

**REGULAR MEETING OF NEWBERRY CITY COUNCIL
HELD IN COUNCIL CHAMBERS, CITY HALL, NEWBERRY, SC
AUGUST 12, 2014 – 7:00 P.M.**

Members Present: Mayor Foster Senn, Councilmember R. LeMont Glasgow, Councilmember Edwin E. Wicker, Councilmember Zebbie D. Goudelock, Councilmember Thomas Louis Boyd, Councilmember David T. Force, Councilmember David DuBose.

Also Present: City Manager W. A. Harvey, Municipal Clerk Tina P. Wicker, Assistant City Manager Matt Dewitt, Utility Director Marc Regier, Fire Chief Keith Minick, Parks, Recreation and Tourism Director Scott Sawyer. Others Present: Gene Shealy and family, Dwain Morris, Brandon Riddle, Gregg Taylor, Kyle Vaughn, R.J. Dowd, Ben Dukes, Debra Shaw, Angela Summer, Lisa Toland and others. News representatives: Elyssa Parnell and Tammy Kitchen.

CALL TO ORDER

Mayor Senn called the meeting to order and led in the Pledge of Allegiance. Councilmember Glasgow gave the invocation.

MINUTES

Councilmember Goudelock made a motion, seconded by Councilmember Boyd to approve the minutes of the regular meeting of Newberry City Council held on July 1, 2014 as presented. Mayor Senn declared the motion carried following a unanimous vote of City Council members present.

FINANCIAL REPORT

Mayor Senn advised that members of City Council had received a copy of the Financial Report for the period ending July 31, 2014 and noted that the report would be attached to the minutes. City Manager Harvey stated that being only thirty days into the fiscal year he had nothing significant to note.

SPECIAL RECOGNITION: **Fire Lt. Gene Shealy**

Mayor Senn recognized Fire Chief Keith Minick who announced that Gene Shealy had been promoted to Fire Captain over Recruitment and Retention and proceeded with the appropriate pinning ceremony in recognition of his promotion.

EMPLOYEE RECOGNITION:

Mayor Senn and City Manager Harvey recognized Gregg Taylor, Fire Engineer, for his ten years of service to the City and Brandon Riddle, Water Plant Operator C, for his five years of service. Each were presented with a certificate recognizing their service and a gift selection packet commensurate with their years of service.

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Mayor Senn and City Manager Harvey recognized retired employee, Dwain Morris former Electric Lineman A. He received a gift from the City corresponding to his years of service to the City.

PUBLIC HEARINGS: **(A) Zoning Ordinance Text Amendment – R-10 Uses**
 (B) City Code Amendment – Sec. 3-22
 (C) Rezoning – 913 Cline Street

Mayor Senn declared a public hearing for the purpose of receiving comments on a proposed amendment to the text of the Zoning Ordinance to allow poultry in the R-10 High Density Residential District.

There being no comments from the public, Mayor Senn declared the public hearing closed.

Mayor Senn then declared a public hearing for the purpose of receiving comments on a proposal to add Section 3-22 of the City Code to limit the number of poultry allowed per household in the City. He explained that no roosters would be permitted and only six hens.

There being no comments from the public, Mayor Senn declared the public hearing closed.

Mayor Senn declared a third public hearing for the purpose of receiving comments on a proposed rezoning of a portion of the property located at 913 Cline Street. He explained that the front portion of the property was currently zoned R-6 while the rear portion was zoned LI. He indicated that the change requested would be to rezone the entire parcel as LI- Limited Industrial.

There being no comments from the public, Mayor Senn declared this public hearing closed.

ORDINANCE: **Bond Anticipation Note (BAN) of \$10,000,000 - Second and Final Reading**

Mayor Senn presented for second and final reading an Ordinance (#2014-1006) authorizing the issuance of a Bond Anticipation Note in an amount not exceeding \$10,000,000 in anticipation of the receipt of proceeds from the sale of revenue bonds to fund utility department projects.

Mayor Senn explained that this BAN would redeem the BAN issued on August 26, 2013 and would provide additional funds to proceed with improvements to the utility system.

Councilmember Glasgow made a motion, seconded by Councilmember Boyd, to adopt the Ordinance as presented. Mayor Senn declared the motion carried by a unanimous vote of City Councilmembers present and voting.

