



DISCUSSION ITEMS FOR MAY 15, 2023 CITY COUNCIL MEETING

The documentation provided herewith consists of advance draft materials for review by Mayor and City Council. Such documents may be revised prior to the actual Council meeting before any formal consideration of same by Mayor and City Council. Said documents may also be revised by way of a proper amendment made at the Council meeting. These documents are informational only and not intended to represent the final decision of the Council.



Interoffice Memorandum

TO: Mayor and City Council
FROM: Jim Clifford, City Administrator
DATE: May 12, 2023
SUBJECT: Regular City Council Meeting of May 15, 2023

REGULAR COUNCIL MEETING

ITEM 5. PROCLAMATIONS:

- a. National Police Week, May 14-20, 2023
- b. National Public Works Week, May 21-27, 2023

Mayor Williams will recognize the above proclamations.

Please see ATTACHMENT #'s 5a and 5b for a copy of the proclamations

ITEM 6. PERSONNEL: Employee of the Quarter – January, February, and March 2023 – Lauren Wertz

Mayor Williams will recognize the employee of the quarter.

OLD BUSINESS

ITEM 7. ADMINISTRATION: Ordinance No. 2023-10 Authorizing the City to Enter into a Lease Agreement with Sabal Designs Limited Company and IRA fbo William Lance Jones IRA, LLC, Related to Property Consisting of Approximately 0.62 Acres and Known as Tax Map and Parcel No. 007-13-01-006 – Second Reading

An ordinance has been prepared for Council's consideration to approve Authorizing the City to Enter into a Lease Agreement with Sabal Designs Limited Company and IRA fbo William Lance Jones IRA, LLC, Related to Property Consisting of Approximately 0.62 Acres and Known as Tax Map and Parcel No. 007-13-01-006.

Please see ATTACHMENT #7 for a copy of the proposed ordinance.

ITEM 8. PLANNING & DEVELOPMENT: Ordinance No. 2022-12 to Amend the Zoning Map of the City of North Augusta, South Carolina by Rezoning ± 10.73 Acres of Land Owned by R. Greg Kenrick and Jimmy L. Martin, Aiken County Tax Parcels #001-15-02-002 and 001-19-03-001 from PD, Planned Development to TC, Thoroughfare Commercial – Remove from Table; First Reading

An ordinance had been prepared for Council’s consideration to Amend the Zoning Map of the City of North Augusta, South Carolina by Rezoning ± 10.73 Acres of Land Owned by R. Greg Kenrick and Jimmy L. Martin, Aiken County Tax Parcels #001-15-02-002 and 001-19-03-001 from PD, Planned Development to TC, Thoroughfare Commercial.

This ordinance was tabled at the August 1, 2022 regular City Council meeting. A motion to remove the item from the table is required before Council can consider the ordinance.

Please see ATTACHMENT #8 for a copy of the proposed ordinance.



PROCLAMATION

***WHEREAS**, in 1962, President Kennedy proclaimed May 15th as National Peace Officers Memorial Day and the calendar week in which May 15th falls as National Police Week; and*

***WHEREAS**, established by a joint resolution of Congress in 1962, National Police Week pays special recognition to those law enforcement officers who have lost their lives in the line of duty for the safety and protection of others, and*

***WHEREAS**, the members of the law enforcement agencies in the City of North Augusta play an essential role in safeguarding the rights and freedoms of the citizens of North Augusta; and*

***WHEREAS**, it is important that all citizens know and understand the duties, responsibilities, hazards and sacrifices of their law enforcement officers, and that law enforcement officers recognize their duty to serve the people of this community, by protecting them against violence and disorder; and*

***WHEREAS**, the law enforcement officers of the City of North Augusta unceasingly provide a public service.*

***NOW THEREFORE**, I, Briton S. Williams, Mayor of the City of North Augusta, South Carolina, proclaim the week of May 14-20, 2023 as*

NATIONAL LAW ENFORCEMENT WEEK

and call upon all citizens in this community to especially honor and show our sincere appreciation for the officers of the City by our thanking the men and women who make it possible for us to leave our homes safely each day and return knowing we are protected by men and women willing to sacrifice their lives if necessary to guard our loved ones, property and government against all who would violate the law.

