

Administration Department



TO: Mayor and City Council

FROM: B. Todd Glover, City Administrator

DATE: November 25, 2014

SUBJECT: Agenda for Public Hearing and Regular Meeting of December 1, 2014

PUBLIC HEARING

ITEM 1. FINANCE: AN ORDINANCE AUTHORIZING THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA TO ENTER INTO AN INSTALLMENT PURCHASE TRANSACTION IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING TEN MILLION DOLLARS (\$10,000,000) TO FINANCE THE COSTS RELATING TO THE CONSTRUCTION AND EQUIPPING OF A PARKING GARAGE ON CERTAIN REAL PROPERTY OWNED BY THE CITY AND DESCRIBED HEREIN; AUTHORIZING THE EXECUTION AND DELIVERY OF VARIOUS DOCUMENTS INCLUDING THE BASE LEASE AGREEMENT AND THE INSTALLMENT PURCHASE AND USE AGREEMENT; DELEGATING THE AUTHORITY TO THE MAYOR AND CITY ADMINISTRATOR TO DETERMINE CERTAIN MATTERS; AND OTHER MATTERS RELATING THERETO

On December 1, 2014 beginning at 7:00 p.m., the City Council of the City of North Augusta (the "City Council") will hold a public hearing in the Council Chambers in the North Augusta Municipal Center, 100 Georgia Avenue, North Augusta, South Carolina, to discuss an installment purchase transaction between the City of North Augusta, South Carolina (the "City") and a corporation to be known as the North Augusta Public Facilities Corporation (the "Corporation") regarding the financing of the construction and equipping of a parking garage (the "Project") on certain real property owned by the City and located at 94 Center Street, North Augusta, South Carolina 29841, and the proposed issuance by the Corporation of a not exceeding \$10,000,000 Taxable Installment Purchase Revenue Bond (Parking Garage Project), Series 2014 (the "Bond"). Pursuant to an ordinance of the City Council entitled, "AN ORDINANCE AUTHORIZING THE CITY OF NORTH AUGUSTA, SOUTH

CAROLINA TO ENTER INTO AN INSTALLMENT PURCHASE TRANSACTION IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING TEN MILLION DOLLARS (\$10,000,000) TO FINANCE THE COSTS RELATING TO THE CONSTRUCTION AND EQUIPPING OF A PARKING GARAGE ON CERTAIN REAL PROPERTY OWNED BY THE CITY AND DESCRIBED HEREIN; AUTHORIZING THE EXECUTION AND DELIVERY OF VARIOUS DOCUMENTS INCLUDING THE BASE LEASE AGREEMENT AND THE INSTALLMENT PURCHASE AND USE AGREEMENT; DELEGATING THE AUTHORITY TO THE MAYOR AND CITY ADMINISTRATOR TO DETERMINE CERTAIN MATTERS; AND OTHER MATTERS RELATING THERETO” (the “Ordinance”), the City Council intends to authorize the City to enter into an installment purchase transaction for the purposes of providing funds to finance the Project and acknowledge the issuance of the Bond. The Ordinance is expected to be finally enacted by the City Council on December 15, 2014, following the public hearing noticed herein. The Bond will be issued by the Corporation for the purpose of providing funds to defray all or a portion of the costs of (i) the Project, and (ii) costs related to the issuance of the Bond.

All interested persons will be given an opportunity to be heard at the public hearing. A copy of the Ordinance will be available for review at the offices of the City Administrator located at 100 Georgia Avenue, North Augusta, South Carolina 29841 during normal business hours beginning on November 24, 2014.

REGULAR COUNCIL MEETING

ITEM 5. CITY PROPERTY: Transfer of Surplus Property of the City to the Chalet North Townhouses Association, Inc. – Third and Final Reading

An ordinance has been prepared for Council’s consideration on third and final reading to transfer surplus property of the City to the Chalet North Townhouses Association, Inc.

Please see the minutes of the November 17, 2014 meeting for a copy of the proposed ordinance.

ITEM 6. CITY PROPERTY: Authorizing the City to Enter into an Option and Lease Agreement with Enersphere Communications, LLC Related to the Lease of Property for the Placement of, Constructing, Maintaining and Operating a Communications Device – Ordinance, Third and Final Reading

An ordinance has been prepared for Council's consideration on third and final reading to authorize the City to enter into an Option and Lease Agreement with EnerSphere Communications, LLC related to the lease of property for the placement of, constructing, maintaining and operating a communications device.

Please see the minutes of the November 17, 2014 meeting for a copy of the proposed ordinance.

