

**REGULAR MEETING OF NEWBERRY CITY COUNCIL
HELD IN COUNCIL CHAMBERS, CITY HALL, NEWBERRY, SC
FEBRUARY 9, 2016 – 7:00 P.M.**

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

Also Present: City Manager W. A. Harvey, Assistant City Manager Matt DeWitt, Municipal Clerk Jennie O'Shields, PRT Director Scott Sawyer, Utility Director Marc Regier, Planning and Development Director Ward Braswell, HR and Risk Management Director Tamra Tootle, Police Chief Roy McClurkin, Others Present: Lisa Toland, Rhett and Brenda Frazier, Joe and Mary McDonald, Renee Stubbs, Christie Whitaker, Newberry Boy Scout Troop 1, Matt Finley, Mark Gardner, Scott Joiner, Grady Wilson, Mark Kyzer and others. News representatives: Sami Truong and Carson Lambert

CALL TO ORDER

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

MINUTES

Councilman Goudelock made a motion, seconded by Councilman Glasgow to approve the minutes of the regular meeting of Newberry City Council held on January 12, 2016 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 and Financial Summary for the period ending January 31, 2016 and noted that the report would be attached to the minutes. City Manager Harvey gave a brief explanation of the financial statement highlighting water and sewer receipts along with the final payment of the \$ 182,000 to the Special Source Revenue from Oakland.

SPECIAL RECOGNITION:

Mr. Clarence A. Chick

Mayor Senn stated that City Council would like to take the opportunity to recognize Mr. Clarence Chick for his 48 years of service on the Newberry Housing Authority Board. Mr. Chick is the only remaining member of the original committee and currently serves at the Vice Chairman. He is also currently the longest serving member of the Housing Authority Board for the state of South Carolina. Mayor Senn stated that Mr. Clarence Chick was unable to attend and Mayor Senn asked Councilman Goudelock to accept the award on his behalf. Mr. Chick was awarded a key to the City of Newberry.

PUBLIC HEARING:

**Zoning Ordinance Amendments –
Bed & Breakfast Inns**

Mayor Senn convened a public hearing for the purpose of receiving comments concerning proposed changes to the Zoning Ordinance pertaining to bed & breakfast inns, deleting section 611 and amending sections 501 R-10 and 503 R-8 in the Residential Zoning District.

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

PUBLIC HEARING:

Zoning Map Amendment

Mayor Senn convened a public hearing for the purpose of receiving comments concerning proposed changes to the Zoning Map for 2700 College Street (corner of Smith Road and College Street) pertaining to the City of Newberry Zoning Map.

Mayor Senn asked for a brief description of the proposed amendment from Planning and Development Director Braswell. Braswell stated that the property which is zoned commercial, has been vacant for numerous years and was recently inherited. It is the desire of the beneficiaries to convert the property into residential dwellings. He further stated that since the property was contiguous to R-6 property it did meet the zoning code.

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

ORDINANCE:

**Second Reading and Adoption of an Ordinance (#2016-1003) to
exchange property with the Newberry Rotary Club**

Mayor Senn specified that last month Council gave first reading to Ordinance #2016-1003 to exchange property with the Newberry Rotary Club. Mayor Senn further stated that the site in which the Boy Scout cabin once sat on has now been cleared by the Newberry Rotary Club and they have a desire to exchange the land it sat on for the former Girl Scout Cabin which is owned by the City. The Rotary Club wishes to rehabilitate the cabin in hopes of using it to replace the burned Boy Scout Cabin.

Councilman Boyd made a motion, seconded by Councilman Force to approve the second reading and adoption of ordinance #2016-1003 to exchange property with the Newberry Rotary Club. Mayor Senn declared the motion carried by a unanimous vote of City Councilmembers present and voting.

Mayor Sen recognized Mrs. Renee Stubbs who conveyed the excitement of Boy Scout Troop 1 over having a permanent home to conduct meetings and events. She also indicated that the cabin may be used by other civic groups and will be renamed the Rotary Community Center.

ORDINANCE:

Second Reading and Adoption of an Ordinance (#2016-1001) to Transfer Authority to conduct Municipal Elections to the Newberry County Voter Registration and Election Commission

Mayor Senn stated that last month Newberry City Council gave first reading to an Ordinance to transfer authority to conduct municipal elections to the Newberry County Voter Registration and Election Commission. He further stated that Newberry County Council also approved two readings of this ordinance. Though there was a question raised of changing the date of the election to the General Election date, this change was not approved.

Councilman Glasgow made a motion, seconded by Councilman Goudelock to approve the second reading and adoption of ordinance #2016-1001 to Transfer Authority to conduct Municipal Elections to the Newberry County Voter Registration and Election Commission. Mayor Senn declared the motion carried by a unanimous vote of City Councilmembers present and voting.

ORDINANCE:

Second Reading and Adoption of an Ordinance (2016-1002) Amending the FY 2015-2016 Budget for the Federal Equitable Sharing Fund

Mayor Senn shared with the public that council approved the first reading to Ordinance #2016-1002 to amend the FY2015-2016 budget to allow for the usage of funds from the Federal Equitable Sharing Fund. The City receives proceeds from the Federal Equitable Sharing Fund when the police department participates with other law enforcement agencies in drug enforcement activities. Mayor Senn also stated that while the current budget did not have an expenditure designated for use of these funds, the Police Department has requested \$3,500.00 to purchase equipment to be used by the department.

