

**MINUTES OF REGULAR MEETING OF NEWBERRY CITY COUNCIL
HELD IN COUNCIL CHAMBERS, CITY HALL, NEWBERRY, SC
June 10, 2008 – 7:00 P.M.**

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

Also Present: City Manager Eric G. Budds, Assistant City Manager Jeff Shacker, City Clerk Tina P. Wicker, Fire Chief Joe Palmer, Planning and Development Services Director Ward Braswell. Others Present: Michael Wood, Jennifer Wood, Bette Brannon, Paul Brannon, Norman Whitaker, George Bistany, Valeria Jackson, Marisa Cebulski, Burt Mohler, John Boozer, Evangeline Shells..
News Representatives: Leslie Moses, Heather Hawkins.

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 May 13, 2008 as presented. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

FINANCIAL REPORT

Mayor Kyzer noted that the Financial Report showed the revenue and expenditure transactions through May 31, 2008. He noted that the Financial Report would be attached to and made a part of the original minutes of the meeting.

RECOGNITION OF EMPLOYEES

Mayor Kyzer and City Manager Budds recognized Michael Wood, Police Corporal, for his five years of service and Bette Brannon, Senior Administrative Assistant, for her thirty years of service. Each received a longevity pin and gift from the City.

CMCOG:

**George Bistany, Community and Economic
Development Director**

Mr. Norman Whitaker, Executive Director of the Central Midlands Council of Governments, introduced his agency's new Community and Economic Development Director, George Bistany, to members of City Council.

Minutes of the Regular Meeting of Newberry City Council
June 10, 2008
Page -2-

PRESENTATION:

SCCDA Community Development “Award of Excellence” for the Firehouse Conference Center

Valeria Jackson, President of the S. C. Community Development Association, along with Marisa Cebulski, Staff Associate with MASC, presented the SCDDA Award of Excellence to the City in recognition of the Firehouse Conference Center Project.

PUBLIC HEARING:

Amendment to Future Land Use and Zoning Map – Hillbrook Lane

Mayor Kyzer declared a public hearing for the purpose of receiving comments on amending the Future Land Use Map and the Zoning Map to reflect the rezoning of property on Hillbrook Lane from R-10 Low Density Residential to R-8 Medium Density Residential.

No one appeared to comment on the public hearing and Mayor Kyzer declared the public hearing closed.

PUBLIC HEARING:

Amendment to Article 2 and Article 9 of the Zoning Ordinance

Mayor Kyzer declared a public hearing for the purpose of receiving comments on amending Article 2 and Article 9 of the Zoning Ordinance to establish a Main Street/Interstate Overlay under the sign regulations and to redefine sign cutout/extensions, and monument signs.

No one appeared to comment on the public hearing and Mayor Kyzer declared the public hearing closed.

PUBLIC HEARING:

Amendment to Future Land Use and Zoning Map – 2544 Kinard Street

Mayor Kyzer declared a public hearing for the purpose of receiving comments on amending the Future Land Use Map and the Zoning Map to reflect the rezoning of property at 2544 Kinard Street from R-8 Medium Density Residential to OC – Office Commercial.

No one appeared to comment on the public hearing and Mayor Kyzer declared the public hearing closed.

PUBLIC HEARING:

FY 2008-2009 Budget

Mayor Kyzer declared a public hearing for the purpose of receiving comments on the proposed budget for fiscal year 2008-2009.

Minutes of the Regular Meeting of Newberry City Council
June 10, 2008
Page -3-

City Manager Budds provided an overview of the proposed budget. He stated that the total projected budget for FY 2008-2009 was \$32,715,743. He indicated that the General Fund Budget would be \$8,240,865, the total of all Special Fund would be \$1,618,359 and the Gross Revenue Budget would be \$26,193,912, less transfers of \$3,337,393.

City Manager Budds reviewed revenues associated with the General Fund indicating that a tax millage increase of 3.6 mills was included in the budget along with a \$1.00 per month increase in residential garbage fees. He indicated that the total increase in revenues would be 1.1%. He presented a review of General Fund expenditures explaining major fluctuations in individual departments noting that the total increase in expenditures would be 1.9%.

City Manager Budds presented a similar review of the Utilities (Gross Revenue) Budget reporting that both revenue and expenditures would increase by 6.0% and would include a 7.5% sewer rate increase and a 4.17% electrical rate increase.

Mayor Kyzer declared the public hearing closed after no further comments from the public.

ORDINANCE (#2008-1006):

**International Property Maintenance Code –
Second and Final Reading**

Mayor Kyzer submitted for second and final reading an Ordinance (#2008-1006) to repeal the adoption of the International Property Maintenance Code by reference under authority of S. C. Code of Laws, Section 6-9-80 and re-adopt the International Property Maintenance Code by reference under authority of S. C. Code of Laws, Section 5-7-80 and Section 5-7-30.

