

**MINUTES  
REGULAR MEETING OF THE NEWTON CITY COUNCIL**

**February 16, 2016 – 7 p.m.**

The regular meeting of the Newton City Council was held at 7 p.m. Tuesday, February 16, 2016 at Newton City Hall.

**PRESENT:** Mayor Anne P. Stedman, Mayor Pro Tem John Stiver and Council Members Tom Rowe, Wes Weaver, Robert C. Abernethy, Jr., Jody Dixon, and Jerry Hodge

**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.

Mayor Stedman stated that a Newton police officer Caleb Costner received attention on social media after he played football with neighborhood kids. Officer Caleb Costner was called to a home Monday after a neighbor complaint. Rather than punish the kids or chasing them off, he spent time with them and threw around a football. Mayor Stedman commended Newton Police Department and Officer Costner.

**ITEM 2: OPENING Invocation and Pledge of Allegiance**

Council Member John Stiver 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 Tom Rowe, it was unanimously RESOLVED:

That the Regular Minutes of the February 2, 2016 City Council meeting be –  
APPROVED

**ITEM 4: CONSIDERATION OF CONSENT AGENDA ITEMS**

Upon motion duly made by Council Member Robert C. Abernethy, Jr., seconded by Mayor Pro Tem John Stiver, it was unanimously RESOLVED:

That the Consent Agenda be – APPROVED

A. Tax Releases

(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. Library Update – Suzanne White

Ms. Suzanne White gave a presentation about recent and ongoing happenings at the Catawba County Library.

**ITEM 7:**      **Public Hearings**

A. Consideration of Text Amendment #2016-01

Mayor Stedman opened the Public Hearing.

Assistant Planner Alex Fulbright stated that Mr. Kong Thao has filed an application to amend the Zoning Ordinance so that he can operate a banquet hall within the R-20 Single Family Residential District as a place of assembly with a special use permit. Mr. Fulbright stated that Mr. Thao is pursuing the text amendment and the special use permit concurrently.

Mr. Fulbright stated the applicant wants to purchase a 20,000 square foot building located at 1175 Smyre Farm Rd for the purpose of providing a banquet hall for rent to host events. The property is zoned R-20 Single Family Residential. Mr. Fulbright stated that the City of Newton Zoning ordinance does not permit the use because the ordinance considers facilities rented out for private parties after 6 pm as nightclubs. Mr. Fulbright stated that nightclubs are only allowed in B-4 General Business Districts provided that they meet the separation requirements from residential and other uses. The definition of “Nightclub” is provided below:

*Nightclub means an establishment offering food, drink and entertainment after 6:00 p.m. Structures being held out for rental for the purposes of accommodating "private parties" shall be considered nightclubs if the activities are to occur after 6:00 p.m. This shall not apply to uses classified as recreation and amusement services by this chapter.*

Recreation and amusement services are mentioned as an exception and are defined as:

*Amusement services means a commercial facility providing recreational activities including, but not limited to, swimming pools, amusement arcades, bowling alleys, shuffleboard courts, baseball hitting ranges, miniature and par-three golf courses, golf driving ranges, billiard and pool halls, skating rinks, movie theaters, dance and exercise studios.*

*Recreation services means privately owned outdoor amusement facilities such as golf and country clubs, swimming and tennis clubs, equestrian centers, marinas, not built as part of a residential development. The term also includes publicly owned and operated facilities such as athletic fields, golf courses, tennis courts, swimming pools, parks, marinas and similar uses not associated with a school.*

Mr. Fulbright stated there are facilities within the City of Newton that are similar to requested use but are either amusement and recreation services or accessory to the principle use. He explained that examples of amusement and recreation services are bowling alleys and pool halls; and examples of accessory uses are the rental of civic clubs and churches to host non-related functions and events.

Mr. Fulbright stated that it is requested that the definition of “nightclub” be amended so that a place of assembly would not be classified as a nightclub. Places of assembly are allowed within the R-20 Single Family Residential District as a special use. A Special Use is one that would not be appropriate in all areas of R-20 zoning, but could be acceptable if certain conditions are required that mitigate any impacts

to adjacent uses. Permitted use by right are approved by planning staff and cannot be subjected to additional special conditions.

