

**MINUTES OF REGULAR MEETING OF NEWBERRY CITY COUNCIL
HELD IN COUNCIL CHAMBERS, CITY HALL, NEWBERRY, SC
JANUARY 12, 2010 – 7:00 P.M.**

Members Present: Mayor T. Edward Kyzer. Council: R. LeMont Glasgow, Foster Senn, Zebbie D. Goude-lock, Gregg Summer, Thomas Louis Boyd, David E. DuBose.

Also Present: City Manager Jeff Shacker, City Clerk Tina P. Wicker, Public Works Director Arnold Hiller. Others Present: Wyse Hill, Dell Rowe, Phil Astwood, Andy Morris, Ted Smith, Tom McAlister, Deborah Shaw, Debra Smith, Al Harvey and others. News representatives: Jimmy Coggins, Holly Astwood.

CALL TO ORDER

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

MINUTES

Councilman Goude-lock made a motion, seconded by Councilman Boyd to approve the minutes of the regular meeting of Newberry City Council held on December 8, 2009 as presented. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

FINANCIAL REPORT

Mayor Kyzer reported that members of City Council had been provided a copy of the Financial Report for the period ending December 31, 2009. Mayor Kyzer indicated that the report would be attached to and made a part of the minutes.

RECOGNITION OF EMPLOYEES

Mayor Kyzer and City Manager Shacker recognized Wyse Hill and Dell Rowe, Maintenance Workers in the Parks, Recreation and Tourism Department, for five years of service. Each employee received a longevity pin and gift.

PRESENTATION:

Rail Service

Mr. Phil Astwood, Secretary of the Carolinas Association for Passenger Trains (CAPT), appeared before City Council to present information on a proposal to create a statewide passenger rail system to stimulate economic development and protect the environment. He explained that CAPT was a non-profit organization established for the purpose of generating public awareness of the viability of rail and local transit as alternatives to exclusive reliance on traditional modes of travel. He reported that there were federal funds to assist in the expansion of passenger service and the development of high speed rail service. He submitted a resolution for Council to consider at its February meeting in support of CAPT and its goals.

**Minutes of the Regular Meeting of Newberry City Council
January 12, 2010
Page -2-**

PRESENTATION:

**Newberry Chamber of Commerce Funding -
\$5,000**

Mr. Andy Morris, Chairman of the Newberry County Chamber of Commerce, presented a funding request for \$5,000 to assist the Chamber in the cost of operating and staffing the Newberry Visitor Center and in coordinating regular planning meetings involving the tourism stakeholders, such as the City, Chamber, hospital, Opera House, etc. He indicated the Chamber would again partner with the City in actively promoting Newberry as a destination for tourists and individuals interested in relocating to Newberry. He stated that this funding request would assist the Chamber during the next two quarters. He explained that in recent months the Chamber was re-inventing itself to operate as a business. He introduced the new staff of the Chamber. He outlined some of the upcoming activities planned for the Chamber and offered the Chamber's assistance to the City.

CITIZEN REQUEST:

**Tom McAlister – Financial Reimbursement
related to a Zoning Matter**

Mr. Tom McAlister requested to address City Council concerning his plans to purchase a building located at 912 Harrington Street for a small auto repair business and issues related to repairs to the property and to zoning of the property. He expressed his belief that he expended funds in anticipation of relocating his business there and had not been advised that the property was not zoned for that type of business.

Councilman Glasgow asked if the realtor knew the reason Mr. McAlister was purchasing the property and stated that the realtor should have advised him of the zoning.

Councilman Senn advised that the Planning & Development Services staff had been directed to change procedures and in light of this felt that the City had some responsibility to Mr. McAlister. He suggested that the City pay \$650.00 toward settlement of the claim.

Mr. McAlister said that he would not accept \$650.00 and would proceed with his attorney in settling this matter.

ORDINANCE (#2010-1000):

Mid-Year Budget Amendments – First Reading

Mayor Kyzer introduced for first reading, by title only, an Ordinance (#2010-1000) amending the Fiscal Year 2009-2010 Budget. He mentioned that an in-depth presentation of the proposed changes to the budget would be presented to City Council at its February meeting.

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

**Minutes of the Regular Meeting of Newberry City Council
January 12, 2010
Page -3-**

CITY COUNCIL:

**2010 Calendar for City Council Meetings and
Work Sessions**

Mayor Kyzer advised that the City Manager had prepared a schedule outlining the City Council meetings and work sessions for 2010 and recommended that the work session in February be moved to Thursday, February 25.

Councilman Summer made a motion, seconded by Councilman Boyd, to approve the City Council Meeting Schedule for 2010 as presented. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

CITY COUNCIL:

Budget Calendar for Fiscal Year 2010-2011

Mayor Kyzer advised that the City Manager had prepared a Fiscal Year 2010-2011 budget calendar setting forth significant dates associated with the preparation and adoption of the budget.

Councilman Boyd made a motion, seconded by Councilman Goudelock, to approve the FY2010-2011 Budget Calendar as presented. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

CITY COUNCIL:

January Work Session Topics

Mayor Kyzer indicated that City Manager Shacker was requesting that Council develop a list of topics for the January 19th work session. He stated that the recommendation was to identify the project or projects the City wishes to pursue for the Capital Projects Sales Tax funding requests. He explained that the City Manager would provide information on projects in the City's 5-year capital improvements plan as well as quality of life projects discussed by City Council. He suggested that, time permitting, he is allowed to present information on the possible creation of a position to focus on downtown revitalization, retail development and tourism promotion. He added that there were several outstanding policy issues that Council could discuss such as solid waste and code enforcement.

EXECUTIVE SESSION

Councilman Goudelock made a motion, seconded by Councilman Senn, to enter an Executive Session to discuss legal and contractual matters as outlined on the agenda. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

Councilman Goudelock made a motion, seconded by Councilman DuBose to return to open session at approximately 8:23 P.M.