***IN WITNESS WHEREOF**, I have hereunto set my hand and caused the seal of the City of North Augusta, South Carolina, to be affixed this 15th day of May, 2023.*

*Briton S. Williams, Mayor
City of North Augusta*



PROCLAMATION

WHEREAS, public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of North Augusta; and,

WHEREAS, these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers and employees at all levels of government and the private sector, who are responsible for rebuilding, improving and protecting our city's transportation, water supply, water treatment, sanitary and storm water sewerage, and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and,

WHEREAS, it is in the public interest for the citizens, civic leaders and children in North Augusta to gain knowledge of and maintain an ongoing interest and understanding of the importance of public works and public works programs in this community; and,

WHEREAS, the year 2023 marks the 63rd annual National Public Works Week sponsored by the American Public Works Association,

NOW THEREFORE, I, Briton S. Williams, Mayor of the City of North Augusta, South Carolina, do hereby proclaim the week May 21-27, 2023, as

Public Works Week

in the City of North Augusta and I urge all citizens to pay tribute to our public works professionals and to recognize the substantial contributions they make protecting our health, safety, comfort, and quality of life.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of North Augusta, South Carolina, to be affixed this 15th day of May, 2023.

Briton S. Williams, Mayor
City of North Augusta

ORDINANCE NO. 2023-10
ORDINANCE AUTHORIZING THE CITY TO ENTER INTO A LEASE
AGREEMENT WITH SABAL DESIGNS LIMITED COMPANY AND IRA fbo
WILLIAM LANCE JONES IRA, LLC, RELATED TO PROPERTY
CONSISTING OF APPROXIMATELY 0.62 ACRES AND KNOWN AS TAX
MAP AND PARCEL NO. 007-13-01-006

WHEREAS, the City was approached by representatives of Riverside, H.F., LLC in connection with a Commercial Development/Event Facility that they propose to build within the Hammonds Ferry Development; and,

WHEREAS, in order to provide adequate parking for the facility, the developers proposed to construct and maintain a parking lot on property belonging to the City with the understanding that the City and general public would be able to utilize such parking when not required for the developer’s facility; and,

WHEREAS, substantial negotiation and discussion related to the request has taken place with Mayor and City Council ultimately determining that such arrangement would be in the best interest of the City and that such parking facility is the appropriate development of the property in question.

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

- I. The City authorizes the Parking Agreement/Lease of Real Estate as identified on “Exhibit A” attached hereto and incorporated by reference.
- II. That the City Administrator is authorized to execute the Agreement on behalf of the City.
- III. This Ordinance shall become effective immediately upon its adoption on second and final reading.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS _____ DAY OF MAY, 2023.

First Reading_____

Briton S. Williams, Mayor

Second Reading_____

ATTEST:

Jamie Paul, City Clerk

EXHIBIT A

WHEREAS, the City has a public park area known as Boech Park located in close proximity to the property and the City would benefit by being able to provide additional parking for Boech Park as well as other City functions in the surrounding area; AND,

WHEREAS, the parties have discussed the leasing of property by the City to Developer to allow for such property, along with property of Developer, to be developed into a parking lot; AND,

WHEREAS, specifically, the parties agree as follows:

1. The City will grant to Developer a lease for the identified City property for the parking usage as specifically provided hereafter. Such lease being subject to termination in the event that Developer fails to obtain a building permit and commence construction within three (3) years from the date of this Agreement. Developer would also be required to complete the construction of the required parking lot within four (4) years from the date of this Agreement.
2. Should Developer fail to obtain a building permit and commence construction within the three (3) year period or fail to complete the construction within four (4) years, this Agreement shall be null and void.
3. In the event that Developer complies with the requirements related to the construction of the parking lot, the City agrees to lease such property for a period of 30 years for the sum of \$1.00 per year. In the event that the Lease is formally commenced and the heretofore stated conditions met, the City at the conclusion of the thirty (30) year lease period would agree to renew for additional periods of one (1) year at a time upon the payment of rent of \$1.00 per year, provided that the facility to be built by Developer remains a publicly rented event space and Developer complies with all requirements as set forth hereafter related to maintenance of the parking area to include the maintaining of the lots surface, stripping, etc. as well as all other requirements of the Agreement.;
4. Developer will develop the property of the City as well as its identified property for parking;
5. The development of the property would comply with all City, State and Federal requirements to include specific requirements related to portions of the property involving Indian archeology;
6. The property would be developed in accordance with all requirements of the Hammonds Ferry Subdivision and any other restrictive covenants or recorded development requirements covering said property;
7. The development of the parking lot would be at the sole cost of Developer and would require the normal maintenance guarantees as would be required by the City for any such development;