*Place of assembly means a place designed to accommodate the assembly of persons attending athletic events, musical performances, dramatic or dance performances, speeches or ceremonies, and other such entertainment events, and including, but not limited to, coliseums, athletic centers, concert halls, and auditoriums.*

Mr. Fulbright stated that it is important to note that a text amendment is not location specific or specific to the applicant. Currently, “place of assembly” are permitted in all residential districts as a special use and in the P-1, B-2, B-3, and B-4 as permitted uses by right. There are no specific standards for “place of assembly” as a special use; however, the City Council may impose any conditions in order to protect the surrounding development.

Mr. Fulbright stated that the Planning Commission recommends that the definition of nightclub be amended to read as follows:

*Nightclub means an establishment offering food, drink and entertainment after 6:00 p.m. Structures being held out for rental for the purposes of accommodating "private parties" shall be considered nightclubs if the activities are to occur after 6:00 p.m. This shall not apply to uses classified as recreation and amusement services by this chapter; nor shall this apply to uses classified as places of assembly and are permitted as a special uses.*

Council Member Jerry Hodge asked what designates the difference between a nightclub and the place of assembly. Mr. Fulbright stated that it has to do with distance from schools, churches and residential.

Mayor Stedman asked if there was anyone else that would like to speak. No one appeared.

Upon motion duly made by Mayor Pro Tem John Stiver, seconded by Council Member Robert C. Abernethy, Jr., it was unanimously RESOLVED:

That Public Hearing be – CLOSED

Upon motion duly made by Council Member Robert C. Abernethy, Jr., seconded by Mayor Pro Tem John Stiver, it was unanimously RESOLVED:

That Text Amendment #2016-01- Amending the Definition of Nightclub be - APPROVED

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

B. Consideration of Special Use Permit #2016-01

Mayor Stedman recessed the Council Meeting and called to order a Public Hearing as scheduled to receive public input on Special Use Permit #2016-01 – as filed by Kong Thao.

Alex Fulbright, Assistant Planner, reviewed the requirements for the quasi-judicial process (evidentiary hearing) the Council must follow for considering Special Use Permits. He stated that all persons wanting to make a statement, either for or against the Special Use Permit, must be sworn. Mr. Fulbright, Mr. Josh Stoner, and Planning Director Randy Williams were sworn in at that time.

Mr. Fulbright stated that Mr. Kong Thao, the applicant has filed an application for a special use permit for the operation of a banquet hall within the R-20 Single Family Residential District as a place of assembly. Mr. Thao is pursuing the text amendment and the special use permit concurrently.

Mr. Fulbright stated that for this special use permit the City Council has to make four findings and they are listed in the Zoning Ordinance Section 102-462, which is included below. These findings are required for all special use permits:

- 1) The use will promote the public health, safety and general welfare, if located where proposed and developed and operated according to the application.
- 2) The use, which is listed as a special use in the district in which it is proposed to be located, complies with all required regulations and standards, including the provisions of articles IV, V, and VI of this chapter, unless greater or different regulations are contained in the individual standards for that special use.
- 3) The use will maintain or enhance the value of contiguous property, or that the use is a public necessity.
- 4) The use is in compliance with the general plans for the physical development of the city as embodied in these regulations. The board of adjustment or the council, as appropriate, shall make these general findings based upon substantial evidence contained in its proceedings. It shall be the responsibility of the applicant to present evidence in the form of testimony, exhibits, documents models, plans and the like to support the application for approval of a special use.

Mr. Fulbright stated the applicant wants to purchase a 20,000 square foot building located at 1175 Smyre Farm Rd for the purpose of providing a facility that can be rented as an assembly hall. He stated the 9.71 acre property is zoned R-20 Single Family Residential and is located approximately 1,500 feet to the East of the intersection of S US 321 Hwy and Smyre Farm Road.

Mr. Fulbright stated that a special use is a use that would not be appropriate in all locations, but if certain conditions were applied to protect adjacent development would be appropriate. The special use permit is reviewed by the Planning Commission and approved by City Council.

Mr. Fulbright stated the Planning Commission recommends to the City Council approval of this special permit as presented with the conditions that the hours of operation be limited to 8 am to 11 pm and that a row of evergreen shrubs be planted along the western property line.

Council Member Tom Rowe asked if there is city sewer at the property. Mr. Fulbright stated that the property will be served by septic tank.