ITEM 7. ELECTIONS: 2015 Municipal Election – Establishing Dates – Ordinance, Third and Final Reading

An ordinance has been prepared for Council's consideration on third and final reading establishing the dates for the 2015 Municipal election for three members of City Council. The terms of Councilmembers James M. "Jimmy" Adams, Carolyn C. Baggott, and Kenneth J. McDowell will expire on May 4, 2015.

In accordance with Chapter 10 of the North Augusta City Code, the municipal election shall be held on the last Tuesday in April and shall be conducted pursuant to the State election law. Therefore, the municipal election date in 2015 for the election of three positions on City Council, presently occupied by Councilmembers James M. "Jimmy" Adams, Carolyn C. Baggott, and Kenneth J. McDowell, shall be **Tuesday, April 28, 2015.**

The time for entry of candidates into party primaries or conventions shall commence at 9:00 A. M., January 5, 2015, and shall end at 12:00 Noon, January 12, 2015. Entries shall be made to the chairperson of the respective parties.

Primary elections, if selected by a party, shall be held on February 10, 2015, with a run-off, if necessary, on February 24, 2015.

Conventions, if selected by a party, shall be held no later than February 10, 2011.

The deadline for filing nominating petitions to the Municipal Election Commission shall be 12:00 Noon, February 10, 2015. Candidates may file by petition with no less than 5% of qualified electors.

The deadline for parties to certify candidates selected by primary or convention to the Municipal Election Commission shall be 12:00 Noon, February 26, 2015.

The certification of the candidates by petition, primary, or convention by the Municipal Election Commission shall be no later than 12:00 Noon, March 2, 2015.

Public notice of the election shall be given 60 days prior to the election (deadline is February 27, 2015).

The general election date is April 28, 2015.

Please see the minutes of the November 17, 2014 meeting for a copy of the proposed ordinance.

ITEM 8. ZONING: North Augusta Development Code, Proposed Text Amendments (Application RZT 14-001) Ordinance, Third and Final Reading

An ordinance has been prepared for Council's consideration on third and final reading amending Article 4, Supplemental Regulations, related to swimming pool setbacks and temporary construction and real estate offices; Article 5, Approval Procedures, related to notice requirements and to permits, violations and enforcement; Article 10, Landscaping, related to landscape plan and tree removal requirements; and Appendix A, Definitions, of the North Augusta Development Code, Chapter 18 of the City of North Augusta, South Carolina Code of Ordinances.

Please see the minutes of the November 17, 2014 meeting for a copy of the proposed ordinance.

ITEM 9. FINANCE: AN ORDINANCE AUTHORIZING THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA TO ENTER INTO AN INSTALLMENT PURCHASE TRANSACTION IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING TEN MILLION DOLLARS (\$10,000,000) TO FINANCE THE COSTS RELATING TO THE CONSTRUCTION AND EQUIPPING OF A PARKING GARAGE ON CERTAIN REAL PROPERTY OWNED BY THE CITY AND DESCRIBED HEREIN; AUTHORIZING THE EXECUTION AND DELIVERY OF VARIOUS DOCUMENTS INCLUDING THE BASE LEASE AGREEMENT AND THE INSTALLMENT PURCHASE AND USE AGREEMENT; DELEGATING THE AUTHORITY TO THE MAYOR AND CITY ADMINISTRATOR TO DETERMINE CERTAIN MATTERS; AND OTHER MATTERS RELATING THERETO

A. Ordinance, First Reading

An ordinance has been prepared for Council's consideration on first reading to authorize the City of North Augusta, South Carolina to enter into an installment purchase transaction in the principal amount of not exceeding ten million dollars (\$10,000,000) to finance the costs relating to the construction and equipping of a parking garage on certain real property owned by the City and described herein; authorizing the execution and delivery of various documents including the base lease agreement and the installment purchase and use agreement; delegating the authority to the Mayor and City Administrator to determine certain matters; and other matters relating thereto.

Please see [ATTACHMENT NO. 9-A](#) for a copy of the proposed ordinance.

B. Ordinance, Second Reading

Pending Council's consideration of Item No. 9-A above, this ordinance is presented for Council's consideration on second reading to authorize the City of North Augusta, South Carolina to enter into an installment purchase transaction in the principal amount of not exceeding ten million dollars (\$10,000,000) to finance the costs relating to the construction and equipping of a parking garage on certain real property owned by the City and described herein; authorizing the execution and delivery of various documents including the base lease agreement and the installment purchase and use agreement; delegating the authority to the Mayor and City Administrator to determine certain matters; and other matters relating thereto.