

**MINUTES OF SPECIAL MEETING OF NEWBERRY CITY COUNCIL  
HELD IN COUNCIL CHAMBERS, CITY HALL, NEWBERRY, SC  
NOVEMBER 21, 2005 – 5:30 P.M.**

Members Present: Mayor T. Edward Kyzer. Council Present: R. LeMont Glasgow, 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. Others Present: Gordon Johnson, Jac Ullman, Frank Downs, Charlie Banks, Jim Pope, Todd Chapman, Phil Savage, and others. News Representatives: Heather Hawkins.

**CALL TO ORDER**

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

**ORDINANCE (#2005-1030):            **Zoning Ordinance Amendment – Secs. 511 & 513****

Mayor Kyzer presented for second and final reading an Ordinance to amend Sections 511 and 513 of the Zoning Ordinance. He explained that Section 511 would provide restrictions when property zoned General Commercial adjoins or is within fifty feet of residentially zoned property in order to provide additional buffering and that Section 513 would be amended so as to eliminate some uses listed under the miscellaneous amusement category in the Core Commercial District.

City Manager Budds indicated that a request had been made to defer second reading until the December meeting, but he stated that the staff as well as the Municipal Planning Commission were comfortable with the Ordinance as presented. He informed Council that a group of affected businessmen would like the opportunity to make suggestions on modifying the proposed Ordinance. Mayor Kyzer asked for Council's decision on whether to proceed or postpone.

Councilman Shealy made a motion, seconded by Councilman Summer, to defer second reading of the Ordinance until December.

Upon request by Councilwoman Dipner, City Manager Budds provided a diagram of an existing general commercial property that would be impacted by the proposed Ordinance and an explanation of application of the proposed Ordinance. He also reviewed the types of businesses under conditional uses that would be impacted.

Gordon Johnson concurred with the recommendation to postpone adoption of the Ordinance until December.

Phil Savage also spoke in favor of a postponement.

**Minutes of the Special Meeting of Newberry City Council  
November 21, 2005  
Page -2-**

Jac Ullman provided a diagram of the same property along Highway 219 providing an example of how the available land area usage would be reduced.

Mayor Kyzer called for a vote on the motion. Following a vote of City Council, Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

**ORDINANCE (#2005-1031):            **Conveying Real Property – Second and Final Reading****

Mayor Kyzer introduced for second and final reading an Ordinance conveying 2.3 acres of land bounded by Harrington, McMorris and Martin Streets to Guild Investments, LLC pursuant to the terms and conditions contained in a Memorandum of Agreement with the developer.

Councilwoman Dipner 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 (#2005-1032):            **Rental Property Registration****

Mayor Kyzer announced that this item would be deferred until a later date. He explained that the City Manager had met with a group of rental property managers who had requested that they be given the opportunity to review the City's proposal and to perhaps make recommendations prior to the adoption of the Ordinance. City Manager Budds suggested that the group be written a letter and that they be required to submit an action plan by the December meeting and that any recommendations be provided prior to the January meeting.

Councilwoman Dipner made a motion, seconded by Councilman Glasgow, to require the committee to submit an action plan by December and recommendations prior to the January meeting of City Council. Mayor Kyzer declared the motion carried by a unanimous vote of City Council members present.

**ADJOURNMENT**

There being no further business before City Council, Councilwoman Dipner made a motion, seconded by Councilman Goudebeck, to adjourn the meeting at approximately

**Minutes of the Special Meeting of Newberry City Council  
November 21, 2005  
Page -3-**

5:59 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)