Mr. Josh Stoner stated that he would like to ask the council for permission for his client to have events until midnight instead of the 11:00 p.m. deadline since this in no way is a nightclub. Mayor Stedman asked if the events would be held outside. Mr. Stoner stated that the events would all be inside. Mayor Stedman explained that the noise ordinance that goes in to effect at 11:00 is enforced by the county. Council Member Abernethy asked if there is any opposition from the neighbors, Mr. Fulbright stated that there has been nothing negative said.

Upon motion duly made by Council Member Robert C. Abernethy, Jr., seconded by Council Member Tom Rowe, it was unanimously RESOLVED:

That Public Hearing be – CLOSED

Mayor Stedman asked for a motion and second on the general standards that shall be met by the applicants for approval for a Special Use Permit.

1. Based upon the evidence presented, it is the Council's conclusion that the proposed banquet hall will promote the public health, safety and general welfare.

A motion was made by Council Member Robert C. Abernethy, Jr., seconded by Council Member Tom Rowe, and unanimously adopted;

2. Based upon the evidence presented, it is the Council's conclusion that the proposed banquet hall which is listed as a special use in the district in which it is proposed to be located, complies with all required regulations and standards, including the provisions of articles IV, V, and VI of this chapter, unless greater or different regulations are contained in the individual standards for that special use.

A motion was made by Council Member Jerry Hodge, seconded by Council Member Robert C. Abernethy, Jr., and unanimously adopted;

3. Based upon the evidence presented, it is the Council's conclusion that the proposed banquet hall will maintain or enhance the value of contiguous property, or that the use is a public necessity.

A motion was made by Council Member Robert C. Abernethy, Jr., seconded by Mayor Pro Tem John Stiver, and unanimously adopted;

4. Based upon the evidence presented, it is the Council's conclusion that the banquet hall is in compliance with the general plans for the physical development of the city as embodied in these regulations.

A motion was made by Council Member Wes Weaver, seconded by Council Member Tom Rowe, and unanimously adopted;

Upon motion duly made by Council Member Robert C. Abernethy, Jr., seconded by Council Member Jody Dixon, it was unanimously RESOLVED:

That based upon the forgoing findings, Special Use Permit Application #2016-01 – Filed by Mr. Kong Thao be - APPROVED

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

#### C. Consideration of Rezoning 2016-01

Mayor Stedman opened the Public Hearing.

Alex Fulbright, Assistant Planner, stated that Carolyn Stokes, the applicant is seeking to rezone the property, which is described as follows from an existing R-20A Single Family Residential and manufactured home District to PD-H Planned Development Housing. The property is located off of NC Hwy 10 just east of Pocono Place and contains 68.8 acres. Mr. Fulbright stated that a portion of the property is the subdivision previous known as Oakridge and the Village of Newton. He stated the Applicants proposed to create 137 Single Family lots for site built homes. The minimum lot size would be 8,625 with proposed setbacks of 30 ft. for the front and rear; and 10 ft. for the sides. Mr. Fulbright stated the proposed development would set aside 14 acres to be used as open space.

#### Zoning History:

The subject property has been zoned R-20A Single Family and Manufacturing housing. The adjoining property is zoned mostly residential as shown on the attached map. The following cases are within close proximity of the subject site: **Case #2005-01 – Terry Stokes**, who petitioned to have property that is now Oakridge Townhomes rezoned from R-20 & B-4 to PD-H to allow for the construction of the Townhomes. This was approved by both the Planning Commission and City Council.

#### Transportation:

NC Hwy 10 is a main arterial that adjoins the development. The 2013 average daily traffic count is 3,100 vehicles per day.

Utilities:

Utilities are available to the site. The completion of the utilities within the development is subject to approval prior to platting of lots.

Land Development Plan:

The proposal is consistent with the Eastside Area Plan which was adopted in 2005.

Public Safety:

The plan adds one additional entrance to the development as well as several stub outs within the development which will improve access within and to/from the development. Fire hydrant placement and water system specifications will be addressed if the plan is approved.

Planned Development Review Standards:

The Development meets the Planned Development Review Standards with the exception of buffers around the site. The Developer has requested a waiver on this due to the project being single family lots abutting the same.

Mr. Fulbright stated that the City of Newton Planning Commission recommended that the subject property be rezoned as requested based on availability of Sewer and Water; and the fact that the request is consistent with the land development plan for the area with the following conditions; that all stubouts be extended to property lines and; that the additional entrance be installed when required by the Fire Department which may be needed sooner than Phase III as shown.

