11 Study Session at 6:00 pm
- 18 Public Power Hour at 5:30 pm and Council Meeting at 6:00 pm
- 25 Study Session at 6:00 pm

August 2022

- 01 Public Power Hour at 5:30 pm and Council Meeting at 6:00 pm
- 08 Study Session at 6:00 pm
- 15 Council Meeting at 6:00 pm

September 2022

- 05 (No meeting will be held in observance of the Labor Day Holiday)
- 12 Study Session at 6:00 pm
- 19 Public Power Hour at 5:30 pm and Council Meeting at 6:00 pm
- 26 Study Session at 6:00 pm

October 2022

- 03 Public Power Hour at 5:30 pm and Council Meeting at 6:00 pm
- 10 Study Session at 6:00 pm
- 17 Council Meeting at 6:00 pm
- 24 Study Session at 6:00 pm

November 2022

- 07 Public Power Hour at 5:30 pm and Council Meeting at 6:00 pm
- 14 Study Session at 6:00 pm
- 21 Council Meeting at 6:00 pm
- 28 Study Session at 6:00 pm

December 2022

- 05 Public Power Hour at 5:30 pm and Council Meeting at 6:00 pm
- 12 Study Session at 6:00 pm
- 19 Council Meeting at 6:00 pm
- 26 (No meeting will be held in observance of the Christmas Holiday)

Please note: Meeting dates and times are subject to change. Special Called Meeting notices will be given in the same manner as regular meetings. To verify meeting dates and times, contact the City Clerk's Office at (803) 441-4202 or visit www.northaugusta.net/government/council-meetings-agendas.

ITEM 16. ECONOMIC DEVELOPMENT: Resolution No. 2021-50 – A Resolution to Enter into a Memorandum of Agreement for Participation in Main Street South Carolina

On the motion of Councilmember McCauley, second of Councilmember Brooks, Council agreed to consider a resolution to enter into a Memorandum of Agreement for participation in Main Street South Carolina. There were no comments from citizens. Council approved the resolution with a unanimous 7-0 vote.

Please see a copy of the proposed resolution below:

RESOLUTION NO. 2021-50
A RESOLUTION TO ENTER INTO A MEMORANDUM OF AGREEMENT FOR
PARTICIPATION IN MAIN STREET SOUTH CAROLINA

WHEREAS, the Municipal Association of South Carolina (MASC) hosts the Main Street SC program, the licensed agency that is charged with administering the Main Street program throughout the State of South Carolina; and

WHEREAS, in August 2018, North Augusta Forward (NAF) made presentation to the North Augusta City Council regarding the benefits of, and process of applying for participation in, the Main Street SC program, after which the North Augusta City Council provided written support for NAF to apply on behalf of the City of North Augusta; and

WHEREAS, in the three years since acceptance into Main Street SC, NAF, through staff and board of directors, has operated as North Augusta's Main Street program in "Aspiring" status; and

WHEREAS, beginning in January 2022, North Augusta's Main Street program will have completed all training required to graduate from "Aspiring" status to "Classic" status; and

WHEREAS, Main Street SC has developed a Main Street Memorandum of Agreement (MOA) based on national Main Street operational best practices for the 2022-2023 program year that outlines the roles, responsibilities and requirements of the municipality, the local Main Street program board of directors, the local Main Street program manager, and Main Street SC; and

WHEREAS, all parties with responsibilities outlined in the MOA are required to sign and confirm their thorough understanding and commitment to active participation in Main Street SC.

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:

1. The Mayor and Council of North Augusta continue to support the national Main Street Approach and its local implementation.
2. The Mayor and Council acknowledge North Augusta as a designated municipality of the Main Street SC program in Classic status.
3. The City Administrator is authorized to sign the 2022-2023 Main Street MOA as required for the City's participation in the Main Street SC program.

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 17. ENGINEERING AND PUBLIC WORKS: Resolution No. 2021-51 – Authorizing Additional Funding for Engineering Services for the Downtown Greenway/Bluff Avenue Streetscape

On the motion of Councilmember McCauley, second of Councilmember Brooks, Council agreed to consider a resolution authorizing additional funding for engineering services for the Downtown Greenway/Bluff Avenue Streetscape. There were no comments from citizens. Council approved the resolution unanimously with a 7-0 vote.

Please see a copy of the proposed resolution below:

RESOLUTION NO. 2021-51
AUTHORIZING ADDITIONAL FUNDING FOR ENGINEERING SERVICES FOR THE DOWNTOWN GREENWAY CONNECTOR/BLUFF AVENUE STREETScape

WHEREAS, Resolution 2020-19 authorized the City to enter into a Master Agreement with Cranston Engineering Group, P.C. (Cranston) for professional civil engineering services for the Downtown Greenway Connector; and

WHEREAS, Resolution 2020-21 approved Work Authorization No. 1 for Phase One of the Downtown Greenway Connector, AKA Bluff Avenue Streetscape, and established a budget of \$150,000 from the Sales Tax 3 Fund; and

WHEREAS, as a result of preliminary plan review, it was the consensus of City Council to include undergrounding of the overhead utility lines into the design; and

WHEREAS, additional engineering services are necessary for the City's portion of the undergrounding work; and

WHEREAS, Cranston, in consultation with the Director of Engineering & Public Works, has submitted a Scope of Work and Fee Proposal for the additional engineering services.

