

**MINUTES OF REGULAR MEETING OF NEWBERRY CITY COUNCIL
HELD IN COUNCIL CHAMBERS, CITY HALL, NEWBERRY, SC
AUGUST 9, 2005 – 7:00 P.M.**

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

Also Present: City Manager Eric G. Budds, Municipal Clerk Tina P. Wicker, Assistant to City Manager Jeff Shacker, Utility Director Charles Guerry. Others Present: Deborah Smith, and others. News Representatives: Heather Hawkins and Lee Gray.

CALL TO ORDER

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

MINUTES

Councilman Glasgow made a motion, seconded by Councilman Lively, to approve the minutes of the Regular Meeting of Newberry City Council held on July 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, 2005 through July 31, 2005 and that a copy of the Financial Report would be attached to and made a part of the minutes.

ORDINANCE:

**Franchise Agreement with Comcast of the South
– Second and Final Reading**

Mayor Kyzer presented for second and final reading an Ordinance authorizing the execution of a Franchise Agreement with Comcast of the South for the operation of the cable television system in the City.

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

ORDINANCE:

**Zoning – 1326 Wilson Rd. and Fretwell Family
Trust - Second and Final Reading**

Mayor Kyzer presented for second and final reading an Ordinance assigning a permanent zoning classification to properties recently annexed into the City limits. He noted that the

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property at 1326 Wilson would be zoned GC – General Commercial and that the property of the Fretwell Family Trust would be zoned OS – Open Space.

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

**CITIZEN REQUEST: Water Service – 104 Brown Chapel Circle & 205
Brown Chapel Circle**

Mayor Kyzer advised that the City had received requests from the property owners of 104 Brown Chapel Circle and 205 Brown Chapel Circle for water taps to their properties. He noted that annexation agreements had been signed by the property owners as a condition of granting the requested services.

Councilman Shealy made a motion, seconded by Councilman Glasgow, to approve the requests for water service and the annexation agreements for the properties located at 104 and 205 Brown Chapel Circle. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

RESOLUTION: ADA Section 504 Requirements

Mayor Kyzer introduced for City Council’s consideration a Resolution assuring that the City would accommodate the needs of disabled citizens and meet the provisions of the Americans With Disabilities Act, Section 504 requirements.

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

CITY COUNCIL

Mayor Kyzer asked City Council to consider establishing quarterly work sessions for the purpose of discussing special projects, issue and concerns on the third Tuesday in the months of January, April, July and October at 6:30 P.M. He noted that the first work session would be on September 20.

Mayor Kyzer requested a verbal consensus of City Council members present to establish the quarterly work session.

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STREETS & HIGHWAYS: Charles Street Bridge

Councilman Shealy asked about the status of the Charles Street bridge repairs. City Manager Budds stated that he would research this matter and provide him with the information.

EXECUTIVE SESSION

Councilman Summer made a motion, seconded by Councilman Lively, to enter an Executive Session at approximately 7:23 P.M. to discuss a personnel matter as outlined on the agenda. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

Councilman Shealy made a motion, seconded by Councilman Lively, to return to open session at approximately 7:59 P.M.

ADJOURNMENT

There being no further business before City Council, Councilman Shealy made a motion, seconded by Councilman Summer, to adjourn the meeting at approximately 8:02 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)