

**REGULAR MEETING OF NEWBERRY CITY COUNCIL  
HELD IN COUNCIL CHAMBERS, CITY HALL, NEWBERRY, SC  
March 12, 2019 – 7:00 P.M.**

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

Also Present: City Manager Matt DeWitt, Municipal Clerk Jennie O'Shields, Fire Chief Keith Minick, Police Chief Roy McClurkin, Division Director Tamra Tootle, Utility Director Tim Baker, Planning and Development Director Ward Braswell and PRT Director Scott Sawyer.

Others Present: Dr. Dennis Lambries and his Newberry College students, Michelle Long, Corey and Jessica Shealy, Angela Summer, Daniel and Katie Werts, Ben Dukes, Mark Gardiner, Craig Dominick, Tim Swygert, Rachel Price, Furman Miller, Michael Parker, Andrew Morris, Kody Jacobs, Brandon Wicker, Chris Connelly and others.

Media Present: Elyssa Haven

**CALL TO ORDER:**

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

**MINUTES:**

Councilman Goudelock made a motion, seconded by Councilman Boyd to approve the minutes of the regular meeting of Newberry City Council held on February 12, 2019 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 and Financial Summary for the period ending February 28, 2019 and noted that the report would be attached to the minutes. City Manager DeWitt gave a summary of the financial report.

**EMPLOYEE RECOGNITIONS**

**Daniel Werts**

Mayor Senn, City Manager DeWitt and Fire Chief Minick recognized **Daniel Werts** for his five years of service with the Fire Department. Daniel began working full time with the department on February 17, 2014 after serving as a volunteer and holds the position of Fire Engineer.

**Craig Dominick**

Mayor Senn, City Manager DeWitt and Utility Director Baker recognized **Craig Dominick** for his 5 years of service with the Utility Department. Craig began working with the department on February 10, 2014 and holds the position of Plant Maintenance Technician.

**Angela Summer**

Mayor Senn, City Manager DeWitt and Utility Director Baker recognized **Angela Summer** for her 30 years of service with the Utility Department. Angela began working with the department on February 20, 1989 and holds the position of Water Plant Superintendent.

**SPECIAL RECOGNITION**

**Corey Shealy – Volunteer Impact Responder of the Year**

Mayor Senn recognized Volunteer Corey Shealy with the Newberry Fire Department for being named the 2018 Volunteer Impact Responder of the Year. The department tries to recognize a volunteer that goes above and beyond when it comes to their training hours and staff activity. Shealy completed the year with 625 volunteer hours, 498 hours of that being staff activity.

**SPECIAL RECOGNITION:**

**Mark Gardiner – Professional Tennis Registry Member of the Year**

Mayor Senn recognized Newberry College tennis Head Coach and Oakland Tennis Center Director of tennis, Mark Gardiner for being named the Professional Tennis Registry Member of the Year for the State of South Carolina. To earn such award, a member of the PTR has had to have shown dedication and diligence in promoting and supporting tennis.

**ORDINANCE:**

**Ordinance # 2018-1021 to amend the current business license ordinance (#2013-1009) to conform to state standards – Second and Final Reading**

Mayor Senn presented for second and final reading, Ordinance #2018-1021 that would amend the current business license model to align the City of Newberry with the model ordinance recently issued by the Municipal Association of South Carolina. The most notable adjustment would change the due date for all business license applications from April 15<sup>th</sup> to April 30<sup>th</sup> of each year, beginning in the year 2020. The time period covered in the license would be May 1<sup>st</sup> and run through April 30<sup>th</sup> each year rather than the traditional January to December period. These changes have been recommended by the MASC to streamline the process and alleviate confusion for businesses that need licenses for multiple cities within the state.

Councilmember Glasgow made a motion, seconded by Councilmember Boyd to adopt the second and final reading of Ordinance # 2018-1021 to amend the City of Newberry's current business license. Mayor Senn declared the motion carried by a unanimous vote of the City Councilmembers.

**ORDINANCE:**

**Ordinance # 2019-1002 to relocate the existing  
easement located on Cannons Creek Way/ Confalonieri  
Drive – Second and Final Reading**

Mayor Senn stated that the Samsung Corporation located off Highway 219 in the Newberry County Industrial Park has recently expanded its manufacturing facility and has plans for further expansion. The company's future expansion will be located on Confalonieri Drive also known as Cannon's Creek Court where the City has existing utilities in place. Samsung has requested the City relinquish its existing easement in exchange for a new easement around the proposed construction site. Samsung has agreed to reimburse the City of Newberry for all utility relocation costs.

Councilmember Boyd made a motion, seconded by Councilmember Wicker to adopt the second and final reading of Ordinance # 2019-1002 to amend the City of Newberry's current business license. Mayor Senn declared the motion carried by a unanimous vote of the City Councilmembers.

**ORDINANCE:**

**Ordinance # 2019-1003 to amend the purchase power  
adjustment calculation – Second and Final Reading**

The PMPA Board of Directors has voted to issue each PMPA participating city a wholesale credit on their bill for the next 2 months based on their base billing demand. The total amount expected to be credited to Newberry over this time period is approximately \$827,990 dollars. Council agreed that the funds would be appropriated to customer's accounts to be spread over a 10-month period.

