

**MINUTES OF REGULAR MEETING OF NEWBERRY CITY COUNCIL
HELD IN COUNCIL CHAMBERS, CITY HALL, NEWBERRY, SC
OCTOBER 12, 2010 – 7:00 P.M.**

Members Present: Mayor T. Edward Kyzer. Council: R. LeMont Glasgow, Zebbie D. Goudelock, Foster Senn, Louis Boyd, Gregg Summer, David E. DuBose.

Also Present: City Manager Jeff Shacker, City Clerk Tina P. Wicker, Assistant to the City Manager Matt DeWitt, Fire Chief Keith Minick, City Planner Doug Currier, Utility Director Fred Yandle, Public Works Director Mac Bartley, Finance Director Marie Hickman. Others Present: James and Janet Long and family, Rick McCutcheon, Joan Kyzer, Sharon Senn and family, Amanda Glasgow and family, Alvena Goudelock, Narvice Boyd, Wilson Senn, Margaret Brackett, Karen Wyatt, George Coleman, Vernetha Renwick, Don and Beverly Ringer, Frank Partridge, Clark Kyzer, George and Ellen Routon, John Glasgow, Ted and Beverly Smith, Charlie Simmons, Tom and Donna Perry, Mike Hawkins and Derrick Underwood, Jennie DuBose, Deborah Shaw, Representative Walt McLeod and others. News representatives: Leslie Moses and Brice Zimmerman.

CALL TO ORDER

Mayor Kyzer called the meeting to order. Councilman Senn led in the Pledge of Allegiance. Councilman Glasgow gave the invocation.

MINUTES

Councilman Goudelock made a motion, seconded by Councilman Senn, to approve the minutes of the regular meeting of Newberry City Council held on September 14, 2010 as presented. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

FINANCIAL REPORT

Mayor Kyzer reported that members of City Council had been provided a copy of the Financial Report for the period ending September 30, 2010. Mayor Kyzer indicated that the report would be attached to and made a part of the minutes.

RECOGNITION OF EMPLOYEES

Mayor Kyzer and City Manager Shacker recognized James Long, Electric Lineman A, for ten years of service and presented him with a Certificate and an awards package from which to make a gift selection. They also announced that Mr. Long was retiring effective October 15 and presented him with a plaque and gift acknowledging his service to the City.

OATHS OF OFFICE:

**Mayor Senn, Councilmen Glasgow, Goudelock
& Boyd**

Municipal Court Judge Frank Partridge administered the Oaths of Office first to Councilmen Lemont Glasgow, Zebbie Goudelock and Thomas Louis Boyd. He then administered the Oaths of Office to Mayor Foster Senn.

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RESOLUTION:

Honoring Mayor T. Edward Kyzer

Mayor Senn presented for Council's consideration a Resolution honoring Mayor T. Edward Kyzer for his years of service to the citizens of Newberry. Council also presented Mayor Kyzer with a gift and with his nameplate.

Councilman Summer made a motion, seconded by Councilman Glasgow, to adopt the Resolution as presented. Mayor Senn declared the motion carried by a unanimous vote of City Council members present. City Council then presented the framed Resolution and a gift to Mayor Kyzer in appreciation of his service.

RECEPTION

The City Council meeting was suspended to host a reception in honor of both Mayor Foster Senn and Mayor Ed Kyzer.

RESOLUTION:

October – Community Planning Month

Mayor Senn introduced a Resolution designating October as Community Planning Month and publicly recognizing the dedication and hard work of the volunteers who serve on the Planning Commission, the Board of Zoning Appeals and the Architectural Review Board. Mayor Senn read the names of all members currently serving on these boards and/or commissions.

Councilman Summer made a motion, seconded by Councilman Goudelock, to adopt the Resolution as presented. Mayor Senn declared the motion carried following a unanimous vote of City Council members present.

UTILITY SERVICE:

1688 SC Hwy. 121 (Water)

Mayor Senn submitted for Council's consideration an annexation agreement and request for water service to the property located at 1688 SC Highway 121 by the property owner, Mildred W. Boozer. He noted that the property is adjacent to an existing water line and no extension of service by the City is required.

Councilman Glasgow made a motion, seconded by Councilman DuBose, to accept the annexation agreement and grant the request for water service to the property at 1688 SC Highway 121. Mayor Senn declared the motion carried following a unanimous vote of City Council members present.

ORDINANCE (#2010-1006):

**Secs. 2-34 & 2-35 of City Code – Procurement –
First Reading**

Mayor Senn presented for first reading an Ordinance (#2010-1006) to adopt Sections 2-34 and 2-35 of the City Code which will implement a protest procedure and an equal opportunity policy

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for procurement decisions. He indicated that these changes to the City's current purchasing procedures were recommended by the S. C. Department of Commerce following a monitoring of the CDBG program. He added that these changes would enable the City to better compete for future CDBG funding.