Mayor Stedman asked if there provisions for the subdivision to have proper infrastructure. Public Works and Utilities Director Dusty Wentz stated that there are.

Council Member Jerry Hodge asked if there would be open space. Mr. Fulbright stated that there would be walking trails as well as open space.

Mr. Myles Wright, representing Mrs. Stokes, stated that the houses would be stick built housing using a green approach and that the entrance will be DOT approved.

Mayor Stedman asked if there would be sidewalks, Mr. Wright stated that there would. Mr. Abernethy asked if they would be on one side or two, Mr. Wright said sidewalks would be on one side. Mr. Rowe asked if the sidewalks would be five feet, Mr. Wright said whatever the city required. Mr. Hodge asked if there were any concerns about buffers, Mr. Fulbright said that there would be a continuation from the existing buffer.

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

That Public Hearing be – CLOSED

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

That Rezoning #2016-01 filed by Carolyn Stokes be – APPROVED

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

**ITEM 8:      New Business**

A. Consideration Change Order for Smart Grid Project – Adding Additional Meters

Public Works and Utilities Director Dusty Wentz stated that Public Works and Utilities is in the process of changing out water and electric meters as part of the Smart Meter / AMI project. The water meter installation portion of the project is rapidly reaching conclusion. Mr. Wentz stated that staff and the contractor have agreed there will be a shortfall of small meters in the contract bid.

Mr. Wentz stated in order to complete the project; the city seeks to increase the contract amount for ¾” meters by 110, and 1” meters by 39, at a price of \$44,677.32.

Mr. Wentz stated that in November 2015, council approved Change Orders 1 and 2, with a combined total of \$19,269.55. Including Change Order 3, the increase in project cost for all three Change Orders is \$63,946.87, for a total project cost of \$3,563,946.87. This represents a 1.83% increase in the original cost of the project.

Mr. Wentz stated that presently, the city has \$200,000 in contingency reserved for this project. If Change Order 3 is approved, \$136,053.13 will remain in contingency.

The following milestones have been achieved to date:

- Installation of all three base stations. Locations are the water treatment plant, the Mt. Olive water tank, and the Broyhill water tank.
- Installation of 6,229 water meters (96.66% as of 2-10-16).
- Installation of 3,893 electric meters (82.79% as of 2-10-16).

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

That Change Order for Smart Grid Project – Adding Additional Meters be –  
APPROVED.

B. Consideration of Road Closure

1. Carolina Vines Request

Planning Director Randy Williams stated that Dennis Baucom of Carolina Vines is requesting street closure dates for “Get Your NewtOn”, an event with live music and a beer/ wine garden. He stated the requested dates are May 26<sup>th</sup>, June 2<sup>nd</sup>, June 9<sup>th</sup>, June 16<sup>th</sup>, June 23<sup>rd</sup>, and June 30<sup>th</sup>, 2016 from 6:00 p.m until 10:00 p.m.

Mr. Williams stated the requested street to close is College Avenue between East A Street and East 1<sup>st</sup> Street, and that the streets will be re-opened the same evening at 10 p.m.

If approved by City Council, staff will assist with filing the request on behalf of Dennis Baucom of Carolina Vines for the street closure with the N.C.D.O.T. for the closure of this street per the attached map.

Mr. Williams asked that City Council decide whether to authorize the closure of the street as requested by Dennis Baucom of Carolina Vines for the “Get Your NewtOn” event, for the dates of May 26<sup>th</sup>, June 2<sup>nd</sup>, June 9<sup>th</sup>, June 16<sup>th</sup>, June 23<sup>rd</sup>, and June 30<sup>th</sup>, 2016.

Council Member Jerry Hodge asked if the event would be covered by insurance. City Manager Todd Clark stated that Carolina Vines is covered under Second Nature Technology's insurance policy.

Council Member Robert C. Abernethy, Jr. asked if there have been any complaints after previous events. Mr. Clark stated that some concerns are ones that can be addressed better this year, such as porta johns and trash clean up. Mayor Stedman stated that these issues need to be addressed this year. Mr. Abernethy asked if the porta johns were near Callahan's and stated that he agreed, these issues must be addressed.

