

**REGULAR MEETING OF NEWBERRY CITY COUNCIL  
HELD IN COUNCIL CHAMBERS, CITY HALL, NEWBERRY, SC  
APRIL 18, 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, PRT Director Scott Sawyer, Police Chief Roy McClurkin, HR and Risk Management Director Tamra Tootle and Planning & Development Director Ward Braswell.

Others Present: Marc Regier, Mr. and Mrs. Jackie Swindler, Newberry College Seniors, Dave Davis, Dr. Betsy McDowell, Lillian Bouknight, Ciria Triplett, Hannah Dave, Dr. Sandra Rouse, Marshall Maddy and others. News representative: Elyssa

**CALL TO ORDER:**

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

**MINUTES:**

Councilman Boyd made a motion, seconded by Councilman DuBose to approve the minutes of the regular meeting of Newberry City Council held on March 14, 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 March 31, 2017 and noted that the report would be attached to the minutes. City Manager DeWitt gave a brief summary of the financial report.

**PROCLAMATION:**

**Newberry College Seniors**

Mayor Senn and Mayor Pro Temp Goudelock recognized Newberry College Seniors, Jaya Schultz, Lukas Gilmore, Tayla Stocksdale, Madison Darby-McClure, Gerald Evans, Nolan Hendrix, Cole Watson, Gretchen Kinard, Karley Young, Vincent Hicklin, Mallory Gerndt, and Ashley Minor for their outstanding achievements and support to the Community. Jackson Swindler was unable to attend, but his award was presented to his parents.

**PUBLIC HEARING:**

**City Substation**

Mayor Senn convened a public hearing for the purpose of receiving comments concerning proposed changes to the Future Land Use Map and Zoning Map for the City's Substation from Open Space Zoning to R-6 Residential Zoning.

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

**PUBLIC HEARING:**

**42 Railroad Ave.**

Mayor Senn convened a public hearing for the purpose of receiving comments concerning the annexation and amendment of the Future Land Use and Zoning Map of a 5.01-acre parcel located at 42 Railroad Avenue. (TMS# 346-46)

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

**PUBLIC HEARING:**

**252 Mt. Bethel Garmany**

Mayor Senn convened a public hearing for the purpose of receiving comments concerning the annexation and amendment of the Future Land Use and Zoning Map of a residence located at 252 Mt. Bethel Garmany Road. (TMS# 397-18)

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

**PUBLIC HEARING:**

**Newberry Recreation Complex**

Mayor Senn convened a public hearing for the purpose of receiving comments concerning the annexation and amendment of the Future Land Use and Zoning Map of a 214.98 acre property designated as the future home of the Newberry Sports Complex.

Mayor Senn called for anyone to speak for or against the proposed annexation and zoning of the 214.98-acre parcel located on Dixie Drive. Mr. Roscoe Bedenbaugh came forward not to speak but to ask Council about specifics related to future plans of the park.

Mr. Bedenbaugh stated that he owns a parcel of land adjacent to future recreation complex and inquired about where the entrance would be located. City Manager DeWitt interjected that the final engineering is expected by next week and it is thought that Hwy 34 could serve as an entrance and exit. City Manager DeWitt further stated that if traffic was an issue that the entrance and exit could be relocated to the Glenn Street Extension.

If relocated, Mr. Bedenbaugh asked about the widening of the road and also the brightness of the lights used at the sporting fields.

City Manager DeWitt assured Mr. Bedenbaugh that a traffic study would be needed before widening the road and that the field lights would be directional. Mr. Bedenbaugh had no other questions.

Mayor Senn declared the public hearing closed.

**ORDINANCE**

**42 Railroad Ave – Annexation Ordinance**

Mayor Senn advised that last month Council gave first reading to ordinance # 2017-1002 stating that property owner Amanda Kaitlin Walters of 42 Railroad Avenue had executed an Annexation Agreement to receive water and sewer service from the City of Newberry. He advised that a water line to serve the property was in place and to provide service would only require a water tap. Ms. Walters petitioned the City of Newberry to annex her contiguous property into the City limits.

Councilman Glasgow made a motion, seconded by Councilman Boyd to approve the second and final reading of Ordinance # 2017-1002. Mayor Senn declared the motion carried following a unanimous vote of City Councilmembers present and voting.

**ORDINANCE**

**252 Mt. Bethel Garmany Road – Annexation Ordinance**

Mayor Senn indicated Gary Toland, property owner of 252 Mt. Bethel Garmany Road had executed an Annexation Agreement to receive water service from the City of Newberry. He advised that a water line to serve the property was in place and to provide service would only require a water tap. Mr. Toland has executed a petition to annex his property into the City Limits of Newberry and Council gave first reading of the ordinance on April. The property would be zoned NC- Neighborhood Commercial.

Councilmember Goudelock made a motion, seconded by Councilmember Boyd to adopt the second and final reading of ordinance # 2017-1003 to annex 252 Mt. Bethel Garmany Road into the City limits. Mayor Senn declared the motion carried following a unanimous vote of City Councilmembers present and voting.

**ORDINANCE**

**Annexation of 214.98 (TMS#401-17) Acre Parcel to be the Newberry Sports Complex**

Mayor Senn stated that the City of Newberry recently purchased 215 acres (tax map # 401-17) fronting the 34 bypass (Dixie Drive) through the CPST. The parcel will be the future home of the Newberry Recreation Complex. The Planning Commission has approved the annexation of this

property and gave the property an interim OS (Open Space) zoning determination and would be permanent if the ordinance to annex was adopted.

