

**REGULAR MEETING OF NEWBERRY CITY COUNCIL
HELD IN MEMORIAL PARK AND COUNCIL CHAMBERS, NEWBERRY, SC
September 14, 2021 – 4:00 P.M.**

Members Present: Mayor Foster Senn, Councilmember R. LeMont Glasgow, Councilmember Edwin E. Wicker, Councilmember Carlton L. Kinard, Councilmember David T. Force, Councilmember Jackie Holmes, and Councilmember David E. DuBose

Also Present: City Manager Matt DeWitt, City Clerk Jeff Wicker, Assistant Director of Utilities David Eldridge, Public Works Director Mac Bartley, Police Chief Kevin Goodman, Fire Chief Keith Minick, Director of Utilities Tim Baker, PRT Director Scott Sawyer, Director of HR and Risk Management Jana Boice, and audience members.

Media Present: Andrew Wigger

CALL TO ORDER:

Mayor Senn called the meeting to order at 4:00 p.m. and led in the Pledge of Allegiance. Councilmember Glasgow gave the invocation.

EMPLOYEE RECOGNITION:

Brad Eckhardt

City Manager DeWitt recognized him for five (5) years of service with the Utilities Department. Brad began working with the city on January 29, 2016 and holds the position of water/sewer crewmember.

Luke Layman

City Manager DeWitt recognized him for five (5) years of service with the Utilities Department. Luke began working with the city on June 6, 2016 and holds the position of network administrator.

Moses Groom

City Manager DeWitt recognized him for fifteen (15) years of service with the Utilities Department. Moses began working with the city on May 8, 2006, and holds the position of meter services supervisor.

Don Hurst

City Manager DeWitt recognized him for fifteen (15) years of service with the Utilities Department. Don began working with the city on April 11, 2006 and holds the position of utilities and municipal special projects manager.

Johnnie Caldwell

City Manager DeWitt recognized him for twenty (20) years of service with the Parks, Recreation and Tourism Department. Johnnie began working with the city on June 18, 2001 and holds the position of program manager.

Sharon Lucas

City Manager DeWitt recognized her for twenty (20) years of service with the Police Department. Sharon began working with the city on May 29, 2001 and holds the position of senior administrative assistant.

Dell Rowe

City Manager DeWitt recognized him for his retirement. Dell worked for PRT and Public Works from December 2004-November 2020, retiring as a maintenance worker.

SPECIAL RECOGNITION: **Joseph P. Riley, Jr. Award Presentation from Jeff Shacker with the Municipal Association of South Carolina**

Jeff Shacker, a field representative with MASC, was in attendance to present the City of Newberry with the Joseph P. Riley, Jr. Award for the city's "Fiber to Home" project. He praised city staff and leadership for their work in lessening the digital divide and noted that council and staff were initially presented the award Saturday, July 24 during the Municipal Association of South Carolina's annual meeting.

Mayor Senn added that Congressman Ralph Norman sent the city a certificate of congressional recognition and thanked Congressman Norman for the gesture.

NEW BUSINESS: **Possible Vaccine Incentives for City Employees**

Mayor Senn made a motion, seconded by Councilmember Holmes to move this item up in the agenda. Mayor Senn declared the motion carried following a unanimous vote of the Council members present.

Mayor Senn noted the current strain the delta variant of COVID-19 is currently placing on the community, and the increased importance of getting vaccinated against the virus. In an effort to get more city employees protected, Mayor Senn made a motion, seconded by Councilmember Glasgow to approve an approximately \$100 net bonus and an extra day off for all fully vaccinated city employees. Mayor Senn declared the motion carried following a unanimous vote of the Council members present.

SPECIAL RECOGNITION: **PRT Director Scott Sawyer Named "Tourism Advocate of the Year Award" Recipient**

The Capital City/Lake Murray Country (CCLMC) Regional Tourism Board held their Annual Meeting and 40th Year Celebration Thursday, August 12. During the event, PRT Director Scott Sawyer was presented a "Tourism Advocate of the Year Award" for his work in promoting tourism in Newberry County. Mayor Senn congratulated Scott for his work promoting Newberry and the region.

RECESS:

To reconvene in Council Chambers, Councilmember Holmes made a motion for a recess of the meeting at 4:28 P.M. Councilmember DuBose seconded the motion, and Mayor Senn declared the motion carried following a unanimous vote of the Council members present.

MINUTES:

The meeting reconvened at 7:00 p.m. at the call of the chair (Mayor Senn), with Councilmember Glasgow making a motion, seconded by Councilmember Holmes to approve the minutes of the meeting of Newberry City

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Council held on August 10, 2021, as presented. Mayor Senn declared the motion carried following a unanimous vote of City Council members present.

FINANCIAL REPORT:

City Manager DeWitt advised that members of City Council received a copy of the Financial Report and Financial Summary for the period ending August 31, 2021, and, noted that the report would be attached to the minutes. City Manager DeWitt gave a summary of the financial report highlighting that when comparing units sold this month to August 2020, the City saw increases in all systems.