Councilman Glasgow made a motion, seconded by Councilman DuBose, to approve first reading of the Ordinance as presented. Mayor Senn declared the motion carried following a unanimous vote of City Council members present.

PETITION TO ANNEX:

1410 Wilson Road

Mayor Senn informed City Council that a Petition to Annex had been submitted by property owner, Billye West, for the remaining portion of the property located at 1410 Wilson Road. He pointed out that almost 75% of the lot was currently in the City limits and is zoned GC – General Commercial. He stated that the annexation of the entire parcel would facilitate future development of the property.

Councilman Goudelock made a motion, seconded by Councilman Glasgow, to accept the Petition to Annex submitted by Billye West. Mayor Senn declared the motion carried following a unanimous vote of City Council members present.

ORDINANCE (#2010-1008):

Annexation 1410 Wilson Road - First Reading

Mayor Senn offered for first reading an Ordinance (#2010-1008) to annex the unincorporated area of the parcel of land located at 1410 Wilson Road. He noted that plans for a 4,000 square foot Doctor's Care facility to be located on this property had been submitted to the Planning & Development Services Office.

Councilman Goudelock made a motion, seconded by Councilman Glasgow, to approve first reading of the Ordinance as presented. Mayor Senn declared the motion carried following a unanimous vote of City Council members present.

ORDINANCE (#2010-1007):

Levy Taxes – 83.9 Mills - First Reading

Mayor Senn presented for first reading an Ordinance (#2010-1007) to levy taxes at 83.9 mills for Fiscal Year 2010-2011. He reported that in June Council adopted a general fund budget featuring a revenue-neutral property tax but due to reassessment there was no established millage rate. He stated that after applying the state-established formula for calculating rollback millage the rate of 83.9 mills was determined.

Councilman Glasgow made a motion, seconded by Councilman Boyd, to approve first reading of the Ordinance as presented. Mayor Senn declared the motion carried following a unanimous vote of City Council members present.

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CITY COUNCIL:

Special Meeting, October 19th at 6:00 P.M.
Work Session, November 16th at 6:00 P.M.

Mayor Senn informed Council that because the Newberry County Auditor needs the tax levy by October 20th, it would be necessary for City Council to hold a special meeting on October 19th at 6:00 P.M. to conduct second reading of the Ordinance. He stated that this would preempt the planned October work session and recommended that the work session be conducted after the November 2nd referendum on the Capital Project Sales Tax. He suggested that the work session be held on November 16th at 6:00 P.M. at City Hall.

Councilman Goudelock made a motion, seconded by Mayor Senn, to hold a Special City Council Meeting on October 19th at 6:00 P.M. and to hold a work session on November 16th at 6:00 P.M. Mayor Senn declared the motion carried following a unanimous vote of City Council members present.

APPOINTMENTS:

**Newberry Housing Authority – Tommy Bowers
and Robin Newton**

Mayor Senn reported that the terms of current Newberry Housing Authority Board members, Tommy Bowers and Robin Newton, were expiring and the City had received a recommendation from the Executive Director that both be re-appointed to five-year terms.

Councilman Boyd made a motion, seconded by Councilman Glasgow, to re-appoint Tommy Bowers and Robin Newton, to five-year terms on the Newberry Housing Authority Board of Directors. Mayor Senn declared the motion carried following a unanimous vote of City Council members present.

COUNCIL REQUEST:

Railroad Property

Councilman Goudelock noted the deplorable condition of the railroad property throughout the City. He requested that the railroad be approached about cleaning up their property.

EXECUTIVE SESSION:

Councilman Goudelock made a motion, seconded by Councilman Glasgow, to enter an Executive Session for the purpose of discussing contractual matters as outlined on the agenda and a real estate procurement issue. Mayor Senn declared the motion carried following a unanimous vote of City Council members present.

Councilman Goudelock made a motion at 8:59 P.M. to return to open session; Councilman Glasgow seconded the motion which was carried following a unanimous vote of City Council members present.

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CITY COUNCIL:

Development Incentive – Boulder Creek

Councilman Boyd made a motion, seconded by Councilman Goudelock, authorizing the City Manager to issue a letter of intent to provide a development incentive to the developer of the Boulder Creek subdivision for the installation of public infrastructure. Mayor Senn declared the motion carried following a unanimous vote of City Council members present.

PROPERTY:

Purchase of Fair Avenue Property

Councilman Glasgow made a motion, seconded by Councilman Goudelock, authorizing the City Manager to execute a contract to purchase distressed residential property on Fair Avenue. Mayor Senn declared the motion carried following a unanimous vote of City Council members present.

ADJOURNMENT

There being no further business before City Council, Councilman Glasgow made a motion to adjourn the meeting at approximately 9:01 P.M. Councilman Boyd seconded the motion which was carried by a unanimous vote of City Council members present.

Foster Senn
MAYOR

ATTEST:

Tina P. Wicker, City Clerk
Newberry, South Carolina