With the annexation of the property, The City of Newberry would also annex in a portion of Dixie drive and CSX railroad that is contiguous to the property.

Councilman Boyd made a motion, seconded by Councilman Wicker to adopt the second and final reading of ordinance #2017-1004 to annex TMS# 401-17. Mayor Senn declared the motion carried following a unanimous vote of City Councilmembers present and voting.

**PROCLAMATION:**

**Building Safety Month**

Mayor Senn advised that Building Safety Month is sponsored by the International Code Council, to remind the public about the critical role of our communities' largely unknown guardians of public safety—our local building code officials—who assure us of safe, efficient and livable buildings.

Councilmember DuBose made a motion, seconded by Councilmember Boyd to proclaim the month of May as Building Safety Month. Mayor Senn declared the motion carried following a unanimous vote of City Council's members present.

**PRT:**

**Alcohol Consumption – Taste of Newberry**

Mayor Senn advised that the City's Parks, Recreation and Tourism Department was requesting that alcoholic beverages be allowed to be consumed within the event area for the Taste of Newberry scheduled for Friday, May 19<sup>th</sup>. He advised that the event area was defined as the block surrounding 901 Friend Street: Friend Street from Nance Street to the end of Friend Street, Nance Street from Friend Main Street, and Main Street from Harris St to Nance Street. This would allow for an open air and concert space so that people can free flow with the vendors in a block party style setting. Beverages would only be allowed in designated cups provided to the various venues by the City PRT Department.

Councilmember Glasgow made a motion, seconded by Councilmember Wicker, to approve the request allowing the consumption of alcoholic beverages within the designated area for the Taste of Newberry event on May 19<sup>th</sup>. Mayor Senn declared the motion carried following a unanimous vote of City Council's members present.

**COUNCIL**

**Resolution - PMPA Directors**

Mayor Senn stated that since its inception, the City of Newberry has been a member of the Piedmont Municipal Power Association along with several other towns located in the Piedmont

area of South Carolina. As a member, it is necessary to appoint members of the staff or council to the board of directors for the association. Since the departure of former Utility Director Marc Regier it would be necessary to name another member to the board. Council agreed to name Mayor Senn as the voting director and new Utility Director Tim Baker as the alternate director.

Councilman Boyd made a motion, seconded by Councilman Goude-lock to appoint Mayor Senn as the voting director and Utility Director Baker as the alternate voting member to the PMPA Board. Mayor Senn declared the motion carried by a unanimous vote of City Councilmembers.

**ORDINANCE**

**#2017-1008 to amend the zoning of the City's new  
substation**

Mayor Senn stated that last month Council gave first reading to Ordinance # 2017-1008 to amend the City's zoning for the new substation that will be located at the corner Player and Silas Streets in that formerly joined Kendall Park. The parcel was originally zoned with the park as Open space but has since been divided into its own parcel. Mayor Senn asked for the time table of the new project and was told by the City Manager that the old building that currently stands there will be demolished within 60-90 day and the substation will then take approximately 1 year to contract. The zoning to accommodate the station would need to be changed to R-6 residential

Councilman Goude-lock made a motion, seconded by Councilman Boyd to adopt Ordinance #2017-1008 to amend the zoning of the City's new substation. Mayor Senn declared the motion carried by a unanimous vote of City Councilmembers.

**ORDINANCE**

**#2017-1009 Separation of Rate Classes**

Mayor Senn introduced for first reading, Ordinance #2017-1009 to separate the billing classes for residential and commercial billing.

Councilman Glasgow made a motion seconded by Councilman Boyd to table the vote until after executive session. Mayor Senn declared the motion carried by a unanimous vote of City Councilmembers.

**ADDRESS TO COUNCIL**

Marquerite Palmer, program director for the Newberry Arts Center came forward to give Council an update of the success of the recent Clay Conference. Mrs. Palmer outlined the growth of the event in just three short years and premiered the new informational video produced about the clay conference.

**EXECUTIVE SESSION**

Councilmember Goude-lock made a motion to enter Executive Session for the purpose of discussing a contractual matter related the Utility Department as published in the agenda. Councilmember Boyd seconded the motion which was carried by a unanimous vote of the City Council members.

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

**ORDINANCE**                      **#2017-1009 Separation of Rate Classes (previously tabled)**

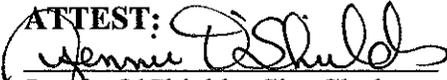
Once in open session, Mayor Senn stated since the inception of the billing structure, both residential and commercial customers have been billed using the same rate table. Through recent communication from DHEC, it has been recommended to Cities across South Carolina that provide utilities update their practice to ensure conservation and economic development.

Councilmember Glasgow made a motion, seconded by Councilmember Boyd to adopt the first reading of Ordinance # 2017-1009 to separate the billing rate class. Mayor Senn declared the motion carried by a unanimous vote of the City Council members.

**ADJOURNMENT**

There being no further business before City Council, Councilman DuBose made a motion to adjourn the meeting at 8:52 P.M. Councilmember Goude-lock 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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Jennie O'Shields, City Clerk  
Newberry, South Carolina

(SEAL)