ANNOUNCEMENT: **Proclamation for Constitution Week**

Mayor Senn issued a proclamation recognizing September 17-23 as Constitution Week.

ANNOUNCEMENT: **Proclamation for Fire Prevention Week**

Mayor Senn issued a proclamation recognizing October 3-9 as Fire Prevention Week.

ANNOUNCEMENT: **Proclamation for Hispanic Heritage Month**

Mayor Senn issued a proclamation recognizing September 15-October 15 as Hispanic Heritage Month. Father Jose Hugo Ruiz from St. Mark's Catholic Church and Liz Rivera were in attendance to receive the proclamation.

ANNOUNCEMENT: **Proclamation for Public Power Week**

Mayor Senn issued a proclamation recognizing October 3-9 as Public Power Week.

UPDATE: **Wells Japanese Garden Update from PRT Director Scott Sawyer**

Parks, Recreation and Tourism Director Scott Sawyer provided an update for Council on the Wells Japanese Garden. He noted construction is currently halted due to a COVID issue with the crew. One more month of construction is anticipated to finish phase one of the project. Phase one consists of installing pond liners and filtration systems. Phase two will consist of landscaping the garden.

OLD BUSINESS: **None**

NEW BUSINESS: **First Reading of Ordinance #2021-1016 to Amend the Zoning Map
for TMS# 398-3-1 Located at 456 Hillbrook Lane**

The proposed assignment of zoning classification and future land use and Zoning Map amendment is the result of the owner's petition to reclassify parcels from OS – Open Space to GC- General Commercial. The owner has the property for sale and a potential buyer is seeking the rezoning.

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The Newberry Planning Commission recommended a zoning classification of GC – General Commercial for the zoning and future land use maps.

A public hearing will be held October 12, prior to second reading, for this item.

Councilmember Kinard made a motion, seconded by Councilmember Holmes to approve first reading of ordinance 2021-1016. Mayor Senn declared the motion carried following a unanimous vote of the Council members present.

NEW BUSINESS: **Resolution Authorizing the City of Newberry Utilities Department to Execute a Mutual Aid Agreement with the South Carolina Water/Wastewater Agency Response Network**

The South Carolina Water/Wastewater Agency Response Network (SCWARN) is a network of utilities helping other utilities prepare for the next emergency, organize response in accordance the National Incident Management System (NIMS) and the Federal Emergency Management Agency (FEMA). The mission of SCWARN is to support and promote statewide emergency preparedness, disaster response, and mutual aid assistance for both public and private water and wastewater utilities during natural and man-made events. SCWARN currently has 122 members.

Councilmember DuBose made a motion, seconded by Councilmember Glasgow to pass the resolution authorizing the City of Newberry utilities department, through Utilities Director Tim Baker, to enter into a mutual aid agreement with SCWARN. Mayor Senn declared the motion carried following a unanimous vote of the Council members present.

NEW BUSINESS: **Resolution Designating an Authorized Representative and Contact Person for the Purposes of the American Rescue Plan**

The MASC is working with the SC Department of Administration to prepare cities and towns for the distribution of funds from the American Rescue Plan Act (ARPA). A key piece in preparing to receive the funds is designating an authorized representative and contact person and submitting their contact information.

Councilmember Wicker made a motion, seconded by Councilmember Holmes to pass the resolution designating City Manager Matt DeWitt as the Authorized Representative pursuant to ARPA and Finance Director Shannon Smith as the Contact Person pursuant to ARPA. Mayor Senn declared the motion carried following a unanimous vote of the Council members present.

NEW BUSINESS: **Discussion of Air Conditioning at Scout Cabin in Willowbrook Park**

Councilmember Jackie Holmes asked for a discussion on the air conditioning at Scout Cabin in Willowbrook Park. She noted residents have had to bring their own air units when renting out the cabin due to the heat. City Manager DeWitt stated the cabin has been rented almost 70 times from January 1-September 14 but was not aware of how many rentals were lost due to the lack of air, nor how many rentals cut their event short. Council expressed a desire to gauge the effectiveness of a window unit before making a larger capital decision.

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Councilmember Glasgow made a motion, seconded by Councilmember Holmes to authorize the purchase of an efficient, affordable window unit for Scout Cabin at Willowbrook Park. Mayor Senn declared the motion carried following a unanimous vote of the Council members present.

NEW BUSINESS: **Discussion of Playground Equipment at Willowbrook Park**

Councilmember Jackie Holmes asked for a discussion on the playground equipment at Willowbrook Park. She noted residents have expressed a concern over the current equipment. PRT Director Scott Sawyer informed council that all playground equipment in city parks is safe, and that they had an approximate 25-year lifespan. The current replacement schedule used by PRT has the parks on an approximate 20-year schedule, with Willowbrook targeted for a replacement playground set in 2023. It was also noted that equipment at Greenway Park, an extension of Willowbrook, was installed in 2016.