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ORDINANCE: Zoning Ord. Text Amendment (R-10 Permitted Uses) - First Reading

Mayor Senn introduced for first reading an Ordinance (#2014-1008) amending the text of the Zoning Ordinance whereby poultry would be a permitted use within the R-10 High Density Residential District.

Councilmember Boyd made a motion, seconded by Councilmember Force, to approve first reading of the Ordinance as presented. Mayor Senn declared the motion carried by a unanimous vote of City Councilmembers present and voting.

ORDINANCE: City Code Amendment (Sec. 3-22) - First Reading

Mayor Senn submitted for first reading an Ordinance (#2014-1009) amending Section 3-22 of the City Code to limit the number of chickens allowed per household in the City. He noted that no roosters would be permitted and that only 6 hens would be allowed and these hens must be contained on the property.

Councilmember Goudelock made a motion, seconded by Councilmember Boyd, to approve first reading of the Ordinance as presented. Mayor Senn declared the motion carried by a unanimous vote of City Councilmembers present and voting.

ORDINANCE: Rezoning of 913 Cline Street - First Reading

Mayor Senn offered for first reading an Ordinance (#2014-1010) to rezone the property located at 913 Cline Street. He explained that the property was the former site of Newberry Lumber Company and that the front portion of the property had been zoned R-6 Low Density Residential while the remaining part of the property had been zoned LI-Limited Industrial. He noted that the property owner was requesting that the entire parcel be zoned LI-Limited Industrial.

Councilmember Boyd made a motion, seconded by Councilmember DuBose, to approve first reading of the Ordinance as presented. Mayor Senn declared the motion carried by a unanimous vote of City Councilmembers present and voting.

ORDINANCE: Lease/Purchase Agreement (Trash Loader, \$140,000) - First Reading

Mayor Senn presented for first reading an Ordinance (#2014-1007) authorizing the execution of a Lease/Purchase Agreement for funds not exceeding \$140,000 to purchase a trash loader for the sanitation division of the Public Works Department. He stated that the lowest acceptable bid for the equipment was submitted by Nu-Life Environmental in the amount of \$135,561. He also explained that bids for the financing of this agreement would be received prior to second reading.

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Councilmember Goudeock made a motion, seconded by Councilmember Boyd, to approve first reading of the Ordinance as presented. Mayor Senn declared the motion carried by a unanimous vote of City Councilmembers present and voting.

RESOLUTION: CDBG Match - \$70,686 West End Water & Sewer Upgrades

Mayor Senn tendered for Council's consideration a Resolution committing the City to provide a local match of 10% (estimated \$70,686) for a Community Development Block Grant to be used to upgrade water and sewer lines in the West End community. He explained that this was the second-phase of the rehabilitation project to replace 80 year old infrastructure. He added that the Resolution before City Council also committed the City to providing the additional match needed to complete the three-phase project, noting that the remaining scope of the project was \$682,231.

Councilmember Boyd made a motion, seconded by Councilmember Glasgow, to adopt the Resolution as presented. Mayor Senn declared the motion carried by a unanimous vote of City Councilmembers present and voting.

CITY COUNCIL: Alcohol Sales for Oktoberfest – October 4, 2014

Mayor Senn advised the City PRT Department was seeking permission to allow beer and wine sales and consumption at Oktoberfest on October 4, 2014. He announced that the alcohol will be sold by designated event vendors and venues who have the proper permits and that the beverages must be in clear plastic 16 ounce or 5 ounce cups. He advised that wristbands would have to be worn by all over age 21. He stated that the beverages may be taken throughout the designated event venue which will be Main Street from Nance to Holman Streets; Boyce Street from Nance to Lindsay Streets; McKibben Street from Boyce to Main Streets; Caldwell Street from Boyce to Friend Streets; College Street from Boyce to Main Streets; and Lindsay Street from Martin to Main Streets.

Councilmember Goudeock made a motion, seconded by Councilmember Wicker, to authorize the sale and consumption of beer and wine with the designated area for Oktoberfest on October 4, 2014 as outlined above. Mayor Senn declared the motion carried by a unanimous vote of City Councilmembers present and voting.

PRT PROGRAM UPDATE

PRT Director Scott Sawyer presented information on programs offered through the department like the Arts Center, the summer Football Camps, Movie Nights in the Park, Main Street in Motion which is a fitness walk/run program primarily focused in the downtown area. He also

