MINUTES
REGULAR MEETING OF THE NEWTON CITY COUNCIL
January 9, 2018 – 7 p.m.

The regular meeting of the Newton City Council was held at 7 p.m. Tuesday, January 9, 2018 at Newton City Hall.

PRESENT: Mayor Anne P. Stedman, Mayor Pro Tem John Stiver, and Council Members Jerry Hodge, Anne Wepner, Jody Dixon, Tom Rowe and Ed Sain

STAFF: City Manager Todd Clark, City Clerk Amy S. Falowski, City Attorney John Cilley, City Department Heads and members of the management team

ITEM 1: CALL TO ORDER

Mayor Anne P. Stedman welcomed everyone and called the meeting to order.

ITEM 2: OPENING Invocation and Pledge of Allegiance

Council Member Tom Rowe provided the invocation and Pledge of Allegiance.

ITEM 3: APPROVAL OF MINUTES

Upon motion duly made by Council Member Jerry Hodge, seconded by Council Member Anne Wepner, it was unanimously RESOLVED:

That the Regular Minutes of the December 5, 2017 City Council meeting be – APPROVED

ITEM 4: CONSIDERATION OF CONSENT AGENDA ITEMS

Upon motion duly made by Council Member Jody Dixon, seconded by Council Member Ed Sain, it was unanimously RESOLVED:

That the Consent Agenda be – APPROVED

A. Tax Releases
B. Sewer Adjustments
C. Consideration of City Council Member Committee Appointments
D. Consideration of Board/Committee Membership Appointments
E. Consideration of Request to Surplus Police K-9
F. Consideration to Ratify Resolution 2-17 – Certificate of Appreciation

(Ordinances, Resolutions and Proclamations are hereby referenced and on file in the Office of the City Clerk)

ITEM 5: COMMENTS FROM THE PUBLIC: PEOPLE WHO WISH TO COMMENT ON NON-AGENDA ITEMS ARE ASKED TO SIGN IN WITH THE CITY CLERK PRIOR TO THE MEETING.

Mayor Anne P. Stedman asked if anyone present would like to make comment concerning non-agenda items. No one appeared.
ITEM 6: Presentation

A. Presentation of Resolution – Certificate of Achievement to Newton-Conover High School Men’s Soccer team, 2A State Champions

Mayor Stedman presented a Resolution – Certificate of Achievement to Newton-Conover High School Men’s Soccer team, 2A State Champions.

B. Presentation Recognizing Discovery High School Intern – Jalen Johnson

Mayor Stedman presented Discovery High School Intern Jalen Johnson with a plaque in appreciation of all the help and time that he has given the city during his internship.

C. Presentation from the Downtown Newton Development Association – Folk Art Festival

Downtown Newton Development Association Coordinator Shannon Johnson gave a presentation concerning the association and the recent success of the Folk Art Festival.

ITEM 7: Public Hearings

A. Consideration of Rezoning – Rezoning Application #2017-06 filed by Moore Investments, LLC

Mayor Stedman opened the Public Hearing.

Planning Assistant Alex Fulbright stated that Moore Investments, with permission from the property owner is seeking to rezone the properties located in the southeast quadrant of the intersection of NC Highway 16 and Norfolk Southern Rail Road from an EM-1 Exclusive Manufacturing District to a M-1 General Manufacturing District. The property requested to be rezoned is 7.55 acres and is owned by Appalachian Land Management, LLC. Mr. Fulbright stated the site is located within the City’s extraterritorial jurisdiction and is outside of the City of Newton’s city limits.

Background:
Surrounding Zoning and Land Use:

<table>
<thead>
<tr>
<th>ZONING</th>
<th>LANDUSE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subject</td>
<td>EM-1 Exclusive Manufacturing</td>
</tr>
<tr>
<td>North</td>
<td>EM-1 Exclusive Manufacturing</td>
</tr>
<tr>
<td>South</td>
<td>EM-1 Exclusive Manufacturing</td>
</tr>
<tr>
<td>East</td>
<td>Conover M-1 General Manufacturing</td>
</tr>
<tr>
<td>West</td>
<td>EM-1 Exclusive Manufacturing</td>
</tr>
</tbody>
</table>

Mr. Fulbright stated the area under consideration has been zoned EM-1 Exclusive Manufacturing since the adoption when the City’s Extraterritorial Jurisdiction was expanded in 1980. There have not been any zoning map amendments for the subject site.

Mr. Fulbright stated the proposed request is consistent with the 2005 Eastside Area Plan’s Future Land Use. The plan shows the area as industrial but it does not differentiate between M-1 and EM-1.

