

**MINUTES OF REGULAR MEETING OF NEWBERRY CITY COUNCIL  
HELD IN COUNCIL CHAMBERS, CITY HALL, NEWBERRY, SC  
JANUARY 10, 2006 – 7:00 P.M.**

Members Present: Mayor T. Edward Kyzer. Council: R. Lemont Glasgow, Zebbie D. Goudelock, Gregg W. Summer, Andrew Shealy, Sarah F. Dipner (late).

Also Present: City Manager Eric G. Budds, Assistant to City Manager Jeff Shacker, Utility Director Charles Guerry, City Planner Doug Currier. Others Present: Allen Wicker, Elizabeth Hipp, Les Hipp, Beverly Ringer, Don Ringer, Betty Gardner, Leigh Jeremiah, Randy Berry, Moriat Nichols Hall, Barbara Miller, Sharon Shaw, Pat Wilkes, Gordon Johnson, Charlie Banks, and others.  
News Representatives: Heather Hawkins, 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 Shealy, to approve the minutes of the Regular Meeting of Newberry City Council held on December 13, 2005 as presented. Mayor Kyzer declared the motion carried by a unanimous vote of City Council members present.

**FINANCIAL REPORT**

Mayor Kyzer stated that members of City Council had received copies of the Financial Report for the period July 1, 2005 through December 31, 2005 and that a copy of the Financial Report would be attached to and made a part of the minutes.

**RECOGNITION OF EMPLOYEE**

Mayor Kyzer and City Manager Budds recognized Allen Wicker, Building Maintenance Specialist in the Public Works Department, for his ten years of service to the City. He was presented with a longevity pin and gift from the City. City Manager Budds recognized Charles Guerry for his years of service with the City and wished him well in the opportunity to become a general manager for a North Carolina electric cooperative.

**DOWNTOWN MERCHANTS ASSOCIATION**

Ms. Elizabeth Hipp appeared before City Council on behalf of the Newberry Downtown Merchants Association and briefed Council on the current and planned activities of the recently formed association. Ms. Hipp thanked Mayor Kyzer for the opportunity to address Council and expressed the pride her association has in the City of Newberry. She outlined a calendar of events for the first half of the association's inaugural year. These

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events include a chocolate walk and rose giveaway for Valentines Day, an Easter parade, a barbeque cook-off sponsored by the S.C. Barbeque Association in May, and activities to support the Newberry City Parks and Recreation Department's SummerFun Horseshoe Tournament in August. After outlining the association's plans for the coming year, Ms. Hipp requested that City Council give consideration to addressing the following concerns of the association: the existence of numerous buildings in need of major renovations or facelifts; the persistent occupation of premium on-street parking by second floor apartment renters who have access to convenient reserved parking in private lots; the general lack of adequate gateway signage leading into the central business district which contributes to confusion among visitors and tourists; and the prevalence of sidewalk littering in downtown. Ms. Hipp closed by again expressing her appreciation to City Council for the opportunity to address them and pledged that the merchants would continue the trend of better in-store and storefront maintenance and effective marketing.

**ORDINANCE (#2006-1001):           FY05-06 Budget Amendment – First Reading**

Mayor Kyzer introduced for first reading an Ordinance to amend the FY 2005-2006 Budget. He explained that a detailed explanation of the adjustments to revenues and expenditures would be provided at the February meeting.

Councilman Shealy made a motion, seconded by Councilwoman Dipner, to approve first reading of the Ordinance to amend the FY2005-2006 Budget. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

**ORDINANCE (#2006-1002):           City Code Section 12-3 (5) & (6) Amendment –  
First Reading**

Mayor Kyzer presented for first reading an Ordinance to amend Section 12-3, paragraphs (5) and (6) of the City Code. He explained that the proposed amendment would prevent groups from reserving the shelter all day for a very low fee thus preventing other parties from reserving and utilizing the shelter or in some instances allowing others to use the shelter during the rental period without paying a fee. He noted that the change would establish a fee of \$10.00 for a four-hour period. He added that it was further recommended that a \$15.00 charge be added to all shelter rentals to reserve the use of the barbeque pit.

Councilman Glasgow made a motion, seconded by Councilman Goude-lock, to approve first reading of the Ordinance to amend Section 12-3 (5) and (6) of the City Code. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.



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Councilwoman Dipner made a motion, seconded by Councilman Goude-lock, to accept the CDBG award of \$500,000.00. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

**PETITION TO ANNEX: Don and Shirley Mohler – Chapman Dr.**

Mayor Kyzer informed City Council that a petition to annex property on Chapman Drive had been received. He noted that the residential lot is owned by the petitioners, Don and Shirley Mohler, who plan to construct a home on the site.

Councilman Summer made a motion, seconded by Councilman Glasgow, to accept the petition to annex. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

**ORDINANCE (#2006-1003): Annexation – Chapman Drive – First Reading**

Mayor Kyzer presented for first reading an Ordinance to annex the property of Don and Shirley Mohler on Chapman Drive. He indicated that temporary zoning of the property would be R-10 Low Density Residential.

Councilman Summer 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.

**RESOLUTION: PMPA Board Delegates**

Mayor Kyzer deferred the matter to executive session.

**EXECUTIVE SESSION**

Councilman Goude-lock made a motion, seconded by Councilman Glasgow, to enter an Executive Session at approximately 7:52 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 Goude-lock made a motion, seconded by Councilman Glasgow, to return to open session at approximately 9:03 P.M. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

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**RESOLUTION: PMPA Board Delegates – Eric G. Budds, Marie M. Hickman**

Mayor Kyzer introduced for City Council's consideration a Resolution appointing Eric G. Budds as Director to the PMPA Board of Directors, and Marie M. Hickman as alternate Director.

Councilman Goudelock made a motion, seconded by Councilwoman Dipner, to accept and approve the Resolution as presented. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

**COUNCIL**

Councilwoman Dipner recognized Representative Walton J. McLeod, who was not in attendance at the meeting, for his commitment to assisting City Council and staff, Newberry County staff and the U.S. Army Corp of Engineers identify and possibly fund engineering solutions to the on-going storm water flooding associated with the Scotts Creek basin.

**ADJOURNMENT**

There being no further business before City Council, Councilman Glasgow made a motion, seconded by Councilwoman Dipner, to adjourn the meeting at approximately 9:09 P.M. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

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**T. Edward Kyzer**  
MAYOR

ATTEST:

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Tina P. Wicker, City Clerk  
Newberry, South Carolina

(SEAL)