EXHIBIT A

8. Developer will be developing a facility for public commercial use and during the times that said facility is being used for events, Developer will have sole and exclusive use of the parking lot;
9. During the time of exclusive use of the parking lot by Developer, Developer will be responsible for staffing and any control or regulation of the lot needed;
10. At all times that the lot is not required for a specific function at Developer 's facility, the entire parking lot would be available for use by the general public;
11. In the event that the City is conducting an event at Boech Park, for which the City would desire to restrict access to the lot only to persons involved with said event, the City would be responsible for staffing the parking lot and regulating the use thereof;
12. The City would have the right to specifically designate five (5) days during each calendar year that the City would have the guaranteed right to the exclusive use of the lot. Such dates could not be during what is generally referred to as "Masters Week". Such time period would be identified as commencing the Thursday, one week before the first date of the Masters Golf Tournament and ending on Tuesday following the completion of the Tournament. The parties recognize that event space may be reserved and rented up to a year in advance. The parties agree that the City can reserve any or all of its five (5) days of exclusive use (subject to the Masters Week exception) with a one (1) year notice. Requests by the City to reserve a date with less than a year's notice will be honored by Developer if the facility has not been previously rented for the dates requested;
13. During times when smaller events are taking place at Developer 's facility, which would require a portion of the parking lot, but not all, the excess parking would be available to the general public;
14. General maintenance, referring to the maintaining of the parking lot surface, landscaping, striping, etc. shall be the responsibility of Developer;
15. General cleaning, removal of debris, etc. from the lot would be the responsibility of Developer, when the lot has been used for an event at Developer 's facility;
16. The City would be responsible for general cleaning, removal of debris, etc. from the parking lot when it has been used for a specific City event at Boech Park, or otherwise exclusively used by the City;
17. The parties agree that in the event that Developer sells its property subject to this Agreement, the City will honor its terms with any subsequent purchaser provided the terms of this Agreement have been disclosed to and accepted by such purchaser in writing and further upon condition that the property is continued to be used as a publicly rented event space.

EXHIBIT A

Developer and the City agree to the following rules related to the utilization of the parking lot:

1. No overnight parking shall be allowed, except when approved by Developer for parties using the facility overnight.
2. Developer and the City would have the right to close the parking lot and restrict access thereto to the general public commencing four (4) hours before an event begins for which the parking lot is being used.

This Agreement is subject to approval by the Mayor and City Council with an appropriate lease form agreement.

WITNESS 1

SABAL DESIGNS LIMITED COMPANY

WITNESS 2

BY: NICHOLAS A. NEWSOME
AS ITS: _____

WITNESS 1

IRA Innovations, LLC fbo William Lance Jones IRA
BY: WILLIAM LANCE JONES
ITS: _____

Witness 2

WITNESS 1

City of North Augusta

WITNESS 2

BY: JAMES S. CLIFFORD
CITY ADMINISTRATOR

ORDINANCE NO. 2022-12
TO AMEND THE ZONING MAP OF THE CITY OF NORTH AUGUSTA,
SOUTH CAROLINA BY REZONING ± 10.73 ACRES OF LAND
OWNED BY R. GREG KENRICK AND JIMMY L. MARTIN, AIKEN COUNTY TAX
PARCELS #001-15-02-002 AND 001-19-03-001 FROM PD, PLANNED DEVELOPMENT TO
TC, THOROUGHFARE 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, the property owners, R. Greg Kenrick and Jimmy L. Martin, have requested the property be rezoned from PD, Planned Development, to TC, Thoroughfare Commercial; and

WHEREAS, the North Augusta Planning Commission, following a July 20, 2022 public hearing, reviewed and considered a request by R. Greg Kenrick and Jimmy L. Martin to amend the Official Zoning Map of North Augusta from PD, Planned Development, to TC, Thoroughfare Commercial for an approximately ±10.73-acre consisting of tax parcel 001-15-02-002 and 001-19-03-001 and has issued their recommendation. The staff reports and the recommendation of the Planning Commission 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 ±10.73 acres owned by R. Greg Kenrick and Jimmy L. Martin, is hereby rezoned from PD, Planned Development, to TC, Thoroughfare Commercial. Said property is Aiken County tax map parcels 001-15-02-002 and 001-19-03-001 and specifically identified as 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
_____, 2023.