Mr. Fulbright stated The Planning Commission’s unanimous recommendation was that the request be sent to the Newton City Council for approval as requested.
Mayor Stedman asked if anyone wanted to speak. No one appeared.

Upon motion duly made by Council Member Jody Dixon, seconded by Council Member Jerry Hodge, it was unanimously RESOLVED:

That Public Hearing be CLOSED.

Upon motion duly made by Council Member Ed Sain, seconded by Council Member Anne Wepner, it was unanimously RESOLVED:

That Rezoning Application #2017-06 filed by Moore Investments, LLC be – APPROVED.

(Ordinances, Resolutions and Proclamations are hereby referenced and on file in the Office of the City Clerk)

**ITEM 8: Old Business**

A. Consideration of Sue Jones Estate

City Manager Todd Clark stated the City Council has contemplated the utilization of proceeds from the Jones’ estate on several occasions. According to the Lillian Sewell Jones will, there must be two unanimous votes by two seated City Council’s that are at least 2 years and 3 months apart. Mr. Clark stated that the first unanimous vote occurred on January 08, 2013 at the regularly scheduled council meeting.

Mr. Clark stated that attached to this Request for Council Action is a copy of a document produced by the City’s Finance Director that includes the total amount of contributions to the City from the estate, the interest earned and the amount of interest that has been spent.

Mr. Clark asked that City Council consider the expenditure of principal funds allocated to the City by Ms. Jones’ estate. This vote is not for a specific project. He explained that projects will be presented to City Council at the January 2018 Workshop.

Upon motion duly made by Mayor Pro Tem John Stiver, seconded by Council Member Ed Sain, it was unanimously RESOLVED:

That the Expenditure of Principal Funds Allocated to the City by Ms. Jones’ Estate be – APPROVED.

**ITEM 9: New Business**

A. Consideration of Grant Award to Newton-Conover School System

Upon motion duly made by Council Member Tom Rowe, seconded by Mayor Pro Tem John Stiver, it was unanimously RESOLVED:

That Consideration of Grant Award to Newton-Conover School System be – APPROVED.

B. Consideration of 2018 Street Paving Projects
City Manager Todd Clark stated that the City maintains 76.26 miles of streets. Approximately 75.62 mile of those streets are paved.

In 2015, the City contracted with McGill and Associates to perform a pavement and sidewalk assessment of all city streets and sidewalks. This assessment included a recommendation of which streets to pave first based on surface conditions. It also included an estimated cost to resurface the street and repair or replace the associated storm water and drainage structures. Since then, selection of streets to be repaved has been based on that assessment. Paving has only been budgeted for funds received from the State through Powell Bill allocation in past years. Typically, the City budgets approximately $180,000 each year (five year average) for repaving. At this level of funding, all city streets will be repaved every 115 years at current paving costs.

This fiscal year, council elected to budget an additional $500,000 from the general fund for pavement resurfacing in addition to $163,000 in Powell Bill funds, resulting in a total budget of $643,000 and a larger resurfacing project. If all selected streets are repaved, and funding levels remain constant, all city streets will be repaved every 68.8 years at current repaving costs. All ten selected streets total 1.1 miles of paving.

Mr. Clark stated that staff has selected ten (10) city streets for repaving in fiscal year 2018.

The streets are:
- N. Forney Ave.
- S. Cedar Ave from E. G to the end
- E. 14th St
- E. 18th St. from N. College to E. 16th
- E. 1st From N. College to N. Brady
- E. F St., Overlook Dr.
- W. 17th St.
- Chelsea Lane
- Counselor Dr. (please note that E. 1st St from N. Main to N. College will be resurfaced during the streetscape project and was removed from this year’s paving list.)

*W. 17th St., Chelsea Lane and Counselor Dr. will be listed as alternates, and included in the project if bids are favorable.

Mr. Clark stated that staff requests that Council consider the submitted streets for the fiscal year 2018 resurfacing project, and provide comment and/or approval of the selection prior to moving forward with the bidding process.

Upon motion duly made by Council Member Tom Rowe, seconded by Mayor Pro Tem Jon Stiver, it was unanimously RESOLVED:

That Consideration of 2018 Street Paving Projects be – APPROVED.

Council Member Anne Wepner asked if council could come back in the annual workshop and look at the policy for determining street paving and try to come up with a better way. Council agreed to do so.

