

**MINUTES OF REGULAR MEETING OF NEWBERRY CITY COUNCIL
HELD IN COUNCIL CHAMBERS, CITY HALL, NEWBERRY, SC
SEPTEMBER 13, 2005 – 7:00 P.M.**

Members Present: Mayor T. Edward Kyzer. Council Present: R. LeMont Glasgow, Boyce Lively, Zebbie D. Goude-lock, 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, Utility Director Charles Guerry, Public Works Director Arnold Hiller. Others Present: Mac Bartley and family, Deborah Smith, Todd Chapman, Pat Wilkes and other residents of Boundary Street and others. News Representatives: Heather Hawkins and Lee Gray.

CALL TO ORDER

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

MINUTES

Councilman Goude-lock made a motion, seconded by Councilman Shealy, to approve the minutes of the Regular Meeting of Newberry City Council held on August 9, 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 August 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 Mac Bartley, Vehicle Maintenance Supervisor in the Public Works Department, for 15 years of service. They presented him with a longevity pin and a gift from the City.

CITIZEN REQUEST:

Water Service – 657 Meadow View Lane

Mayor Kyzer advised that the City had received a request from the property owner of 657 Meadow View Lane for a water tap. He noted that annexation agreement had been signed by the property owner as a condition of granting the requested service.

Councilman Lively made a motion, seconded by Councilman Goude-lock, to approve the request for water service and the annexation agreement for the property located at 657

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Meadow View Lane. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

**ORDINANCE (#2005-1024): Lease/Purchase Financing for the Firehouse
Conference Center – First Reading**

Mayor Kyzer presented for first reading an Ordinance authorizing the execution of a Lease/Purchase Financing Agreement for the Firehouse Conference Center construction. He explained that the City would be seeking financing of approximately 1.3 million for a term of fifteen years and that prior to second reading all final information would be made available to City Council.

Councilman Goudelock made a motion, seconded by Councilman Lively, 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 (#2005-1025): Newberry Opera House Base Lease Amendment
- First Reading**

Mayor Kyzer introduced for first reading an Ordinance to amend the Base Lease with the Newberry Opera House Foundation to remove the old fire station property and associated land from the leased premises. He explained that this action was necessary in order to secure financing for the Firehouse Conference Center project.

Councilman Shealy 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: CDBG Local Match for Commercial
Revitalization**

Mayor Kyzer introduced for City Council's consideration a Resolution committing the City to providing a local cash match of \$50,000.00 for the Community Development Block Grant for commercial revitalization. He noted that the scope of the work to be performed with this grant included streetscape improvements, lighting enhancement and parking lot renovations in the downtown area.

Councilman Glasgow 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.

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recommended changes to the Zoning Ordinance were being made by the City's Planning Commission.

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.

ORDINANCE (#2005-1026): **Zoning of Planned Development and Site Plan Approval (Harrington/Martin Streets) - First Reading**

Mayor Kyzer introduced for first reading an Ordinance to approve the site plan and to establish a Planned Development zoning for the property bounded by Harrington, McMorris and Martin Streets. He stated that the City's Planning Commission had reviewed the request and recommend approval of the housing project.

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

OKTOBERFEST: **Alcohol Sales by Newberry Opera House Foundation**

Mayor Kyzer explained that the City had received a request from the Newberry Opera House Foundation for permission to allow alcohol sales in conjunction with the Oktoberfest within a designated area. He explained that all appropriate regulations would be complied with in the sale of alcoholic beverages.

Councilman Goude-lock made a motion, seconded by Councilman Shealy, to approve the request from the Newberry Opera House Foundation for permission to conduct alcohol sales in conjunction with Oktoberfest. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

ORDINANCE (#2005-1027): **Levy Taxes for FY06 - First Reading**

Mayor Kyzer presented for first reading an Ordinance to levy taxes at 96.5 mills for the fiscal year 2005-2006. He reminded City Council that the millage was not set at the time the budget was adopted because of the expected reassessment. He indicated that the City had received the necessary information from the Newberry County Auditor to now make a determination of the tax levy.

Newberry, South Carolina