

**MINUTES OF REGULAR MEETING OF NEWBERRY CITY COUNCIL
HELD IN COUNCIL CHAMBERS, CITY HALL, NEWBERRY, SC
JUNE 6, 2006 – 7:00 P.M.**

Members Present: Mayor T. Edward Kyzer. Council: R. LeMont Glasgow, Foster Senn, Zebbie D. Goudelock, Gregg W. Summer, Andrew Shealy, Sarah F. Dipner.

Also Present: City Manager Eric G. Budds, Municipal Clerk Tina P. Wicker, Assistant to City Manager Jeff Shacker, City Planner Doug Currier. Others Present: Sharon Lucas and family, Chuck Counts, Columbus Gary, P. K. Fuller, Deborah Smith, Elaine Kohler, Louis Boyd, Todd Chapman 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 Shealy, to approve the minutes of the Regular Meeting of Newberry City Council held on May 9, 2006 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 May 31, 2006 and that a copy of the Financial Report would be attached to and made a part of the minutes.

RECOGNITION OF EMPLOYEES

Mayor Kyzer and City Manager Budds recognized Sharon Lucas, CSR II, for completion of five years of service, Chuck Counts, Police Captain, for completion of ten years of service and Columbus Gary, Heavy Equipment Operator, for completion of fifteen years of service with the City of Newberry. Each received a longevity pin and gift.

PUBLIC HEARING:

FY 2006-2007 Budget

City Manager Budds presented the budget summary comparison and provided an explanation of the table: General Fund total = \$7,523,272; Special Funds total = \$3,219,034; Utility Fund total = \$20,801,269 (less transfers of \$2,497,207). He proceeded to recap both the General Fund and Utility Fund budgets in depth.

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Mayor Kyzer declared a public hearing for the purpose of receiving comments on the proposed budget for fiscal year 2006-2007. There being no comments from the public the Mayor declared the public hearing closed.

CITIZEN REQUEST: Downtown Newberry Streetscape

Ms. Elaine Kohler appeared before City Council concerning improvements to the Downtown Newberry Streetscape. She emphasized the importance of capitalizing on the tourism industry and making the downtown more attractive. She provided a watercolor of the vision for Newberry and a need to “spruce up” the downtown with flowers, trees. She suggested that the City consider employing a public relations specialist to promote Newberry and develop activities and promotions.

**ORDINANCE (#2006-1009): Land Use Map Amendment – Nby. Co.
Disabilities and Special Needs Board - 115
Nance Street – Second and Final Reading**

Mayor Kyzer presented for second and final reading an Ordinance to amend the Land Use Map of the City’s Comprehensive Plan and to rezone the recently annexed property belonging to the Newberry County Disabilities and Special Needs Board located at 115 Nance Street. He noted that the property would be zoned GC – General Commercial.

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

**ORDINANCE (#2006-1010): Land Use Map Amendment – Don B. Mohler, Jr.
and Shirley A. Mohler - 1427 Chapman Drive –
Second and Final Reading**

Mayor Kyzer presented for second and final reading an Ordinance to amend the Land Use Map of the City’s Comprehensive Plan and to rezone the recently annexed property belonging to the Don B. Mohler, Jr. and Shirley A. Mohler located at 1427 Chapman Drive. He noted that the property would be zoned R8 – Medium Density Residential.

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

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ORDINANCE (#2006-1011): **Business License Fee Amendment – Chapter 10 –
First Reading**

Mayor Kyzer introduced for first reading an Ordinance to amend Chapter 10 of the City Code to adjust business license fees across the board by fifteen percent. He noted that business license rates had not been increased in at least fifteen years.

Councilwoman Dipner made a motion, seconded by Councilman Shealy, 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 (#2006-1012): **Electrical Rate Increase – Chapter 9 – First
Reading**

Mayor Kyzer introduced for first reading an Ordinance to amend Chapter 9 of the City Code to implement an electric rate increase of 1.8% on average to cover the increase in wholesale power costs.

