

**MINUTES OF REGULAR MEETING OF NEWBERRY CITY COUNCIL
HELD IN COUNCIL CHAMBERS, CITY HALL, NEWBERRY, SC
MARCH 13, 2007 – 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, Municipal Clerk Tina P. Wicker, Assistant City Manager Jeff Shacker, Utility Director Fred Yandle, Public Works Director Arnold Hiller, City Planner Doug Currier.

Others Present: Janice Wilson, Garry Riddle, Deborah Smith and others.

News Representatives: Lee Gray, 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 February 13, 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 February 28, 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 Janice Wilson, Customer Service Representative II in the Finance Department, for five years of service and recognized Garry Riddle, Public Works Services Supervisor, for fifteen years of service. Each received a longevity pin and gift in recognition of their years of service.

PUBLIC HEARING:

**Zoning Ordinance Amendment (Sidewalk Signs
in CC District)**

Mayor Kyzer announced the convening of a Public Hearing for the purpose of receiving comments concerning the proposed amendment to the Zoning Ordinance to regulate sidewalk signs in the core commercial zoning district.

No one appeared to offer comments and Mayor Kyzer declared the public hearing closed.

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

declared the motion carried following a unanimous vote of City Council members present.

ORDINANCE (#2007-1005): Section 11-32 – Prohibiting the outdoor use or storage of furniture or appliances intended for indoor use – First Reading

Mayor Kyzer introduced for first reading an Ordinance to adopt Section 11-32 of the City Code to prohibit the outdoor use or storage of furniture or appliances intended for indoor use.

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

ORDINANCE (#2007-1003): Zoning Ordinance amendment – Regulating sidewalk signs in the CC District – First Reading

Mayor Kyzer presented for first reading an Ordinance to amend the City's Zoning Ordinance to provide regulations for the use of sidewalk signs in the core commercial zoning district. He reported that the Municipal Planning Commission had reviewed this matter and recommended the establishment of standards to govern these types of signs. He added that a 10 sq. ft. maximum size would be established, that there would be an allowable variance of 12 sq. ft., that there would be restrictions on the location of the signs so as not to impede pedestrian or traffic safety; and that the use of bright or fluorescent colors would be prohibited.

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

CITY COUNCIL: Sale of Property - .36 acres on Forest Ridge Dr.

Mayor Kyzer advised that the City had advertised and solicited bids for the sale of .36 acres located adjacent to Forest Ridge Drive. He noted that the property contained a stream and associated wetland and that the severe topography made it virtually impossible to develop. He remarked that Mr. William Willis had submitted a nominal bid of \$20.00 to acquire the parcel adjacent to his property and that he would be responsible for ongoing maintenance of the property.

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

Councilman Boyd made a motion, seconded by Councilman Goudelock, to authorize the sale of the property to Mr. William Willis for \$20.00. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

ORDINANCE (#2007-1004): **Annexation of 1033 Wallace Drive (Phil & Millie Livingston) – First Reading**

Mayor Kyzer introduced for first reading an Ordinance to annex the property located at 1033 Wallace Drive owned by Philip A. and Mildred P. Livingston into the City. He indicated that the property owners had executed the required Petition to Annex and that providing city services to the property would not pose a problem

Councilman DuBose made a motion, seconded by Councilman Goudelock, 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 Boyd, to enter an Executive Session for the purpose of discussing legal and personnel matters as outlined on the agenda at approximately 7:26 P.M. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

Newberry City Council returned to open session at 8:10 P.M. Mayor Kyzer then provided an overview of the items discussed indicating that there was only one item slighted for Council action.

PERSONNEL: **Employee-Sharing Agreement with the Newberry Opera House**

Mayor Kyzer made a motion, seconded by Councilman Goudelock, to authorize the City Manager to proceed with executing an employee-sharing agreement with the Newberry Opera House Foundation and to proceed with the creation of a special budget fund entitled “Cultural Arts and Tourism Division”. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

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

ADJOURNMENT

There being no further business before City Council, Mayor Kyzer declared the meeting adjourned at 8:12 P.M.

T. Edward Kyzer
MAYOR

ATTEST:

Tina P. Wicker, City Clerk
Newberry, South Carolina

(SEAL)