

**MINUTES OF REGULAR MEETING OF NEWBERRY CITY COUNCIL
HELD IN COUNCIL CHAMBERS, CITY HALL, NEWBERRY, SC
JANUARY 8, 2008 – 7:00 P.M.**

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

Also Present: City Manager Eric G. Budds, Assistant City Manager Jeff Shacker, City Clerk Tina P. Wicker, Utilities Director Fred Yandle, City Planner Doug Currier. Others Present: Brad Rikard, Alyssa Nelson, Andy Rowe, Niele Andrews, Michael Kennedy. Sam Lovell, Chuck Whipple, Jason Stewart, Jay Hall, Jason Kicklighter, Bob Hawfield, R. D. Longshore, Jim Liptak and others. News Representatives: Lee Gray, Heather Hawkins.

CALL TO ORDER

Mayor Kyzer called the meeting to order and Councilman Glasgow gave the invocation.

MINUTES

Councilman Goudelock made a motion, seconded by Councilman Boyd, to approve the minutes of the regular meeting of Newberry City Council held on December 11, 2007 as presented and to approve the minutes of the special meeting of Newberry City Council held on December 18, 2007 as presented. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

FINANCIAL REPORT

Mayor Kyzer indicated that members of Council had received copies of the Financial Report for the period July 1, 2007 through December 31, 2007 and noted that the Financial Report would be attached to and made a part of the original minutes of the meeting.

RECOGNITION OF EMPLOYEES

Mayor Kyzer and City Manager Budds recognized the following employee for their years of service: Brad Rikard, Water/Sewer Crew Member A, 5 years; Alyssa Nelson, Police Corporal, 5 years; Andy Rowe, Police Sergeant, 5 years; Niele Andrews, Victim's Rights Advocate, 10 years; and Michael Kennedy, Police Lieutenant, 10 years. Each received a longevity pin and gift from the City.

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PUBLIC HEARING:

**Zoning Ordinance – Article 7 –
Landscape Requirements**

Mayor Kyzer declared a public hearing for the purpose of discussing proposed amendments to Article 7 of the Zoning Ordinance which pertains to landscaping requirements.

No one appeared to offer comments and Mayor Kyzer declared the public hearing closed.

ORDINANCE (2007-1024):

**Zoning Ordinance – Article 7 –
Landscape Requirements – First Reading**

Mayor Kyzer presented for first reading an Ordinance (#2007-1024) to amend the landscape requirements contained in Article 7 of the City's Zoning Ordinance. He stated that the changes would clarify the size of required materials and provide for an approved species list that may be amended by the Planning Commission.

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

ORDINANCE (2007-1025):

**Rezoning – Hillbrook Lane (Tax Map
#398-10) – General Commercial to R-10
Low Density Residential – First Reading**

Mayor Kyzer submitted for first reading an Ordinance (#2007-1025) to amend the Future Land Use Map and the Zoning Map by rezoning the property located adjacent to Hillbrook Lane (Tax Map No. 398-10) from General Commercial to R-10 Low Density Residential. He indicated that the rezoning would accommodate a proposed residential subdivision on this property.

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

ORDINANCE (#2008-1001):

**Budget Amendments – FY2007-2008 –
First Reading**

Mayor Kyzer introduced for first reading an Ordinance, by title only, to amend the Fiscal Year 2007-2008 Budget. He noted that City staff would make a presentation with recommendations for proposed amendments at the February meeting.

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

CITY COUNCIL:

Dates for Council Meetings and Work Sessions

Mayor Kyzer advised that City Council members had been provided with a recommended schedule for regular City Council meetings and for quarterly work sessions. He suggested that the Council meeting dates for July be moved forward one week to July 15 to accommodate conflicts and that the July work session date be moved forward to July 22.

Councilman Glasgow recommended that the work session be moved to a Saturday in August. City Manager suggested that the date for the work session and the September Council meeting date because of the municipal election be discussed in February.

Councilman Glasgow made a motion, seconded by Councilman DuBose, to approve the recommended dates for Council meetings and work sessions with the exception of the July work session and the September Council meeting. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

ORDINANCE (#2008-1002):

Zoning Ordinance – Historic Buildings Overlay Map - First Reading

Mayor Kyzer presented for first reading an Ordinance to amend the Zoning Ordinance to extend the boundaries of the Historic Buildings Overlay Zone giving the ARB jurisdiction over non-residential properties from the intersection of Main and Drayton Streets to the intersection of Main and Glenn Streets.

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

CONTRACTS & AGREEMENTS:

Memorandum of Agreement – Maritime Construction Inc. Newberry LLC

Mayor Kyzer advised that discussion of this contractual matter be deferred to Executive Session.

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Councilman Senn made a motion, seconded by Councilman Summer, to defer this agenda item to the Executive Session. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

EXECUTIVE SESSION

Councilman Goudeock made a motion, seconded by Councilman Boyd, to enter an Executive Session at approximately 7:20 P.M. to discuss legal, contractual and personnel matters as outlined on the agenda. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

Councilman DuBose made a motion, seconded by Councilman Boyd, to return to open session at 8:20 P.M. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

CONTRACTS & AGREEMENTS:

**Memorandum of Agreement – Maritime
Construction Inc. Newberry LLC**

Councilman Glasgow made a motion, seconded by Councilman Boyd, to authorize the City Manager to finalize negotiation of a Memorandum of Agreement between Maritime Construction Inc. Newberry LLC and the City of Newberry regarding infrastructure reimbursement incentives for a proposed residential development on Hillbrook Lane. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

MUNICIPAL COURT:

Expansion of Court Operations

Councilman Goudeock made a motion, seconded by Councilman Boyd, to increase the Municipal Judge's court day to 7.5 hours and to adjust salary appropriately. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

ADJOURNMENT

There being no further business before City Council, Councilman DuBose made a motion, seconded by Councilman Boyd, to adjourn the meeting at approximately 8:23

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P.M. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

T. Edward Kyzer
MAYOR

ATTEST:

Tina P. Wicker, City Clerk
Newberry, South Carolina

(SEAL)