Council Member Jerry Hodge stated that these events are successful and that the city wants more. He stated that he thought the estimate was for 200 people and wondered if more could be attracted.

Council Member John Stiver stated that the start time is 6:00 p.m. and that a complaint was received from a Perfect Image that they are still taking clients up until 7:00 p.m. He stated that he would like to see this issue resolved. Mr. Abernethy stated that is correct and that surely there could be some kind of compromise. Council Member Jody Dixon agreed. Mayor Stedman stated that the city doesn't want to hurt one business while helping another. Council Member Hodge stated that there needs to be communication between the businesses. Mayor Stedman stated that staff needs to make sure that the message gets out to all the merchants. Council Member Wes Weaver stated that the city wants to promote business and downtown and he was wondering about the limited time of 6:00 p.m. until 10:00 p.m. Mr. Stiver stated that it works both ways and that there should be a simple solution. Mr. Abernethy agreed with Mr. Stiver and stated that some of the weekly appointments at Perfect Image are made far in advance.

Council Member Jerry Hodge mentioned that the Ordinance states there must be 120 days notice and this request falls short. Mr. Clark stated that the NCDOT requires a 90 day notice and that this was implemented to help staff meet that requirement.

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

That Consideration of Road Closure for Carolina Vines Events "Get Your NewtOn" for the dates May 26<sup>th</sup>, June 2<sup>nd</sup>, June 9<sup>th</sup>, June 16<sup>th</sup>, June 23<sup>rd</sup>, and June 30<sup>th</sup>, 2016 be – APPROVED.

## 2. Second Nature Technology Request

Planning Director Randy Williams stated that Dennis Baucom of Second Nature Technology is requesting street closure dates for "Get Your NewtOn", an event with live music and a beer/ wine garden. He stated the requested dates are July 07<sup>th</sup>, July 14<sup>th</sup>, July 21<sup>st</sup>, July 28<sup>th</sup>, August 04<sup>th</sup>, and August 11<sup>th</sup>, 2016 from 6:00 p.m. until 10:00 p.m.

Mr. Williams stated the requested street to close is College Avenue between East A Street and East 1<sup>st</sup> Street, and that the streets will be re-opened the same evening at 10 p.m.

Mr. Williams explained that if approved by City Council, staff will assist with filing the request on behalf of Dennis Baucom of Carolina Vines for the street closure with the N.C.D.O.T. for the closure of this street per the attached map.

Mr. Williams asked that City Council decide whether to authorize the closure of the street as requested by Dennis Baucom of Carolina Vines for the "Get Your NewtOn" event, for the dates of July 07<sup>th</sup>, July 14<sup>th</sup>, July 21<sup>st</sup>, July 28<sup>th</sup>, August 04<sup>th</sup>, and August 11<sup>th</sup>, 2016.

Council Member Tom Rowe stated that he thought the intent of the ordinance was to limit a business to 6 times for year for road closures. He stated that he would like to think about the second request more. He stated that he would not support it, and that they should think about their neighbor more. Council Member Robert Abernethy, Jr. stated that he understands the concern, and that the original intent of the ordinance was to allow one entity six events, but that this doesn't exactly go against the ordinance. Mr. Rowe stated that there is simply a loop hole in the ordinance, and that both are good businesses, he just needs to think more about it. Council Member Wes Weaver stated that they shouldn't punish a business owner for owning more than one business. Council Member Jerry Hodge stated that both businesses were a tremendous asset, and that they needed to work together with Perfect Image to find a compromise. Mayor Stedman asked if the request should be sent back to staff to help work on a compromise.

Mayor Stedman asked if Perfect Image has parking on the back side of building. Mayor Pro Tem John Stiver stated that they don't always have business until 7:00 p.m., but some cooperation would send a great signal. Council Member Robert Abernethy asked if Shannon Johnson, DNDA should facilitate a meeting between the businesses. Council Member Wes Weaver stated he was ready to make a motion. He stated that the events are viable and that it isn't for city council to decide, that the businesses should work it out. Mr. Abernethy asked why would they compromise if it was already approved. Mr. Rowe stated that he would prefer the vote be delayed.

Council Member Wes Weaver made a motion that with the understanding there be a compromise in the change of start time that both parties agree to, that the request be approved.

Council Member Tom Rowe stated that he would like for the agreement to be made before the request is voted on. City Attorney John Cilley stated that if the final vote is tonight and is defeated that that will be the end of the request.