C. Consideration of Rural Fire District Budget

City Manager Todd Clark stated that the City of Newton Fire Department provides fire services to approximately 25 square miles of rural area adjacent to the City of Newton corporate limits. This area is referred to as the Newton Rural Service District. The services within the Newton Rural Service District are provided through a contract with Catawba County funded through a Service District Tax. The current
Service District Tax rate is 9 cents per $100 valuation. The city is proposing an increase in the Service District Tax Rate of 3 cents per $100 of property valuation. This increase will generate approximately $150,000.00 of additional revenue. This increase will primarily fund personnel costs. The City of Newton recently received a FEMA personnel grant with a cost share in each of the three years of the grant. This increase is necessary to fund the local portion of the grant.

Mr. Clark explained that the Emergency Services office of Catawba County has requested that the Rural Budgets be submitted by the respective Fire Departments prior to January 15, 2018, and that the Budget and associated Rural Service District Tax Increase will be reviewed by the County Manager and Board of Commissioners during the annual budget process.

Mr. Clark asked that City Council review and approve the Rural Service District budget and rate increase to be submitted to Catawba County Emergency Services for FY 2018-2019.

Upon motion duly made by Council Member Tom Rowe, seconded by Council Member Ed Sain, it was unanimously RESOLVED:

That Consideration of Rural Fire District Budget be – APPROVED

(Ordinances, Resolutions and Proclamations are hereby referenced and on file in the Office of the City Clerk)

D. Consideration of Annual Electric tree Trimming Contract

City Manager Todd Clark stated that staff requested bids for Tree Trimming services throughout its entire electric distribution system. Staff sent and received the following bids:

1. Asplundh Tree Expert $109,531.13
2. Wolf Tree, Inc. $660,162.49
3. Lewis Tree No Bid
4. Davey No Bid
5. Brent Mackey Tree Service No Bid

Mr. Clark stated that staff is recommending Council award the bid to Asplundh Tree Expert, LLC in the amount of $109,531.13 for fiscal year 17-18. Please note that City Council appropriated $125,000 for Fiscal Year 17-18.

Upon motion duly made by Council Member Ed Sain, seconded by Mayor Pro Tem John Stiver, it was unanimously RESOLVED:

That Consideration of Annual Electric tree Trimming Contract be – APPROVED

(Ordinances, Resolutions and Proclamations are hereby referenced and on file in the Office of the City Clerk)

E. Consideration of Fye Dr Water Project and S Cedar Ave to Forney Ave Sewer Rehabilitation

1. Consideration of Resolution of Intent to Reimburse
2. Consideration of Award

Upon motion duly made by Council Member Jody Dixon, seconded by Council Member Jerry Hodge, it was unanimously RESOLVED:

That Intent to Reimburse be – APPROVED
Upon motion duly made by Mayor Pro Tem John Stiver, seconded by Council Member Anne Wepner, it was unanimously RESOLVED:

That Award of Bid for replacement of approximately 900 feet of 8 inch sanitary sewer on South Cedar to South Forney Ave to Iron Mountain Construction be – APPROVED.

Upon motion duly made by Council Member Tom Rowe, seconded by Council Member Jerry Hodge, it was unanimously RESOLVED:

That Award of Bid to Extend Water Main to Un-Served Area of Fye Drive- to M&M Construction be – APPROVED

(Ordinances, Resolutions and Proclamations are hereby referenced and on file in the Office of the City Clerk)

**ITEM 10: City Manager’s Report**

**Meetings & Events**

- January 10th – Reception for John Marshall, Western Piedmont Council of Governments 4:00 p.m.-5:00 p.m.
- January 11th and 12th – Essentials of Municipal Government including Ethics Training
- January 12th – Last day for Leaf Pickup
- January 22nd – 25th Annual Council/Staff Workshop at Fire Headquarters
- January 23nd – NCMPA1 Board of Commissioners Meeting
- February 8th Tentative date for Municipal Summit with Catawba County

**Other Items**

- Trash Routes
- Great Blue Electric Utility Customer Satisfaction Survey – Calls starting March 1st
- CIP/Peer Review
- Departmental Reports
- Update on weather related damage

**ITEM 11: Questions and Comments from Mayor and Council**

Mayor Stedman asked if there were any questions or comments from City Council.

Mayor Stedman gave an the DNDA and the Public Art Commission.

**ITEM 12: Adjournment**

Upon motion duly made by Council Member Jody Dixon, seconded by Council Member Ed Sain, it was unanimously RESOLVED:

That the Meeting be – ADJOURNED

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Anne P. Stedman, Mayor

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Amy S. Falowski, City Clerk