

**REGULAR MEETING OF NEWBERRY CITY COUNCIL  
HELD IN COUNCIL CHAMBERS, CITY HALL, NEWBERRY, SC  
NOVEMBER 12, 2013 – 7:00 P.M.**

Members Present: Mayor Foster Senn, Councilmember R. LeMont Glasgow, Councilmember Edwin E. Wicker, Councilmember Zebbie D. Goudelock, Councilmember Thomas Louis Boyd, Councilmember David E. DuBose, Councilman David T. Force.

Also Present: City Manager W. A. Harvey, Municipal Clerk Tina P. Wicker, Assistant City Manager Matt Dewitt, Utility Director Marc Regier, Public Works Director Mac Bartley, PRT Director Scott Sawyer. Others Present: Major Loynes, Debra Shaw, Allison Moore, Neicy Polifrone, and others. News representatives: Elyssa Parnell, Tammy Kitchen.

**CALL TO ORDER**

Mayor Senn called the meeting to order and led in the Pledge of Allegiance. Councilmember Goudelock gave the invocation.

**MINUTES**

Councilmember Glasgow made a motion, seconded by Councilmember Boyd, to approve the minutes of the regular meeting of Newberry City Council held on October 8, 2013 as presented, the minutes of the special meeting of Newberry City Council held on October 21, 2013, and the minutes of the special meeting of Newberry City Council held on November 6, 2013 as presented. Mayor Senn declared the motion carried following a unanimous vote of City Council members present.

**FINANCIAL REPORT**

Mayor Senn advised that members of City Council had received a copy of the Financial Report for the period ending October 31, 2013 and noted that the report would be attached to the minutes. City Manager Harvey stated that the revenues and expenditures were as anticipated for this time of year and that there were no unusual deviations in any of the funds.

**RECOGNITION OF EMPLOYEES:**

Mayor Senn and City Manager Harvey recognized Major Loynes, Police Corporal, for his five years of service. He received a certificate and gift selection packet commensurate with his years of service.

**ORDINANCE:**

**TIF Ordinance Termination – Second and Final  
Reading**

Mayor Senn presented for second and final reading an Ordinance (#2013-1010) terminating the designation of the Redevelopment Project Area as designated by Ordinance No. 096-1020 and dissolving the Tax Allocation Fund for the Redevelopment Project Area. He explained that this

**Minutes of the Regular Meeting of Newberry City Council**  
**November 12, 2013**  
**Page -2-**

Ordinance would dissolve the TIF District created in 1996 to renovate the Opera House and to make other improvements within the designated district.

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

**ORDINANCE:**                      Lease/Purchase Agreement - \$245,000 (Commercial Front Loading Packer) – Second and Final Reading

Mayor Senn introduced for second and final reading an Ordinance (#2013-1011) authorizing the execution of an equipment Lease/Purchase Agreement for a commercial front-loading packer in an amount not to exceed \$245,000. City Manager Harvey noted that proposals for the financing of this agreement would be awarded to BB&T at an interest rate of 1.39% for a four year period.

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

**ORDINANCE:**                      **Business License Amendment – Insurance Companies –  
Second and Final Reading**

Mayor Senn submitted for second and final reading an Ordinance (#2013-1009) amending certain sections of the City Code pertaining to the collection of business licenses for insurance companies. City Manager Harvey explained that in 2012 the SC General Assembly, as a result of litigation brought by the insurance industry, altered the way the State and municipalities collect taxes and licenses from insurance companies. He stated that the proposed Ordinance incorporated these changes as they applied to municipalities. He noted that the State would collect the two percent municipal broker's premium tax and remit that amount to the City and that insurance companies will pay a business license fee based on gross revenue derived in the City. He advised that the changes set forth in the Ordinance would bring the City into compliance with the new legislation.

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

**ORDINANCE:**                      Annexation – SC Hwy. 219 and College Street – First  
Reading

Mayor Senn presented for first reading an Ordinance (#2013-1014) to annex four parcels of property located adjacent to SC Highway 219 belonging to the City of Newberry, St. Matthews

**Minutes of the Regular Meeting of Newberry City Council**  
**November 12, 2013**  
**Page -3-**

AME Church, Willingham and Sons Building Supply and Gwendolyn W. Senn and one parcel of land located adjacent to College Street owned by Elizabeth Navarrete and Martin Alvarez. He requested that this matter be referred to Executive Session.

**ORDINANCE:**                      **Budget Amendment – Merit Bonuses – First Reading**

Mayor Senn introduced for first reading an Ordinance (#2013-1012) to amend the FY2013-2014 Budget to award bonuses to City employees based on merit evaluations. He advised that preliminary audit reports indicate the FY12-13 ended with a positive fund balance contribution and City Council had agreed in budget work sessions to award a merit bonus if this occurred.

Councilman Goudelock made a motion, seconded by Councilman Boyd, to approve first reading of the Ordinance as presented. Mayor Senn declared the motion carried following a unanimous vote of City Council members present and voting with Councilmember Wicker abstained.

**ORDINANCE:**                      **Budget Amendment – Newberry Streetscape – First  
Reading**

Mayor Senn introduced for first reading an Ordinance (#2013-1013) to amend the FY2013-2014 Budget to appropriate \$460,500 from the existing streetscape fund to include in the budget a Newberry Streetscape budget. City Manager Harvey remarked that these funds would be utilized to complete landscaping, paving improvements and way-finding/parking signage in the downtown.

Mayor Senn requested that some alternatives for phasing-in some of the project components prior to second reading be developed by City staff.

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

**ORDINANCE:** Section 12-4 & Sections 12-6 through 12-11 of City Code (PRT/FCC) – First Reading

Mayor Senn offered for first reading an Ordinance (#2013-1015) to amend Section 12-4 of the City Code which details registration and participation fees charged by the Parks, Recreation and Tourism Department and to adopt Sections 12-6 through 12-11 which addresses rental policies and fees associated with the Firehouse Conference Center. City Manager Harvey stated that there would be increasing to the recreation/participation fees and some minor increases in Firehouse Conference Center fees along with other charges utilized at the FCC.

**Minutes of the Regular Meeting of Newberry City Council**  
**November 12, 2013**  
**Page -4-**

PRT Director Sawyer stated that there would be some enhancements to the jersey and what the participants would be allowed to keep. City Manager Harvey explained that the City would proceed with providing these items to the participants after the first of the year even though the funds collected as a result of the new fees may not be sufficient to offset the costs. He added that budget adjustments, if necessary, would be made prior to the close of the fiscal year.

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

**EXECUTIVE SESSION**

Councilman Goudelock made a motion, seconded by Councilman Wicker, to enter an Executive Session for the purpose of discussing a legal matter and contractual matter related to the annexation of properties. Mayor Senn declared the motion carried following a unanimous vote of City Council members present.

Councilmember Goudelock made a motion, seconded by Councilman Boyd, to return to Open Session. Mayor Senn declared the motion carried following a unanimous vote of City Council members present.

**ADJOURNMENT**

There being no further business before City Council, Councilmember Goudelock made a motion to adjourn the meeting at approximately 8:46 P.M. Councilmember Boyd seconded the motion which was carried by a unanimous vote of City Council members present.

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**Foster Senn**  
**MAYOR**

ATTEST:

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Tina P. Wicker, City Clerk  
Newberry, South Carolina

(SEAL)