

**MINUTES OF REGULAR MEETING OF NEWBERRY CITY COUNCIL
HELD IN COUNCIL CHAMBERS, CITY HALL, NEWBERRY, SC
November 11, 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, City Clerk Tina P. Wicker, Finance Director Marie Hickman. Others Present: Toni McKinley, Debra Smith, Rhett Frazier and others. 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 October 14, 2008 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 with a copy of the Financial Report for the period ending October 31, 2008. Mayor Kyzer indicated that the report would be attached to and made a part of the minutes.

AUDIT:

Fiscal Year 2007-2008

Ms. Toni McKinley of McKinley, Cooper and Company, LLP presented an overview of the 2007 – 2008 audit report. She reported a good financial picture for the city. She reviewed the table of contents clarifying each division making up the audit document. She explained some of the financial statements in more detail.

City Manager Budds presented the Certificate of Achievement in Financial Reporting to Marie Hickman, Finance Director.

PUBLIC HEARING:

McKibben Street Traffic Pattern

Mayor Kyzer advised that a Public Hearing was being held to receive recommendations on potential modifications to the traffic flow on McKibben Street.

Mayor Kyzer declared the Public Hearing closed when no one offered comments.

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STREETS & HIGHWAYS:

McKibben Street

City Manager Budds indicated there were several options to consider to modify the traffic flow on McKibben Street. The first being the installation of a traffic light on Main with a cost of approximately \$20,000, the second was eliminating some parking spaces on Main Street, the third and fourth options were making McKibben one-way between Harrington and Main and the fifth would be to do nothing.

Mayor Kyzer suggested that staff finalize a recommendation and give Council the choice of that option or the option of leaving the traffic flow as it is currently.

Councilman Summer made a motion, seconded by Councilman Boyd, to have city management and public safety staff evaluate the options and make a recommendation to Council. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

ORDINANCE (#2008-1021):

**NEC Franchise Agreement Amendment –
Second and Final Reading**

Mayor Kyzer presented for second and final reading an Ordinance (#2008-1021) to amend the franchise agreement with Newberry Electric Cooperative to include the Frazier and Kohl properties annexed within the franchise territory of the agreement.

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

ORDINANCE (#2008-1022):

**Section 902 – Sign Overlay of the Zoning
Ordinance – Second and Final Reading**

Mayor Kyzer introduced for second and final reading an Ordinance (#2008-1022) modifying Section 902 of the Zoning Ordinance which pertained to sign overlay regulations. He noted that the modifications were to clarify language in the existing Ordinance and did not contain any substantive changes.

Councilman Glasgow 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 presented.

UTILITIES:

Water Service – 214 Brown Chapel Drive

Mayor Kyzer reported that the property owner at 214 Brown Chapel Drive had executed an Annexation Agreement in order to receive out-of-city water service. He indicated that the

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property was adjacent to an existing water line and would not require a line extension beyond the standard tap.

Councilman Goudelock made a motion, seconded by Councilman Glasgow, to accept the executed Annexation Agreement and extend water service to the property at 214 Brown Chapel Drive. Mayor Kyzer declared the motion carried by a unanimous vote of City Council members presented.

HOUSING:

HAPP Grant Application and Fee

City Manager Budds remarked that the city's housing consultant, the Barner Group, has been working with a local developer to put together a financing package for the purchase and adaptive use of the Oakland Mill property and using the mill renovation as a catalyst to support a broader revitalization effort to the Oakland Mill Village. He explained that because of HAPP grant deadlines it was necessary for staff to move forward with the grant application and a one-time application fee of \$1,000.00. He added that the State Housing Finance Development Authority was requesting a letter from the City committing to a cash match of \$50,000.00. He indicated that city staff was requesting that Council ratify the grant application, the expenditure of \$1,000 from the Housing Special Fund and the commitment of a cash match of \$50,000.00.

Councilman Goudelock made a motion, seconded by Councilman Glasgow, to ratify the submission of the HAPP grant application, the expenditure of a \$1,000 application fee from the Housing Special Fund, and the commitment of a cash match of \$50,000.00. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

PUBLIC WORKS:

Automated Residential Garbage Collection Truck

City Manager Budds stated that the Public Works Department was recommending the conversion of the residential garbage collection system to a totally automated collection system. He remarked that the cost of the collection truck would be higher than the existing type truck but that the increased cost would be recoverable through decreased personnel costs. He added that personnel would be absorbed into existing vacancies within the department and no layoffs would be necessary. He indicated that staff recommended the purchase of a demonstration unit with full warranty at a price not to exceed \$186,000.00.

Councilman Goudelock made a motion, seconded by Councilman Boyd, to authorize the purchase of the automated collection vehicle at a cost not to exceed \$186,000. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

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RESOLUTION:

**Reimbursement of Residential Garbage
Collection Truck through Issuance of Lease/
Purchase Debt**

Mayor Kyzer presented for Council's consideration a Resolution authorizing the reimbursement of the expenditure for the residential garbage collection truck through issuance of lease purchase debt proceeds. He explained that because of the limited availability of the discounted demonstration unit the city would pay for the truck out of reserve funds and reimburse itself at a later date once the lease/purchase financing arrangements were approved.

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

PERSONNEL:

Information Technology Director Position

City Manager Budds indicated that staff was recommending the creation of an Information Technology Director position and funding for the position out of the Utility Department budget. He mentioned that existing salary savings from a vacancy would fund the position until mid-year adjustments could be made.

Councilman Summer made a motion, seconded by Councilman Boyd, to authorize the creation of the position of Information Services Director to be funded from the Utility Department budget. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

ORDINANCE (#2008-1023):

**Amendments to Chapter 4 of the City Code –
First Reading**

Mayor Kyzer presented for first reading an Ordinance (#2008-1023) to amend several sections of Chapter 4 of the City Code in order to eliminate duplicative or unclear language related to license requirements for plumbing work and also to eliminate the need for frequent ordinance updates to adopt the latest version of the International Code.

Councilman Goudelock 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.

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ORDINANCE (#2008-1024):

**Amendment to Sec. 10-8(A) of the City Code –
First Reading**

Mayor Kyzer presented for first reading an Ordinance (#2008-1024) to amend Section 10-8(A) of the City to require contractors to display license identification stickers/decals when working in the city. He reported that each contractor would receive five decals when the business license is issued and could purchase additional license decals for \$1.50 per decal if more were needed. He stated that the decal system would be implemented with the 2009 business license renewal process.

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

EXECUTIVE SESSION

Councilman Goudelock made a motion, seconded by Councilman Summer, to enter an Executive Session to discuss a legal code enforcement matter. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

Mayor Kyzer made a motion, seconded by Councilman Goudelock, to return to open session at approximately 8:20 P.M. 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 8:21 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)