Councilman Glasgow made a motion, seconded by Councilman Goudelock, to adopt the Ordinance as presented. Mayor Kyzer declared the motion carried by a unanimous vote of City Council members present.

ORDINANCE (#2008-1004):

**Rezone & Amend Future Land Use Map –
Hillbrook Lane (Tax Map #398-10) from R-10 to
R-8 – Second and Final Reading**

Mayor Kyzer introduced for second and final reading an Ordinance (#2008-1004) to amend the future land use map and to rezone the property adjacent to Hillbrook Lane identified as Tax Map #398-10 from R-10 Low Density Residential to R-8 Medium Density Residential.

Councilman DuBose made a motion, seconded by Councilman Boyd, to adopt the Ordinance as presented. Mayor Kyzer declared the motion carried by a unanimous vote of City Council members present.

Minutes of the Regular Meeting of Newberry City Council
June 10, 2008
Page -4-

ORDINANCE (#2008-1005):

**Newberry Opera House Foundation Board
members – Second and Final Reading**

Mayor Kyzer presented for second and final reading an Ordinance (#2008-1005) to amend the composition of the Board of Directors of the Newberry Opera House Foundation to include the President of the Newberry Opera House Guild and the President of Newberry College as ex officio members.

Councilman Senn made a motion, seconded by Councilman Boyd, to adopt the Ordinance as presented. Mayor Kyzer declared the motion carried by a unanimous vote of City Council members present.

ORDINANCE (#2008-1007):

**Zoning Ordinance Amendment – Articles 2 & 9
– Signs, etc. – First Reading**

Mayor Kyzer offered for first reading an Ordinance (#2008-1007) to amend Articles 2 and 9 of the Zoning Ordinance addressing the definitions of sign cutout/extensions and monument signs and establishing a Main Street/Interstate Overlay for sign construction. He mentioned that the proposed changes would allow for the erection of an off-premise sign on properties within the Main Street/I-26 Overlay.

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

ORDINANCE (#2008-1009):

**Rezone and Amend Future Land Use Map –
2544 Kinard Street (R-8 to OC) – First Reading**

Mayor Kyzer presented for first reading an Ordinance (#2008-1009) to amend the Future Land Use Map and the Zoning Map for the property located at 2544 Kinard Street. He noted that the property was owned by Newberry County Memorial Hospital and the zoning change would be from R-8 Medium Density Residential to OC – Office Commercial.

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

ORDINANCE (#2008-1008):

**Article 9 of the City Code – Electric and Sewer
Rate Increase – First Reading**

Mayor Kyzer introduced for first reading an Ordinance (#2008-1008) to amend section of Article 9 of the City Code in order to implement an electric and sewer rate increase. He advised that the

Minutes of the Regular Meeting of Newberry City Council
June 10, 2008
Page -5-

electric rates would increase by 4.17% reflecting an increase in the cost of purchasing power from PMPA and that sewer rates would increase by 7.5% to provide additional revenue to service new debt for the rehabilitation and expansion of the wastewater treatment plant.

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

ORDINANCE (#2008-1010): **Adopt Budget/Levy Taxes for FY09 – First Reading**

Mayor Kyzer offered for first reading an Ordinance (#2008-1010) to adopt the budget and levy taxes at 93.3 mills for Fiscal Year 2008-2009.

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

ORDINANCE: **Amendments to the FY 2007-2008 Budget**

Mayor Kyzer presented for first reading by title only an Ordinance to amend the FY 2007-2008 budget.

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

MEMORANDUM OF AGREEMENT: **Shells Construction Inc.**

Mayor Kyzer presented for Council's consideration a Memorandum of Agreement with Shells Construction, Inc. for the construction of 23 homes with an average value of \$140,000.00 on Fair and Vincent Streets. He advised that the Memorandum of Agreement set forth the parameters under which the City's incentive program would apply.

Councilman Goudelock made a motion, seconded by Councilman Boyd, to approve the Memorandum of Agreement with Shells Construction Inc. as presented. Mayor Kyzer declared the motion carried by a unanimous vote of City Council members present.

Minutes of the Regular Meeting of Newberry City Council
June 10, 2008
Page -6-

EXECUTIVE SESSION

Councilman Goudelock made a motion, seconded by Councilman Glasgow, to enter an Executive Session to discuss personnel and legal 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 Boyd to return to open session. 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, seconded by Councilman Glasgow, to adjourn the meeting at approximately 9:36 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)