

**MINUTES OF REGULAR MEETING OF NEWBERRY CITY COUNCIL
HELD IN COUNCIL CHAMBERS, CITY HALL, NEWBERRY, SC
DECEMBER 11, 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, Utilities Director Fred Yandle, City Planner Doug Currier. Others Present: Angela Summer, Susan Lee, Raymond Lee. 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 November 13, 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 November 30, 2007 and noted that the Financial Report would be attached to and made a part of the original minutes of the meeting.

**SPECIAL RECOGNITIONS: **Directors Award – Partner for Safe Water
Award for Area Wide Optimization Program****

Mayor Kyzer and City Manager Budds announced that in recognition of five years of continuous compliance with the Partnership for Safe Water voluntary standards the City's water treatment plant and its employees had been awarded the Directors Award. A presentation of the award was made to the Utilities Director and staff of the water treatment plant.

Mayor Kyzer and City Manager Budds reported that the City had for the sixth consecutive year received the South Carolina Department of Health and Environmental Control's award for the Area Wide Optimization Program. The award was presented to the Utilities Director and staff of the water treatment plant.

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**ORDINANCE (2007-1021): Rezoning – 3195 Hazel, 1311 Trent, 1313 Trent –
General Commercial to R-6 High Density
Residential – Second and Final Reading**

Mayor Kyzer offered for second and final reading an Ordinance (#2007-1021) to amend the Future Land Use Map and the Zoning Map by rezoning the properties located at 3195 Hazel Street, 1311 Trent Street and 1313 Trent Street from General Commercial to R-6 High Density Residential.

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

**ORDINANCE (2007-1022): Rezoning – 715, 723 and 726 Drayton & 722
Brantley Streets – Limited Industrial to R-6
High Density Residential – Second and Final
Reading**

Mayor Kyzer presented for second and final reading an Ordinance (#2007-1022) to amend the Future Land Use Map and the Zoning Map by rezoning the properties located at 715 Drayton Street, 723 Drayton Street, 726 Drayton Street and 722 Brantley Street from Limited Industrial to R-6 High Density Residential.

Councilman Boyd made a motion, seconded by Councilman Senn, to adopt the Ordinance as presented. Voting “Aye” on the motion were: Glasgow, Senn, Kyzer, Summer, Boyd and DuBose. “Abstaining”: Goudelock. (Mr. Goudelock requested a recusal because he owns the property at 722 Brantley Street.) Mayor Kyzer declared the motion carried following a unanimous vote of City Council members voting.

AGREEMENTS & CONTRACTS: Purchase of 1323 College Street

Mayor Kyzer reported that a contract for the purchase of the First Community Bank Building located at 1323 College Street had been prepared for Council’s consideration. He indicated that the contract had been reviewed by City Attorney and staff recommended approval. He stated that the office space would be utilized by the Utilities Department and the Planning and Development Services Department.

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

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ORDINANCE (#2007-1023):

**Revenue Bond Ordinance - \$380,000 –
First Reading**

Mayor Kyzer introduced for first reading an Ordinance authorizing the issuance and sale of up to \$380,000 in revenue bonds to complete the purchase of the bank property at 1323 College Street. He remarked that the purchase price for the property was \$300,000 and the balance of the funds would be utilized for minor renovations and issuance costs. City Manager Budds advised that the term of the bond would be for 10 years at 3.42% interest rate.

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

CITIZEN REQUEST:

Newberry Opera House – Alcohol Permit

Mayor Kyzer indicated that the Newberry Opera House had requested permission to serve alcohol at its New Year's Eve celebration. He stated that the request was to allow the consumption of alcohol on Boyce Street and in Memorial Park for a midnight toast.

Councilman Goudebeck made a motion, seconded by Councilman Boyd, to approve the Newberry Opera House request provided all requirements of SC Department of Revenue related to special event permits for non-profit organizations were met. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

UTILITIES:

Billing Service

Mayor Kyzer reported that the City had solicited proposals for utility billing services and had several policy issues needing City Council's input.

City Manager Budds explained that the post-card billing system was outdated and the City would be moving to a one-page bill contained in an envelope. He requested that Council provide guidance with: 1) the selection of a black and white billing white format, 2) if there is a need for a return envelope to be included for the customer in light of the fact that the City has a very low number of customers who pay by mail and offered an alternative of providing envelopes once a year that customers could pick up at City Hall and 3) utilizing a colored format for the delinquent bill notice.

Councilman Glasgow made a motion, seconded by Councilman Senn, authorizing staff to proceed with selecting the private billing firm and proceed with implementation.

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Councilman Goudelock made a motion to amend the motion on the floor to proceed with the black and white format, not enclosing a return envelope and utilizing a colored format for the delinquent bill notice. Councilman Boyd seconded the motion. Mayor Kyzer declared the motion carried by a unanimous vote of City Council members present.

Mayor Kyzer called for the vote on the motion to authorize proceeding with selecting the billing service. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

CITY COUNCIL:

Council Meeting – Dec. 18, 2007

Mayor Kyzer announced that a special meeting of Newberry City Council would be held on Tuesday, December 18, 2007 at 5:30 P.M. for the purpose of conducting second reading and adoption of the Revenue Bond Ordinance to approve the borrowing of money to acquire the building at 1323 College Street for additional office space.

JURY LIST

Mayor Kyzer stated that the Municipal Court Clerk had submitted a letter indicating that the jury list for 2008 had been ordered from the South Carolina Election Commission in accordance with State law.

Councilman Boyd made a motion, seconded by Councilman Senn, to approve the jury list for 2008. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

EXECUTIVE SESSION

Councilman Goudelock made a motion, seconded by Councilman Glasgow, to enter an Executive Session at approximately 7:35 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 Goudelock made a motion, seconded by Councilman DuBose, to return to open session at 8:50 P.M. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

Mayor Kyzer then provided an overview of the items discussed and stated that all of the items except for the personnel matter were accepted as information and that no action would be taken.

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APPOINTMENT:

ARB

Councilman Glasgow made a motion, duly seconded, to appoint Lue Vester Davis to a term expiring January 1, 2009, to appoint George Routon to a term expiring January 1, 2010, to appoint Lisa Senn to a term expiring January 1, 2010, to appoint Cile Hursey for a term expiring January 1, 2010, and to appoint Greg Talbot to a term expiring January 1, 2009. Mayor Kyzer declared the motion carried by a unanimous vote of City Council members present.

ADJOURNMENT

There being no further business before City Council, Councilman Goudelock made a motion, seconded by Councilman Boyd, to adjourn the meeting at approximately 8:53 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)