

**MINUTES OF REGULAR MEETING OF NEWBERRY CITY COUNCIL  
HELD IN COUNCIL CHAMBERS, CITY HALL, NEWBERRY, SC  
FEBRUARY 13, 2007 – 7:00 P.M.**

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

Also Present: City Manager Eric G. Budds, Municipal Clerk Tina P. Wicker, Assistant City Manager Jeff Shacker, Utility Director Fred Yandle, City Planner Doug Currier. Others Present: Kevin Gilliam, Ashley Zais and family, Don and Dorothy Cochell, members of Boy Scout Troop 1 and others.  
News Representatives: Lee Gray, Heather Hawkins.

**CALL TO ORDER**

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

**MINUTES**

Councilman DuBose made a motion, seconded by Councilman Boyd, to approve the minutes of the Regular Meeting of Newberry City Council held on January 9, 2007 as presented. Mayor Kyzer declared the motion carried by a unanimous vote of City Council members present.

**FINANCIAL REPORT**

Mayor Kyzer stated that members of City Council had received copies of the Financial Report for the period July 1, 2006 through January 31, 2007 and that a copy of the Financial Report would be attached to and made a part of the minutes.

**RECOGNITION OF EMPLOYEES**

Mayor Kyzer and City Manager Budds recognized Kevin Gilliam, Training Officer for the Police Department, for ten years of service. He received a longevity pin and gift in recognition of his service.

**PROCLAMATION:**

**Miss Ashley D. Zais, Miss S.C. USA**

Mayor Kyzer read a proclamation recognizing the crowning of Miss Ashley D. Zais as Miss South Carolina USA and proclaiming February 13, 2007 as Ashley Zais Day. He presented Miss Zais with a framed copy of the proclamation and with the “Key to the City”.

**RECOGNITION OF BOARDS & COMMISSIONS:     **Don Cochell****

Mayor Kyzer recognized Mr. Don Cochell for over sixteen years of service as a member of the Newberry City Planning Commission.

**ORDINANCE(#2007-1001):                   **Agreement – Newberry County’s Enforcement  
of the Animal Control and Exotic Animal  
Ordinances – Second and Final Reading****

Mayor Kyzer presented for second and final reading an Ordinance authorizing the execution of an agreement with Newberry County whereby the County would enforcement both the Animal Control and Exotic Animal ordinances within the corporate limits of the City.

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

**ORDINANCE(2007-1002):                   **Amendments to the FY 2006-2007 Budget –  
Second and Final Reading****

Mayor Kyzer introduced for second and final reading an Ordinance to amend the Fiscal Year 2006-2007 Budget.

City Manager Budds provided an overview of the proposed changes incorporated in the Mid-Year Budget for Fiscal Year 2006-2007. He noted that the overall budget was to increase by \$1,999,391 which consisted of a decrease of \$85,754 in the general fund, a decrease in the special fund projects of \$110,210 and an increase in the utility fund budget of \$2,203,129. He explained that the large increase in the utility fund budget represented \$1.8 million dollars of capital project sales tax for upgrades at the wastewater treatment plant. He proceeded to give a detailed accounting of each fund.

Councilman Goudeock made a motion, seconded by Councilman Boyd, to adopt the Ordinance to amend the FY 2006-2007 Budget as presented. Mayor Kyzer declared the motion carried by a unanimous vote of City Council members present.

**CITY COUNCIL:                           **Correction to Schedule of City Council Work  
Sessions in 2007****

Mayor Kyzer explained that there was a conflict between the April date scheduled for a City Council work session and the monthly CNNGA Board meeting. He requested

**Minutes of the Regular Meeting of Newberry City Council  
February 13, 2007  
Page -3-**

that City Council consider rescheduling the April work session to either Monday, April 23 or Wednesday, April 25.

Mayor Kyzer made a motion, seconded by Councilman Boyd, to hold the April work session on Monday, April 23. Mayor Kyzer declared the motion carried by a unanimous vote of City Council members present.

**UTILITY SERVICE:                      Water Service Request – 8341 S.C. Highway 121  
and 651 Meadow View Lane**

Mayor Kyzer indicated that the City had received a request for water service from Theory and Teresa Maybin to connect their properties located at 8341 S. C. Highway 121 and 651 Meadow View Lane to the City's system. He noted that annexation agreements for both properties had been executed by the Maybin's and the water mains were immediately adjacent to the properties.

Councilman DuBose made a motion, seconded by Councilman Boyd, to authorize the extension of water service to the properties as requested and to approve acceptance of the Annexation Agreements. Mayor Kyzer declared the motion carried by a unanimous vote of City Council members present.

**CITY COUNCIL:                      Budget Calendar for FY2007-2008**

City Manager Budds presented members of Council with a proposed calendar for the budget process for Fiscal Year 2007-2008.

Mayor Kyzer made a motion, seconded by Councilman Boyd, to approve the budget calendar as submitted. Mayor Kyzer declared the motion carried by a unanimous vote of City Council members present.

**UTILITIES:                              Replacement of Screw Pumps at Waste  
Treatment Plant**

Mayor Kyzer reported that all three of the screw pumps which are used to move raw wastewater from the collection system into the waste treatment plant have begun to show serious signs of deterioration and have begun to fail over the past twelve months. He remarked that discussions have been underway for some time with respect to the overall expansion and upgrade of the facility and that the replacement of the screw pumps have been determined to be the highest priority.

City Manager Budds explained that the voters had approved \$2.5 million dollars in Capital Project Sales Tax to assist with the improvements at the wastewater treatment

**Minutes of the Regular Meeting of Newberry City Council  
February 13, 2007  
Page -4-**

plant. He proposed that a portion of this money be utilized to replace the three influent screw pumps which would be designated as Phase I of the total project. He indicated that the staff was prepared to solicit bids in late February from contractors and pending City Council's approval issue a purchase order tomorrow for the pumps.

Councilman Summer made a motion, seconded by Councilman Boyd, to authorize the staff to proceed with this project by soliciting bids and ordering the three screw pumps. Mayor Kyzer declared the motion carried by a unanimous vote of City Council members present.

**EXECUTIVE SESSION**

Councilman Goude-lock made a motion, seconded by Councilman Boyd, to enter an Executive Session for the purpose of discussing a personnel matter as outlined on the agenda at approximately 7:54 P.M. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

Mayor Kyzer made a motion, seconded by Councilman Goude-lock, to return to open session at 8:20 P.M. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

**PROPERTY:**

**Sale of Surplus Property – Forest Ridge**

Councilman Goude-lock made a motion, seconded by Councilman Boyd, to authorize the City Manager to take the necessary steps to declare .36 acres of property, a portion of Tax Map #397-1-1-39, located on Forest Ridge Drive as surplus to the City needs; to advertise the availability of this property for sale; to authorize the City Manager to review sealed bids to determine the offer that is in the best interest of the City and to further authorize the City Manager to execute all documents necessary to transfer the property to the successful bidder. 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 Goude-lock made a motion to adjourn, Councilman DuBose seconded the motion. Mayor Kyzer declared the

**Minutes of the Regular Meeting of Newberry City Council**  
**February 13, 2007**  
**Page -5-**

meeting adjourned at 8:22 P.M. following a unanimous vote of City Council members present.

---

**T. Edward Kyzer**  
MAYOR

ATTEST:

---

Tina P. Wicker, City Clerk  
Newberry, South Carolina

(SEAL)