Councilman Summer made a motion, seconded by Councilman Goudelock, 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 (#2006-1013): **Local Accommodations Fee Increase – First
Reading**

Mayor Kyzer presented for first reading an Ordinance to increase the Local Accommodations Fee from 2% to 3% effective July 1, 2006. He indicated that the S. C. General Assembly had passed legislation that authorized the use of up to 20% of Local Accommodations fee revenue for the operation and maintenance of items such as police and fire protection. He indicated that the revenue generated by this increase in the Local Accommodations Fee may be used to decrease the proposed millage rate increase for the FY 2006-2007 budget by one mill.

Councilman Shealy 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.

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ORDINANCE (#2006-1014): **Levy Taxes and Adopt Budget for FY 2006-2007**
– First Reading

Mayor Kyzer introduced for first reading an Ordinance to adopt the budget for fiscal year 2006-2007 and to levy taxes at sufficient mills to pay the appropriations for the proposed City Budget.

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

NEWBERRY OPERA HOUSE: **Taste of Newberry (alcohol sales and consumption)**

Deborah Smith, Executive Director of the Newberry Opera House, requested authorization to obtain an alcohol permit to allow for the sale and consumption of beer and wine in Memorial Park during the Taste of Newberry event on June 23.

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

CITY COUNCIL: **Website/City Logo**

Mayor Kyzer advised that during the web site upgrade process several questions had arisen concerning the color scheme and graphics for the site. He remarked that the staff felt that the Opera House spire had evolved into the most identifiable symbol for Newberry.

City Manager Budds presented the current magnolia logo and color scheme as well as the proposed graphics and color scheme utilizing the Opera House spire.

Mayor Kyzer made a motion, seconded by Councilman Glasgow, to authorize the use of the cranberry and gold color scheme and Opera House spire for the web site and to transition all City graphics and logos to this design and scheme. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

City Manager Budds advised that he would provide City Council with a financial estimate for transitioning to the new logo on City vehicles, uniforms, etc.

FIREHOUSE CONFERENCE CENTER

City Manager Budds indicated that the staff had acquired estimates from the contractor for the construction of the plaza and covered walkway connecting the Firehouse Conference Center with the Newberry Opera House. He indicated that the project is currently 67% complete and the remaining contingency balance is at approximately \$210,000. He reported that the bid totaled \$273,000. He recommended that City Council re-evaluate the construction of the plaza and covered walkway nearer the conclusion of the project.

Councilman Shealy made a motion, seconded by Councilman Senn, to reject the bid and to reconsider the construction of the plaza and walkway near the end of the project. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

ORDINANCE (#2006-1015): **FY05-06 Budget Amendment – First Reading**

Mayor Kyzer presented for first reading an Ordinance to amend the fiscal year 2005-2006 budget to adjust for a number of expensive maintenance and repair expenditures in the water and wastewater divisions of the utility department. He explained that this ordinance was being read by title only because staff was in the process of tallying and projecting on-going costs to determine the final figures by the June 20th meeting of City Council. He indicated that staff hoped that no additional appropriation of funds would be required but felt it wise to take this step in the process so that if necessary an adjustment can be approved at the last Council meeting in the fiscal year.

Councilwoman Dipner 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.

CITY COUNCIL: **Utility Refund – Yard Light – 1803 Johnstone Street**

Mayor Kyzer reported that the City had received a request from Carl and Mary Marr who reside at 1803 Johnstone Street for a refund of a charge by the City for a yard light. He indicated that a billing error occurred which the City acknowledged and in accordance with policy credited the Marr's account for \$42.00 which represents six months of erroneous billing.

City Manager Budds stated that the Marr's were requesting a full refund citing the fact that they were on budget billing and did not review their bill on a regular basis as the

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ADJOURNMENT

There being no further business before City Council, Councilman Senn made a motion to adjourn, Councilman Goudelock seconded the motion. Mayor Kyzer declared the meeting adjourned at 9:10 P.M. following a unanimous vote of City Council members present.

T. Edward Kyzer
MAYOR

ATTEST:

Tina P. Wicker, City Clerk
Newberry, South Carolina

(SEAL)