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 that funding for Work Authorization No. 1 shall be increased to \$175,000.00 from the Sales Tax 3 Fund.

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

ITEM 18. FINANCE: Resolution No. 2021-52 – Resolution No. 2021-52 Authorizing Funding for the Main Street Program to North Augusta Forward

On the motion of Councilmember Brooks, second of Councilmember Presnell, Council agreed to consider a resolution authorizing funding for the Main Street Program to North Augusta Forward. There were no comments from citizens. Council approved the resolution unanimously with a 7-0 vote.

Please see a copy of the proposed resolution below:

RESOLUTION NO. 2021-52
AUTHORIZING FUNDING FOR THE MAIN STREET PROGRAM
TO NORTH AUGUSTA FORWARD

WHEREAS, on November 2, 2021, City Council adopted a budget for the fiscal year that began on January 1, 2021 and ended on December 31, 2021 which included a community promotions contribution to North Augusta Forward for the Main Street Program; and

WHEREAS, COVID-19 has impacted the pace at which items are able to be secured related to enhancing downtown amenities and other objectives of the Main Street Program; and

WHEREAS, there remains a balance of \$6,000 in the community promotions contribution account for the 2021 budget year; and

WHEREAS, Council believes it to be in the best interest of the City to authorize funding from the 2021 General Fund surplus for the Main Street Program to North Augusta Forward.

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 \$6,000 is authorized in the Capital Projects Fund from 2021 budget surplus to North Augusta Forward for the Main Street Program as identified above and adopted during the 2021 budget process.

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

ITEM 19. ECONOMIC DEVELOPMENT: Resolution No. 2021-53 – Resolution to Authorize the City Administrator to Execute a Document or Documents Consenting to an Assignment of Rights Related to the Stadium License Agreement

On the motion of Councilmember Toole, second of Councilmember Presnell, Council agreed to consider a resolution to authorize the City Administrator to execute a document or documents consenting to an assignment of rights related to the Stadium License Agreement. There were no comments from citizens. Council approved the resolution unanimously with a 7-0 vote.

Please see a copy of the proposed resolution below:

RESOLUTION No. 2021-53

RESOLUTION TO AUTHORIZE THE CITY ADMINISTRATOR TO EXECUTE A DOCUMENT OR DOCUMENTS CONSENTING TO AN ASSIGNMENT OF RIGHTS RELATED TO THE STADIUM LICENSE AGREEMENT

WHEREAS, the City has been advised that Green Jackets Baseball, LLC is entering into an Asset Purchase Agreement with Diamond Baseball Holdings Augusta, LLC; and

WHEREAS, such sale includes matters related to the stadium and retail space owned by the City subject to a license agreement with Green Jackets Baseball, LLC; and

WHEREAS, the license Agreement specifically provides for the assignability and transferability of the interest in and to such license but requires consent by the City to such assignment with a provision that such consent shall not be unreasonably withheld; and

WHEREAS, the City has been provided information related to the transfer with such information thoroughly reviewed by City staff and attorneys with an ultimate determination that the baseball operation and related retail operation will continue and the utilization of said stadium and retail space will remain basically unchanged; and,

WHEREAS, the Mayor and City Council has determined that it is in the best interest of the City that consent be granted for this assignment.

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: That the City Administrator is authorized to execute the attached document consenting to the assignment of rights related to the baseball stadium and retail space.

BE IT FURTHER RESOLVED, that the City Administrator is also authorized to execute any other documents required to confirm the City's consent to such assignment.

This Resolution shall become effective immediately upon its adoption.

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 20. ADMINISTRATIVE REPORTS

Rachelle Moody, Assistant City Administrator, thanked the City's IT department for overseeing the audio visual update to Council Chambers.

She also announced City offices closures during the holiday season: Friday, December 24, Monday, December 27, and Friday, December 31. The next regular Public Power Hour will be January 3rd at 5:30 p.m. followed by the regular City Council meeting at 6:00 p.m.

ITEM 17. PRESENTATIONS/COMMUNICATIONS/RECOGNITION OF VISITORS:

A. Citizen Comments:

None

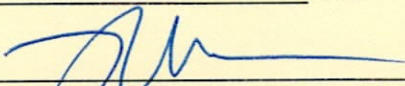
B. Council Comments:

- Mayor Williams acknowledged Council is in receipt of the draft of the 2021 Comprehensive Plan Update. A Public Hearing will be scheduled for the first quarter of the New Year to receive input from citizens. The draft document is available for review on the City's website, <https://www.northaugusta.net/home/showpublisheddocument/21831>.
- Mayor Williams asked Council to share their blessings from this year.

ITEM 18. ADJOURNMENT

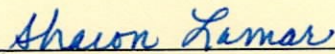
The regular City Council meeting adjourned at 7:00 p.m.

APPROVED THIS _____ DAY OF
_____ 2022.



Briton S. Williams
Mayor

Respectfully submitted,



Sharon Lamar
City Clerk

RECUSAL STATEMENT

Member Name: David McChace

Meeting Date: 12/20/21

Agenda Item: 12 Section NEW BUSINESS Number: 2021-48

Topic: Prior Business Relationship

(Asbestos Abatement Services Contract for 1208 Georgia Avenue) #11

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

Date: 12/20/21

David McChace
Member

Approved by Parliamentarian: _____