Councilmember Boyd made a motion, seconded by Councilmember Wicker to adopt the second and final reading of Ordinance # 2019-1003 to amend the purchase power adjustment calculation. Mayor Senn declared the motion carried by a unanimous vote of the City Councilmembers.

**CHAMBER OF COMMERCE**

**Pork in the Park**

Pork in the Park will be held on Saturday, April 13, 2019 from 11:00 A.M to 3:30 P.M. in downtown Newberry. The event will be coordinated by the City's Parks, Recreation and Tourism (PRT) Department.

The Newberry Chamber of Commerce requested permission to serve alcoholic beverages during the event and have them served by designated event venue staff, using pre-approved plastic cups. The beer cart would be set up on Boyce Street between Memorial Park and the Newberry Opera

House. This would allow for event patrons to travel the event space with an alcoholic beverage, by foot, if they are carrying the beverage in the pre-approved plastic event cups and are wearing an over 21 wristband provided by the event organizers.

The event area includes Main Street from Nance to Caldwell Streets, Boyce Street from Nance to Caldwell Streets, McKibben from Boyce to Main Streets, and Caldwell from Boyce to Main Streets.

Councilmember Goudelock made a motion, seconded by Councilmember Boyd to allow alcohol in designated areas during Pork in the Park. Mayor Senn declared the motion carried following a unanimous vote of City Council present.

**RESOLUTION:**

**Support of the Palmetto Trail**

The Palmetto Trail Foundation recently reached out to city staff in hopes of connecting the Palmetto Trail through Newberry. When finished, the Trail will stretch 500-miles across 14 counties from Walhalla in Oconee County to Awendaw in Charleston County. Currently, there are 28 completed passages for a total of 380 miles. The goal of creating the Newberry Passage is to make Newberry a refueling stop for people using the trail. The PTF asked the city for a Resolution of support for the addition of the Newberry Passage.

Rachel Price from the Palmetto Trail Conservation Foundation addressed Council outlining the goal of the Newberry Passage and expressing the enthusiasm of the its connection to the Trail. Price indicated that the City could expect to see signage by April.

Councilman DuBose made a motion, seconded by Councilman Boyd to support the connection of the Newberry Passage to the Palmetto Trail. The motion was carried by a unanimous decision.

**CITY COUNCIL      Accommodations Tax Advisory Committee's Recommendation**

Mayor Senn stated that the Accommodations Tax Advisory Committee (ATAC) met on February 26th to consider five applications received by the February 12<sup>th</sup> deadline requesting funds from the State Accommodations Tax for 2019. The total funds available for distribution were calculated at \$78,582.43 The four applicants considered for funding submitted applications which totaled \$83,500.

After a staff presentation and a discussion of each project the Committee approved the following funding amounts for presentation to City Council for approval.

|                                  |                    |
|----------------------------------|--------------------|
| Newberry Opera House             | \$28,223.10        |
| Downtown Development Association | \$17,413.10        |
| Parks, Recreation and Tourism    | \$18,823.10        |
| <u>Oktoberfest</u>               | <u>\$14,123.13</u> |
|                                  | \$78,582.43        |

Councilman Boyd made a motion, seconded by Councilman DuBose to accept the recommendation of the Accommodations Tax Advisory Committee for disbursements of the State Accommodations Tax funds. Mayor Senn declared the motion carried following a unanimous vote of City Council's members present.

**ORDINANCE:** Ordinance # 2019-1004 to amend the Zoning Map for a portion of TMS# 401-17 located on Dixie Drive

Mayor Senn introduced for first reading, Ordinance # 2019-1004 to amend the Zoning Map for a portion of TMS# 401-17 located on Dixie Drive. The proposed amendment of the zoning map is the result of the City Staff's request to amend the Zoning Map for 72.89 acres of parcel # 401-17 (Newberry Recreation Complex) from OS -Open Space to R5.5 Residential. This change would allow the City Parks, Recreation and Tourism Department to apply for and receive grants to aid in the building of the Recreation Complex for the remaining 142.10 acres.

The Newberry Planning Commission met on February 25, 2019 and recommended rezoning the property to R5.5 Residential.

A public hearing will be held next month for this item.

Councilman Glasow made a motion, seconded by Councilman Boyd to adopt the first reading of Ordinance # 2019-1004 to amend the zoning map for TMS# 401-17 located on Dixie Drive. The motion was carried by a unanimous vote of City Council members.

### **EXECUTIVE SESSION**

Councilmember Glasow made a motion to enter Executive Session for the purpose of discussing a personnel matter related to the Administrative Department and a contractual matter related to PMPA as outlined in the agenda. Councilmember Boyd seconded the motion which was carried by a unanimous vote of the City Council members.

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Councilmember Goudelock made a motion, seconded by Councilmember DuBose to return to open session. Mayor Senn declared the motion carried by a unanimous vote of the City Council members.

**Information was received, no action was taken.**

**ADJOURNMENT**

There being no further business before City Council, Councilman Goudelock made a motion to adjourn the meeting at 9:04 P.M. Councilmember Boyd seconded the motion which was carried by a unanimous vote of City Council members.



**Foster Senn**  
MAYOR

**ATTEST:**



Jennie O'Shields, City Clerk  
Newberry, South Carolina

(SEAL)