

**MINUTES OF REGULAR MEETING OF NEWBERRY CITY COUNCIL
HELD IN COUNCIL CHAMBERS, CITY HALL, NEWBERRY, SC
JULY 10, 2007 – 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, Planning and Development Services, Finance Director Marie Hickman, City Planner Doug Currier. Others Present: Lucille Kinard, Harry Longshore, Franklin and Barbara Miller, P. K. Fuller, Mike Meadow, Rhonda Moore, Deborah Smith, Blake Davis, Jimmy Bickley, Ron and Jane Seymore, Ann Cole, Elliot Dominick, Jurgen Schnackenberg, and others. News Representatives: Lee Gray.

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 June 12, 2007 and to approve the minutes of the special meeting of Newberry City Council held on June 19, 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, 2006 through June 30, 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 Lucille Kinard, Fire Department, for her ten years of service to the City and presented her with a gift and longevity pin. They also recognized Harry Longshore, Finance Department, upon his retirement on June 29, 2007 after nearly twenty-one years of service. He received a gift and check for his years of service.

PUBLIC COMMENT:

Rezoning 1330 and 1328 Evans Street

Mayor Kyzer offered to receive citizen comments concerning the proposed rezoning of 1330 and 1328 Evans Street from R-10 low density residential to C1 core campus. No one offered public comments

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PUBLIC COMMENT: Rezoning 2217 College and 1222 Pope Streets

Mayor Kyzer offered to receive citizen comments concerning the proposed rezoning of 2217 College and 1222 Pope Streets from R-10 low density residential to C1 core campus.

Mr. Ronald Seymore, resident of Pope Street, requested that more information be provided to the residents adjacent to the property proposed to be rezoned. City Manager described that rezoning of the property to a C1 classification would allow the college to utilize the property for any current use.

Mrs. June Seymore voiced opposition to rezoning the property next to their residential property to any zoning that would devalue property.

Mr. Jurgen Schnackenberg also voiced opposition to the rezoning and asked if the C1 zoning classification could be restricted further to limit the use of the property.

Mrs. Barbara Miller also spoke in opposition to the rezoning and also to the haphazard growth and acquisition of current residential properties by Newberry College.

Mr. Elliot Dominick who owns property on Pope Street also voiced opposition to the proposed rezoning.

Mr. John Robertson stated that the property on Pope and College were intended for office space at this time. He indicated that he could not speak for future Board decisions but the college is running out of office space. He advised that the college would like to keep citizens informed.

Mrs. Ann Cole asked for information on the dates and times of Planning Commission meetings.

UTILITY SERVICE: Water Service to 325 C & D Lane

Mayor Kyzer advised that the City had received an executed Annexation Agreement from Southeast Resource Recovery, LLC requesting water service to property located at 325 C & D Lane. He noted that a water line was contiguous to the property and would not require any extension of the city's water main.

Councilman Senn made a motion, seconded by Councilman Boyd, to approve the request to extend water service to 325 C & D Lane. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

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BUDGET: FY2007-2008 Cultural Arts/Tourism Funds

Mayor Kyzer stated that the City Manager was requesting authorize to amend the FY 2006-2007 and the FY 2007-2008 budgets to separate the Cultural Arts and Tourism Fund into two separate special fund budget.

Councilman Boyd made a motion, seconded by Councilman Goudelock, to authorize that two separate special funds be established for Cultural Arts (Newberry Opera House) and for Tourism (Firehouse Conference Center) in both the FY2006-2007 and FY2007-2008 budgets.. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

ORDINANCE (#2007-1015): Rezoning 1330 and 1328 Evans Street from R-10 to C1 – First Reading

Mayor Kyzer introduced for first reading an Ordinance (#2007-1015) to rezone the properties located at 1330 and 1328 Evans Street from R-10 low density residential to C1 core campus. He advised that the Planning Commission had reviewed this request and recommended approval.

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

ORDINANCE (#2007-1016): Rezoning 2217 College and 1222 Pope Streets from R-10 to C1 – First Reading

Mayor Kyzer presented for first reading an Ordinance (#2007-1015) to rezone the properties located at 2217 College Street and 1222 Pope Street from R-10 low density residential to C1 core campus. He noted that the approval of this rezoning request had been endorsed by the Planning Commission.

Councilman Boyd made a motion, seconded by Councilman Glasgow, to request that the Planning Commission give further consideration to this rezoning request. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

COMPREHENSIVE PLAN: Cultural Resources and Housing Elements

Mayor Kyzer reported that the citizen committee working on updating the seven mandated elements of the Comprehensive Plan had completed its review of the Cultural

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Resources and Housing Elements and were recommend that City Council approve the draft of these elements. He reminded City Council that the entire Comprehensive Plan would be adopted by Ordinance once all seven elements had been completed.

Councilman Goudelock made a motion, seconded by Councilman Boyd, to approve the Cultural Resources and Housing Elements of the Comprehensive Plan as presented. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

CITY COUNCIL:

Work Session Topics (July 17, 2007)

Mayor Kyzer remarked that the City Manager had prepared a tentative list of topics to be discussed by City Council at the Work Session scheduled for Tuesday, July 17, consisting of: 1) discussion of possible extension of Main Street to O'Neil Street and the Belfast Road; 2) discussion of concept of greater protection of historic resources and/or expansion of Architectural Review Board jurisdiction; 3) update on process to prioritize paving of dirt streets in the city; 4) discussion on development of a Neighborhood Revitalization and New Housing Development Program.

ORDINANCE (#2007-1017):

**Lease Agreement – School District of Newberry
– First Reading**

Mayor Kyzer offered for first reading an Ordinance (#2007-1017) authorizing the execution of a Lease Agreement with the School District of Newberry County for the use of baseball, softball and tennis facilities on the Newberry High School campus to supplement the City's existing facilities and programs. He stated that the sharing arrangement eliminates duplication of costly facilities and will allow the City to pursue grant funds on behalf of the School District to make improvements to these facilities.

Councilman DuBose 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.

RESOLUTION:

**Academic Performance Standards for
Participation in Recreation Programs**

Mayor Kyzer submitted for City Council's consideration a Resolution authorizing implementation of a new policy to implement requiring minimum academic performance standards in order for children to participate in City recreation programs.

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

CITIZEN REQUEST: Troop Support

Councilman Glasgow stated that a citizen had contacted him regarding the City's lack of visual support for the troops overseas. He suggested that some effort be made to recognize the sacrifices made by these troops.

EXECUTIVE SESSION

Councilman Goudelock made a motion, seconded by Councilman Boyd, to enter an Executive Session at approximately 7:56 P.M. to discuss contractual and personnel matters as outlined on the agenda. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

ADJOURNMENT

Councilman Goudelock made a motion, seconded by Councilman Glasgow, to return to open session at approximately 8:40 P.M. Mayor Kyzer declared the motion carried by unanimous vote of City Council members present.

There being no further business before City Council, Councilman Glasgow made a motion, seconded by Councilman Senn, to adjourn the meeting at approximately 8:42 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)