

**MINUTES OF REGULAR MEETING OF NEWBERRY CITY COUNCIL  
HELD IN MUNICIPAL COURT ROOM, PUBLIC SAFETY BUILDING,  
NEWBERRY, SC  
MAY 10, 2005 – 7:00 P.M.**

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

Also Present: City Manager Eric G. Budds, Municipal Clerk Tina P. Wicker, Fire Chief Joe Palmer, Assistant to City Manager Jeff Shacker. Others Present: Anne Thomas, Floree Davis, Todd Chapman, Mike Holsonback, Newberry Fire Department staff and others. News Representatives: Heather Hawkins and Paul Gable.

**CALL TO ORDER**

Mayor Kyzer called the meeting to order and gave the invocation.

**MINUTES**

Councilman Glasgow made a motion, seconded by Councilman Summer, to approve the minutes of the Regular Meeting of Newberry City Council held on April 12, 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 April 30, 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 Anne Thomas, Customer Services Coordinator, for five years of service.

**SPECIAL RECOGNITION:      **Fire Department Personnel****

Mayor Kyzer and City Manager Budds recognized the twenty-one fire department personnel who had recently completed various levels of training through the National Fire Academy.

**Minutes of the Regular Meeting of Newberry City Council  
May 10, 2005  
Page -2-**

**ORDINANCE (#2005-1006):            **Budget Amendment (aerial fire truck/land option) – Second and Final Reading****

Mayor Kyzer introduced for second and final reading an Ordinance to amend the Fiscal Year 2004-2005 Budget to accommodate the purchase of the aerial fire truck and the Fretwell Family Trust land option.

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

**ORDINANCE (#2005-1007):            **Franchise Agreement with NEC – First Reading****

Mayor Kyzer presented for first reading an Ordinance authorizing the execution of a Franchise Agreement with the Newberry Electric Cooperative for electrical service to a portion of the Fretwell Family Trust property.

Councilman Goude-lock 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.

**PETITION TO ANNEX:            **Fretwell Family Trust****

Mayor Kyzer presented for City Council's consideration a Petition to Annex submitted by the Fretwell Family Trust for approximately 1,000 acres located between Highways 219 and 34 along Hillbrook Lane and I-26.

Councilwoman Dipner made a motion, seconded by Councilman Glasgow, to accept the Petition to Annex as presented. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

**ORDINANCE (#2005-1008):            **Annexation of Fretwell Family Trust Property - First Reading****

Mayor Kyzer presented for first reading an Ordinance to annex approximately 1,000 acres of land owned by the Fretwell Family Trust located between Highways 219 and 34 along Hillbrook Lane and I-26.

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

**Minutes of the Regular Meeting of Newberry City Council  
May 10, 2005  
Page -3-**

**ORDINANCE (#2005-1009): Land Option – 2 acres on Cockrell Drive  
(\$15,000) - First Reading**

Mayor Kyzer presented for first reading an Ordinance authorizing the execution of a Land Option with the Fretwell Family Trust for two acres located on Cockrell Drive for the price of \$15,000. He noted that the property could be utilized by the City for public safety facilities should the property develop.

Councilwoman Dipner 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.

**ORDINANCE (#2005-1010): Lease Agreement Amendment - First Reading**

Mayor Kyzer presented for first reading an Ordinance authorizing the execution of an amended lease agreement with the Fretwell Family Trust for two sites to be utilized at some point by the City for the location of entrance signs.

Councilman Goudelock 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.

**CITY COUNCIL: Firearms Discharge Approval**

Mayor Kyzer presented for City Council's consideration of memorandum from Police Chief Swindler authorizing the discharge of firearms on the Fretwell Family Trust property for hunting purposes provided all state regulations are followed and the land remains undeveloped.

Councilman Goudelock made a motion, seconded by Councilman Summer, to approve the discharge of firearms on the Fretwell Family Trust property for hunting purposes provided all state regulations are followed and the land remains undeveloped. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

**ORDINANCE (#2005-1011): Vested Rights - First Reading**

Mayor Kyzer introduced for first reading an Ordinance amending the land development ordinances of the City to provide vested rights for developing properties.



(SEAL)