First Reading _____

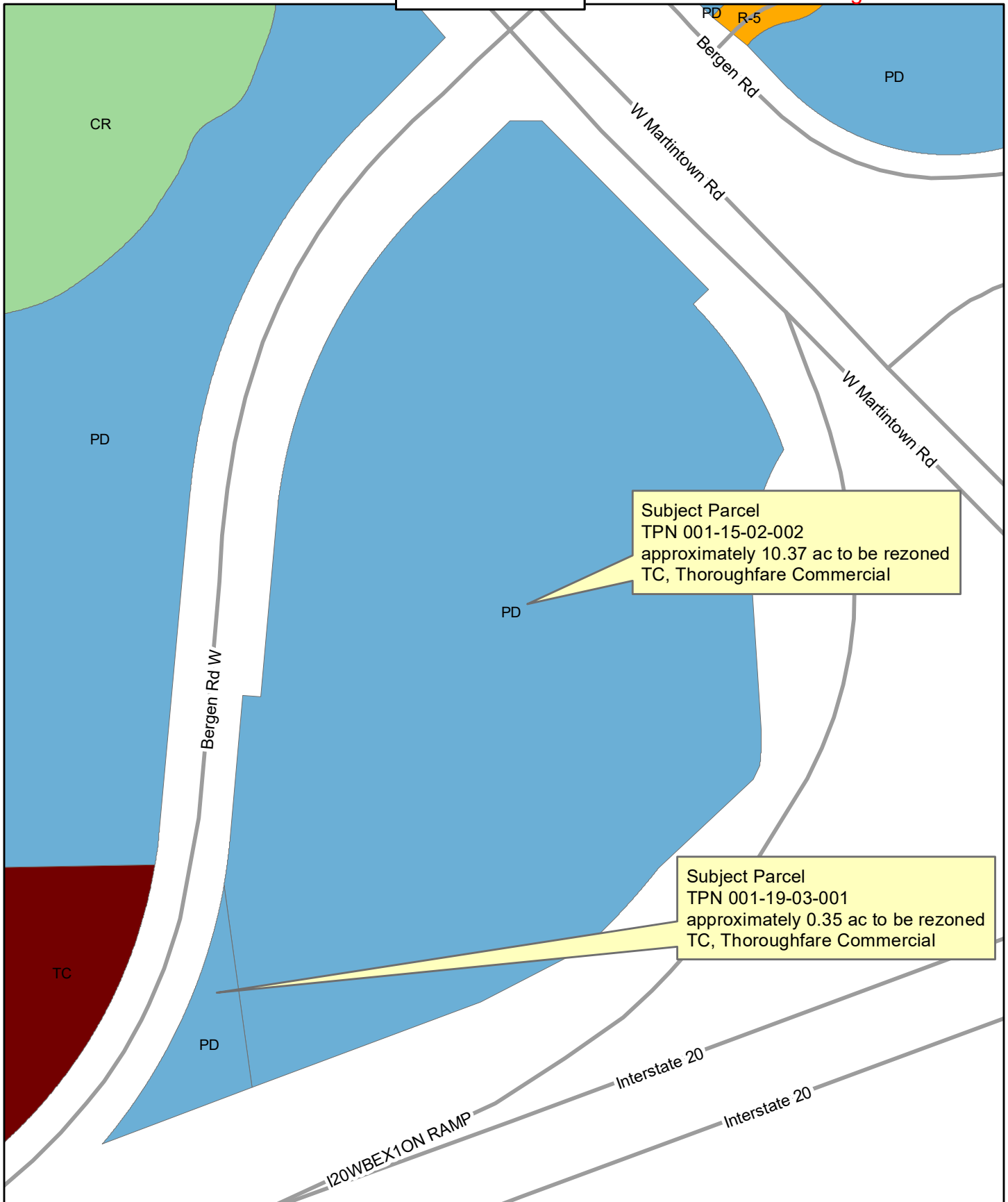
Briton S. Williams, Mayor

Second Reading _____

ATTEST:

Jamie Paul, City Clerk

EXHIBIT A



Date: 7/22/2022

Application RZM22-002
TPN 001-15-02-002 & 001-19-03-001
A request rezone approx. 10.73 ac
from PD, Planned Development to
TC, Thoroughfare Commercial

