

**MINUTES OF REGULAR MEETING OF NEWBERRY CITY COUNCIL
HELD AT COUNCIL CHAMBERS, CITY HALL, NEWBERRY, SC
FEBRUARY 8, 2005 – 7:00 P.M.**

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

Also Present: City Manager Eric G. Budds, Municipal Clerk Tina P. Wicker, Utility Director Charles Guerry. Others Present: Charles Rogers, John Glasgow, Denise Cates, Richard Cates, Cornell Blakely, Todd Chapman. News representatives: Paul Gable, 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 Lively, to approve the minutes of the Regular Meeting of Newberry City Council held on January 11, 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, 2004 through January 31, 2005 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 Charles Rogers, Police Sergeant, for his five-years of longevity with the City of Newberry.

PUBLIC HEARING:

Zoning Ordinance Amendments

Mayor Kyzer declared a public hearing for the purpose of receiving comments on the proposed amendments to Sections 502, 504 and 506 of the Zoning Ordinance to clarify and simplify setback requirements in the residential districts.

No one appeared to offer comment concerning the proposed Zoning Ordinance amendments and Mayor Kyzer declared the public hearing closed.

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**ORDINANCE (#2005-1001): **Mid-Year Budget for FY2004-2005 - Second
and Final Reading****

Mayor Kyzer presented for second and final reading an Ordinance to amend the fiscal year 2004-2005 budget by adopting the Mid-Year Budget.

City Manager Budds presented an overview of the proposed changes to the budget. He presented the Budget Summary Comparison showing the general fund, special funds and utility fund. He pointed out that the General Fund increased by \$149,529, the Local Hospitality Fund increased by \$130,000 representing the \$20,000 appropriated to the Newberry Opera House and \$110,000 transferred to a new special fund to be designated as the Firehouse Conference Fund. He explained that the Community Development Fund was not closed-out last year so the budget will be showing a carry-over of grant funds to this year. He also noted a significant increase in the Utility Capital account which is a combination of carry-over projects, projects related to highway construction projects and such unexpected items as the roof at the warehouse and the heating and air conditioning for City Hall.

City Manager Budds indicated that General Fund revenues would be increasing by \$141,114. On the expenditure side he stated that 12 of 19 departments or divisions are proposed to decrease while the remaining 7 are proposing increases in expenditures. He discussed in more detail those departments with the highest adjustments including Justice & Law, Police, Recreation, and Community Promotions & Projects. The total increase in the General Fund expenditures would be \$149,529 with \$141,114 being offset by revenue increases and the balance of \$8,415 from fund balance.

City Manager Budds stated that the Utility Gross Revenue account reflected a decrease in net revenue of \$290,343 due to a decrease primarily in water sales to the Newberry County Water and Sewer Authority. He explained that in the Utility Fund Operations & Maintenance a total of five departments were requesting increases totaling \$48,522 and five projecting decreases of \$28,781. He explained that the Utility Capital Budget revenue was projected to increase by \$194,828 and that expenditures would increase by \$1,285,552 which would necessitate a transfer of \$1,090,724 from funds-on-hand in the Utility Department.

City Manager Budds recommended approval of the Mid-Year Budget ordinance as presented.

Councilman Shealy 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 (#2005-1002): **Zoning Ordinance amendments to Sections 502,
504 and 506 (setbacks, etc.) – Second and Final
Reading****

Mayor Kyzer introduced for second and final reading an Ordinance to amend Sections 502, 504 and 506 of the City's Zoning Ordinance. He stated that the proposed changes would clarify and simplify the setbacks requirements in the residential districts.

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.

STREETS & HIGHWAYS: **Harrington Street Paving**

Mayor Kyzer reported that SCDOT had proposed to resurface Harrington Street utilizing a method other than the traditional asphalt. He remarked that City staff had met with SCDOT officials who agreed that this method was not intended nor the best method to utilize in urban areas. He indicated that SCDOT was willing to complete the patching of Harrington Street and remove the street from the double treatment contract at the City's request.

Councilman Shealy made a motion, seconded by Councilman Lively, to authorize the City Manager to notify SCDOT to remove Harrington Street from the double treatment contract noting its inappropriateness for an urban area. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

BUDGET: **2005-2006 Budget Calendar**

Mayor Kyzer presented City Council with a proposed budget calendar for the fiscal year 2005-2006 budget process. (Copies, with meeting dates highlighted, presented to news representatives present at Council meeting.)

Mayor Kyzer made a motion, seconded by Councilman Lively, to approve the Budget Calendar as presented. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

RESOLUTION: **Capital Project Sales Tax**

Mayor Kyzer presented a Resolution declaring the intention of the City to reimburse itself for expenditures related to the Newberry Firehouse Conference Center project with the proceeds of debt to be incurred by Newberry County by the issuance of general

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obligation bonds to fund the projects approved by the capital project sales tax referendum.

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

EXECUTIVE SESSION

Councilman Goudelock made a motion, seconded by Mayor Kyzer, to enter an Executive Session at approximately 7:55 P.M. for the purpose of discussing legal and contractual matters as outlined on the agenda. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

Councilwoman Dipner made a motion, seconded by Councilman Lively, to return to open session at approximately 9:05 P.M. 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 Goudelock made a motion, seconded by Councilman Lively, to adjourn the meeting at approximately 9:07 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)