Mayor Stedman stated that she would like to let Mr. Talbert from a Perfect Image speak.

Mr. Talbert stated that they have a full service salon that has been in downtown Newton since 1996. He stated that closing at 6:00 p.m. on Thursdays for twelve weeks is too much. He said it wouldn't be so bad if it was Wednesday or Friday, but Thursdays are busy for them. Mr. Dennis Baucom, Managing Partner from Carolina Vines stated that he would be willing to start at 7:00 p.m. and go until 11:00 p.m. and to let customers of Perfect Image through the barricades until 8:00 p.m. Council Member Tom Rowe asked if that is acceptable to Mr. Talbert. Mr. Talbert stated that it is acceptable.

Council Member Wes Weaver amended his motion to say that Second Nature Technology and Carolina Vines start their events at 7:00 p.m. and go until 11:00 p.m. and that they would let customers of Perfect Image through the barricades until 8:00 p.m. The motion was seconded by Council Member Robert C. Abernethy, Jr., it was unanimously RESOLVED:

That Consideration of Road Closure for Carolina Vines Events "Get Your NewtOn" for the dates May 26<sup>th</sup>, June 2<sup>nd</sup>, June 9<sup>th</sup>, June 16<sup>th</sup> June 23<sup>rd</sup>, and June 30<sup>th</sup>, 2016 with the times being changed to 7:00 p.m. until 11:00 p.m. and Consideration of Road Closure for Second Nature Technology "Get Your NewtOn" for the dates July 7<sup>th</sup>, July 14<sup>th</sup>, July 21<sup>st</sup>, July 28<sup>th</sup>, August 4<sup>th</sup>, and August 11<sup>th</sup>, 2016, also with the times being changed to 7:00 p.m. until 11:00 p.m. be – APPROVED.

**ITEM 9: City Manager's Report**

- March 7<sup>th</sup> – Meeting with Mark Stafford at Noon - Abernethy Laurels
- March 9<sup>th</sup> – Economic Outlook "Future of Catawba County" 7:30 a.m. – 11:00 a.m. at The Crossing at Hollar Mill
- March 11<sup>th</sup> - City of Newton Community Awareness Meeting 5:30 p.m. at Catawba Farms
- March 15<sup>th</sup> – Presentation on Streetscape by Newton City Planning Director Randy Williams at 11:30 a.m. at Catawba Country Club

- Update to Hometown Hospitality
- Information on Code of Ethics for City Council
- Update on Application for Special Appropriations
- Information on Quarterly Committee Reports
- Approval of Agenda

Council Member Robert C. Abernethy asked what adding “Approval of the Agenda” serves. City Manager Todd Clark stated that it allows items to be added to the agenda by majority vote of the council. Mr. Abernethy stated that he doesn’t see where this would be beneficial. City Attorney John Cilley stated that the School of Government recommends adding this to the council agendas and means that items could be added by majority vote. Council Member Jerry Hodge stated that it is more procedural and Mr. Abernethy stated that it seems like the city is getting closer to tyranny. Mayor Stedman asked Mr. Clark to add this to the next agenda for consideration.

- Update on Teen Leadership

**ITEM 10: Questions and Comments from Mayor and Council**

Mayor Anne P. Stedman asked if any Council Members would like to make any comments.

Council Member Jerry Hodge wanted to thank the Planning Commission Chairman and board for the work done on the B3 Zoning.

**ITEM 11: Closed Session to Consult with the City Attorney – G.S. 143-318-11(a)(1) and G.S. 143-318-11(a)(6)**

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

That the City Council enter CLOSED SESSION per G.S. 143-318-11(a)(1) and G.S. 143-318-11(a)(6)

Council Member Jerry Hodge made the motion to go back into open session, which was seconded by Council Member Robert C. Abernethy, Jr. All Ayes.

Council Member Robert C. Abernethy, Jr. made the motion that City Council acknowledge that the City Manager has done a good job as the City Manager and has performed to expectations, and further that City Council reaffirms the contract between the City of Newton and City Manager for the remaining two years of the contract, seconded by Council Member Wes Weaver. All Ayes.

**ITEM 12: Adjournment**

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

That the Meeting be – ADJOURNED

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Amy S. Falowski, City Clerk




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Anne P. Stedman, Mayor