

**MINUTES OF REGULAR MEETING OF NEWBERRY CITY COUNCIL  
HELD IN COUNCIL CHAMBERS, CITY HALL, NEWBERRY, SC  
FEBRUARY 9, 2010 – 7:00 P.M.**

Members Present: Mayor T. Edward Kyzer. Council: R. LeMont Glasgow, Foster Senn, Zebbie D. Goudelock, Louis Boyd, David E. DuBose. Member Absent: Greg Summer.

Also Present: City Manager Jeff Shacker, City Clerk Tina P. Wicker, Assistant to the City Manager Matt DeWitt, Fire Chief Keith Minick. Others Present: Chuck Rogers, Debra Smith, Representative Walt McLeod and others. News representatives: Holly Astwood.

**CALL TO ORDER**

Mayor Kyzer called the meeting to order and 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 January 12, 2010 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 January 31, 2010. 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 Chuck Rogers, Traffic Safety Sergeant in the Police Department, for ten years of service and presented him with a certificate along with the City's employee recognition package.

**PRESENTATION:**

**Mid-Year Budget – Fiscal Year 2009-2010**

City Manager Shacker provided City Council with an overview of the adjustments made to the Fiscal Year 2009-2010 Budget. He presented spreadsheets on the general fund indicating a .83% increase, utility fund with a nominal decrease of .06% and summarizing the special funds highlighting the major changes that were proposed at this time. A copy of the City Manager's mid-year budget message and the spreadsheets are attached to the original minutes.

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**ORDINANCE (#2010-1000):**

**Mid-Year Budget Amendments – Second and Final Reading**

Mayor Kyzer presented for second and final reading an Ordinance (#2010-1000) amending the Fiscal Year 2009-2010 Budget. He commended the City Manager and staff for their fiscal accountability.

Councilman Boyd 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.

**RESOLUTION:**

**Rail Passenger Service**

Mayor Kyzer submitted for Council's consideration a Resolution in support of the creation of a statewide passenger rail system which would provide benefits to the environment as well as a stimulant to the economy.

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

**CHAMBER OF COMMERCE:**

**Funding Request - \$5,000**

Mayor Kyzer indicated that the Newberry Chamber of Commerce had appeared before City Council in January requesting funding in the amount of \$5,000 to assist in staffing of the Visitor's Center and to assist the Chamber in coordinating various tourism activities. He reported that the City Manager recommended appropriating these funds from the Tourism Fund and that the funding request had been incorporated in the mid-year budget adjustments.

Councilman DuBose made a motion, seconded by Councilman Glasgow, to approve the Newberry Chamber of Commerce funding request for \$5,000 and to appropriate the expenditure from the Tourism Fund. Voting "Aye": Glasgow, Senn, Goudelock, Boyd and DuBose. Voting "Nay": Kyzer. Mayor Kyzer declared the motion carried by a five-to-one vote of City Council members present.

**NEWBERRY OPERA HOUSE:**

**Street Closing/Alcohol Consumption – June 19**

Ms. Debra Smith, Executive Director of the Newberry Opera House, requested permission to close a section of Boyce Street between the Opera House and Memorial Square to accommodate a wedding reception and requested authorization to allow the consumption of beer and wine in the area on June 19. She indicated that live music would be set-up in a tent on the edge of

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Memorial Park and she would obtain the necessary noise permits. She added that the street would be closed from 10 A.M. to 11 P.M.

Councilman Goude-lock made a motion, seconded by Councilman Boyd, to approve the request for the closing of Boyce Street and for the consumption of beer and wine in the area on June 19. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

**CITY COUNCIL:**

**February Work Session Topics**

Mayor Kyzer indicated that City Manager Shacker had submitted a list of work session topics for the February meeting that would be held in City Hall beginning at 6:00 P.M. He requested that discussion of eliminating the blue laws be removed from the topic list. He noted that the topics included: solid waste ordinance revisions, hot water heater permitting and inspections, building codes, fees and applicable thresholds, bike lanes, incorporation of "City of Friendly Folks" in branding and promotional material, Scotts Creek, and the Oakland Streetscape plans.

Mayor Kyzer indicated that a previous conflict had been eliminated and it was now possible for the Work Session to be held on Tuesday, February 23, if Council members were agreeable.

Councilman Goude-lock made a motion, seconded by Councilman Boyd, to approve the amended list of topics and the change of date for the work session to February 23. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

**UTILITY SERVICE:**

**322 Holly Circle – Water & Sewer Service**

Mayor Kyzer stated that the City had received a request from the property owner at 322 Holly Circle for water and sewer service and that an annexation agreement had been signed. He added that both water and sewer lines were immediately adjacent to the property and no cost would be incurred by the City in the extension of this service.

Councilman Glasgow made a motion, seconded by Councilman Boyd, to approve the annexation agreement and extension of service. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

**RESOLUTION:**

**Oakland Mill Redevelopment Project**

Mayor Kyzer introduced a Resolution in support of the Oakland Mill Redevelopment Project and with the developer's effort to secure tax credits for the rehabilitation and adaptive uses of the property.

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Councilman Senn made a motion, seconded by Councilman Goudelock, to approve the Resolution as presented. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

**ADJOURNMENT**

There being no further business before City Council, Councilman Goudelock made a motion to adjourn the meeting at approximately 7: 55 P.M. Councilman DuBose seconded the motion which was carried by a unanimous vote of City Council members present.

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**T. Edward Kyzer**  
MAYOR

ATTEST:

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Tina P. Wicker, City Clerk  
Newberry, South Carolina

(SEAL)