

**REGULAR MEETING OF NEWBERRY CITY COUNCIL  
HELD IN COUNCIL CHAMBERS, CITY HALL, NEWBERRY, SC  
August 8, 2017 – 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, Councilman Edwin E. Wicker and Councilman R. LeMont Glasgow

Also Present: City Manager Matt DeWitt, Municipal Clerk Jennie O'Shields, Utility Director Tim Baker, Police Chief Roy McClurkin, Division Director Tamra Tootle, PRT Director Scott Sawyer, Fire Chief Keith Minick, Planning and Development Director Ward Braswell, Public Works Director Mac Bartley, Opera House Director Molly Fortune and City Attorney Robert Lake.

Others Present: Joseph McMorris & Family, Benny Havird, Don Mohler, Brian Beck & Family, Corey Shealy, RJ Dowd, Ben Dukes, Jim & Tina Liptak, Joseph and Suzanne Elston, Daniel Werts, Stuart Smith, Micah Decker, Mark Sanders, Hugh Smith and others.

News representative: Elyssa Haven

**CALL TO ORDER:**

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

**MINUTES:**

Mayor Senn made a motion, seconded by Councilman Boyd to approve the minutes of the regular meeting of Newberry City Council held on July 18, 2017 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 July 31, 2017 and noted that the report would be attached to the minutes. City Manager DeWitt gave a brief summary of the financial report highlighting the decline in utilities due to cooler summer temperatures and mass amounts of rain.

**RECOGNITION OF EMPLOYEES**

Mayor Senn and City Manager DeWitt recognized Micah Decker for her five years of service with the Newberry Opera House, Suzanne Elston for her 10 years of service with the Parks, Recreation and Tourism Department, Tina Liptak for her 10 years of service with the

Police Department, Corey Shealy for his 15 years of service with the Public Works Department, Brian Beck for his 15 years of service with the Fire Department, and Benny Havird for his 15 years of service with the City's Utility Department.

Mayor Senn and City Manager DeWitt also recognized Joe McMorris for his retirement from the City's Public Works Department. Joe began his employment with the City on April 13, 1987 and was a Heavy Equipment Operator.

Each were presented with a certificate recognizing their service and a gift selection packet commensurate with their years of service.

**ORDINANCE:**                      **Second and Final Reading of Ordinance #2017-1011 to amend certain sections of Article IV of Chapter 9 in the Code of Laws**

Mayor Senn offered for second and final reading ordinance #2017-1011 to amend certain sections of article IV of Chapter 9 in the Code of Laws to comply with the new DHEC regulations. DHEC requires the City's Industrial Pretreatment Program (IPP) to be updated every five years. In the reviewing the most recent update, DHEC noticed that Best Management Practices, Significant Non-Compliance and Instantaneous Limits in the City's Sewer Use Ordinance were not consistent with the State's updated Pretreatment Regulations. DHEC required the fine amount be increased to "up to \$2,000.00 per day per violation and the allowable range for pH was different and DHEC requires the allowable range to be consistent".

Councilman Glasgow made a motion, seconded by Councilman Boyd to approve the second and final reading of Ordinance # 2017-1011 to amend the certain sections of Article IV of Chapter 9 in the Code of Laws. Mayor Senn declared the motion carried following a unanimous vote of City Councilmembers.

**ORDINANCE:**                      **First Reading of Ordinance #2017-1012 to establish rates for the Oakland Tennis Complex**

Mayor Senn offered up for first reading ordinance #2017-1012 to establish rate and fee tables for the Oakland Tennis Complex. The ordinance included fees for daily court rentals, reserved court fees, annual play passes and rental of the tennis ball machines. The rates addressed in the ordinance are comparable to rates throughout South Carolina after checking with nine different facilities throughout the state. The rates will be posted on the website, in the pro-shop and in the brochure. The hard courts are free to use when available.

Councilman Goudelock made a motion, seconded by Councilman Boyd to adopt the first reading of Ordinance #2017-1012 to establish rates for the Oakland Tennis Complex. Mayor Senn declared the motion carried by a unanimous vote of the City Councilmembers.

**ORDINANCE:**                      **First Reading of an Ordinance # 2017-1013 to authorize  
the regulation of rental properties**

Mayor Senn indicated that the City of Newberry has reinstated the rental regulation process that was first established in 2006 and outlined in Chapter 8.5, Article II of the City Code. It was determined that the need still existed to regulate rental properties due to the recent increase of incidents and of law enforcement presence at rented dwellings and the consequential disruption of peace and tranquility of the community.

Mayor Senn read the ordinance in its entirety highlighting the permit process and date of inception, compliance standards, offenses and revocation of the permits as well as the appeals process.

Councilmember Wicker made a motion, seconded by Councilmember Boyd to adopt the first reading of Ordinance #2017-1013 to authorize the regulation of residential rental properties. Mayor Senn declared the motion carried following a unanimous vote of City Councilmembers present and voting.

**ORDINANCE:** First Reading of Ordinance # 2017-1014 to amend  
Utility Rates

Mayor Senn stated that through recent communication from DHEC, it has been recommended to cities across South Carolina that provide utilities to update their practice to ensure conservation and economic development. Currently the City's residential rate structure for water has far too many levels. This new proposal simplifies the table by collapsing the rate in accordance with DHEC's recommendations.

Councilmember DuBose made a motion, seconded by Councilmember Wicker to adopt the first reading of Ordinance # 2017-1014 to amend the current utility rates. Mayor Senn declared the motion carried following a unanimous vote of City Councilmembers present and voting.

**CITY COUNCIL:** **Alcohol Sales for Oktoberfest – October 4, 2014**

Mayor Senn advised the City Newberry Parks, Recreation, and Tourism Department was seeking permission to allow beer and wine sales and consumption at Oktoberfest on October 7, 2017. He announced that the alcohol will be sold by designated event vendors and venues who have the proper permits and that the beverages must be in clear plastic cup no larger than 16 ounces. He advised that event patrons would be allowed to travel the outlined area with an alcoholic beverage of beer or wine only, by foot, if they are carrying the permitted beverage in a designated event cup and are wearing the approved over 21 wrist band. Liquor consumption will not be permitted in the event area.

Councilmember Glasgow made a motion, seconded by Councilmember Goudelock to allow alcohol to authorize the sale and consumption of beer and wine with the designated area for

Newberry City Council Minutes  
August 8, 2017

Oktoberfest on October 7, 2017 as outlined above. Mayor Senn declared the motion carried following a unanimous vote of City Councilmembers present and voting.

**EXECUTIVE SESSION**

Councilmember Boyd made a motion to enter Executive Session for the purpose of contractual matter related to business development as published in the agenda. Councilmember Glasgow seconded the motion which was carried by a unanimous vote of the City Council members.

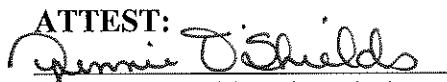
Councilmember Boyd made a motion, seconded by Councilmember Wicker to return to open session. Mayor Senn declared the motion carried by a unanimous vote of the City Council members.

No action was taken after executive session.

**ADJOURNMENT**

There being no further business before City Council, Councilman Goudelock made a motion to adjourn the meeting at 8:35 P.M. Councilmember DuBose seconded the motion which was carried by a unanimous vote of City Council members.

  
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Foster Senn  
MAYOR

ATTEST:  
  
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Jonnie O'Shields, City Clerk  
Newberry, South Carolina

(SEAL)