Information was received. No action was taken.

NEW BUSINESS: **Discussion of MASC Municipal Elected Officials Institute Accommodations**

Councilmember Jackie Holmes asked for a discussion on accommodations for MASC Municipal Elected Officials Institute events. She expressed a personal desire to have overnight accommodations prior to the MEO events. It was noted that councilmembers are reimbursed for mileage, parking, meals, etc. but that it is has not been council policy to pay for lodging for one-day events in Columbia.

Information was received. No action was taken.

NEW BUSINESS: **Schedule Special Meeting for the Purpose of Appointments to the Capital Project Sales Tax Commission**

Due to a tight window to fill the city's appointments to the Capital Project Sales Tax Commission, council will need to hold a special, called meeting. Council decided to hold a special, called meeting Monday, September 27 at 5:00.

NEW BUSINESS: **Consideration of an Authorization to Allow Alcohol in Designated Event Area for Newberry Opera House Guild Oyster Roast on November 7, 2021**

The Newberry Opera House Guild requests permission to allow alcoholic beer and wine, served by designated event venue staff, using plastic cups for the wine and beer, as part of their oyster roast fundraiser on Sunday, November 7, 2021, from 4:00-7:00 pm.

The event will be held on the grassy section of the City property bounded by Nance, Trench, Caldwell Street. All guests would have a wrist band to identify themselves as ticket holders and 21 and over. No beverages will be allowed outside of the set perimeter of the function.

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Councilmember Holmes made a motion, seconded by Councilmember Wicker to approve the request by the Newberry Opera House Guild. Mayor Senn declared the motion carried following a unanimous vote of the Council members present.

NEW BUSINESS: **Consideration of an Authorization to Allow Alcohol in Designated Areas for Oktoberfest**

The City of Newberry's Oktoberfest celebration is scheduled for Saturday, October 2. The Newberry Parks, Recreation, and Tourism Department requests permission to allow beer and wine only, served and sold by the designated event vendors and venues with the proper permitting and approval of the event organizers, using plastic cups pre-approved by the event organizers, to be no larger than 16 ounces, to be taken from designated or approved vendors and venues into the outdoor event area. This would allow for event patrons to travel the event area with an alcoholic beverage of beer or wine only, by foot, if they are carrying the allowed beverage in a pre-approved event cup and are wearing the approved over 21 wristband. Liquor consumption is not to be permitted in the event area.

The event area includes Main Street from Nance to Holman Streets, Boyce Street from Nance to Lindsay Streets, McKibben from Boyce to Main Streets, Caldwell from Boyce to Friend Streets, College from Boyce to Main Streets, and Lindsay from Martin to Main Streets.

Councilmember DuBose made a motion, seconded by Councilmember Glasgow to approve the request by the PRT Department. Mayor Senn declared the motion carried following a unanimous vote of the Council members present.

PUBLIC COMMENT: **Amir Cromer**

Amir Cromer addressed council regarding a jacket drive Kappa Alpha Psi is hosting for the Newberry community.

PUBLIC COMMENT: **Ernest Jennings**

Ernest Jennings asked to be added to the agenda but did not show up to the meeting.

EXECUTIVE SESSION

Councilmember Glasgow made a motion to enter Executive Session for the purpose of a discussion of matters as outlined in the agenda. Councilmember DuBose seconded and Mayor Senn declared the motion carried following a unanimous vote of the Council members present.

There was a call of the chair (Mayor Senn) to return to open session. With no objections, council entered open session.

12A- Discussion Related to Two Appointments to the Capital Projects Sales Tax Commission

Information was received and no action was taken.

12B- Discussion Related to Property Acquisition

Councilmember DuBose made a motion, seconded by Councilmember Force to authorize the \$200,000 purchase of the Newberry Observer building (1716 Main St.) for the purpose of being the future home of the Newberry Arts Center. Mayor Senn declared the motion carried following a 6-0-1 vote of the Council members present, with Councilmember Glasgow recusing himself. Councilmember Glasgow's recusal statement is attached to the minutes.

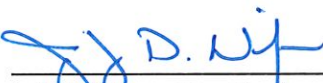
ADJOURNMENT

There being no further business before City Council, Councilmember Glasgow made a motion to adjourn the meeting at 8:40 P.M. Councilmember Wicker seconded Mayor Senn declared the motion carried following a unanimous vote of the Council members present.



Foster Senn
MAYOR

ATTEST:



Jeff Wicker, City Clerk
Newberry, South Carolina





CITY OF NEWBERRY

S O U T H C A R O L I N A

CITY COUNCIL

RECUSAL STATEMENT

Member Name: Rhemant Glasgow

Meeting Date: 9-14-2021

Agenda Item: Section 12 B Number: 12 B

Topic: Discussion Related to Property Acquisition

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: The Company I represent as a real estate agent represents the seller of the property the city is purchasing

Date: 9-14-21 Rhemant Glasgow
Member

Approved by Parliamentarian: John Senn

"City of Friendly Folks"