Councilmember Boyd made a motion, seconded by Councilmember Dubose to allow the use of funds from the Federal Equitable Sharing Fund. Mayor Senn declared the motion carried following a unanimous vote of City Council members present.

CITY COUNCIL:

Friends of Newberry Tennis to address Council

Mayor Senn asked Mr. Joe McDonald with the Friends of Newberry to come forward to deliver his address to council.

Mr. McDonald stated that the Friends of Newberry wanted to work with the City of Newberry to help develop a tennis program to benefit the residents of Newberry making the community a better place. It is the vision of the "Friends of Newberry" to provide a first class tennis facility in which tournaments and clinics can be held and provide opportunities for not only adults but for children to have lessons and learn

a skill set that may propel them on to higher education with the means to obtain scholarships. He further stated that tennis center would be a way to produce healthy lifelong physical activity for adults and children alike, a hub for activity and a gathering place of people from all walks of life. Mr. McDonald further stated that in order to make sure that their vision will come to fruition, the Friends of Newberry kicked off their own fundraising campaign with PRT Director Scott Sawyer serving and liaison. He was pleased to announce that a pledge of \$100,000 had been secured and they were optimistic about the growth in membership of the organization and thanked Council for their support of the project.

PRT: Irish Fling – Allowing Alcohol in Designated Area

Mayor Senn remarked that the PRT Department was requesting authorization from City Council to allow alcohol consumption within a designated area for the Irish Fling event scheduled for March 11th. He stated that the beverages would have to be in plastic event cups being provided by PRT to the merchants and the designated area boundaries would be: Harrington and Martin Streets to the North; Friend Street to the South; Livingston's Station and the old Transmission shop on Main Street to the East; and Nance Street to the west. He reported that appropriate markings would be in place to identify the area as well. He added that the PRT Department would be assisting in the advertising campaign for the participating local restaurants to provide information on the food & drink specials and entertainment offered at each location.

Councilmember Goudelock made a motion, seconded by Councilmember Glasgow, to approve the request for alcohol consumption within the designated area for Irish Fling as presented. Mayor Senn declared the motion carried following a unanimous vote of City Council members present.

ORDINANCE: First Reading of an Ordinance #2016-1005 to amend the text of the Zoning – Bed and Breakfast Inns

Mayor Senn stated that the city staff is proposing a zoning text amendment is to delete Bed and Breakfast Inns from the City Zoning Ordinance as a Special Exception and to make them a permitted use in the R-10 and R-8 Residential Zoning Districts. Also to delete the guidelines of Section 611 and use South Carolina Code of Laws, Title 45, Chapter 4 – South Carolina Bed and Breakfast Act to regulate Bed and Breakfast Inns.

Mayor Senn stated that although he was glad to welcome a new bed and breakfast to the City, he was uncomfortable with eliminating the review process of the Planning Commission for all new Bed and Breakfast establishments and deferred to City Manager Harvey.

City Manager Harvey explained that by amending section 611, the City of Newberry would then follow the State code and amending sections R-10 and R-8 would allow Bed and Breakfast establishments to open in commercially zoned areas without the need to go before the planning commission.

Mayor Senn conferred with the Planning and Development Director Braswell to see if the ordinance could be amended to reflect only the change to section 611.

Mayor Senn made a motion, seconded by Councilman Goude-lock to amend section 611 to include state code. The motion was carried following a unanimous vote of all City Council members.

ORDINANCE:

**First Reading of an Ordinance #2016-1004 to amend
Zoning Map for 2700 College Street**

Mayor Senn indicated that the property at 2700 College Street has been proposed for rezoning to *R-6 Residential from GC – General Commercial*. This lot has residential uses on two sides and a cemetery on a third side. The R-6 zoning district allows for single family, two, three or four family dwellings on a minimum lot size of 6000 square feet for one and two family dwellings and 7,000 square feet for three and four family dwellings. By rezoning this parcel it will allow the owners to convert and improve the property to a residential use.

Councilmember Boyd made a motion, seconded by Councilmember Goude-lock to approve the first reading of Ordinance #2016-1004. Mayor Senn declared the motion carried following a unanimous vote of City Council present.

EXECUTIVE SESSION:

Councilman Goude-lock made a motion to enter Executive Session for the purpose of discussing a property contract and an employee contract as outlined on the agenda. Councilman Boyd seconded the motion which was carried by a unanimous vote of City Council.

Following the Executive Session, a motion was made by Councilman Goude-lock and seconded by Councilman DuBose to go back into open session. The motion was approved by a unanimous vote.

ADJOURNMENT

There being no further business before City Council, Councilman Goude-lock made a motion to adjourn the meeting at 8:53 P.M. Councilman DuBose seconded the motion which was carried by a unanimous vote of City Council.

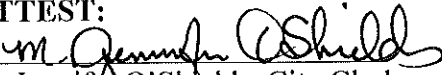


Foster Senn

Newberry City Council Minutes
February 9, 2016

MAYOR

ATTEST:


M. Jennifer O'Shields, City Clerk
Newberry, South Carolina

(SEAL)