

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

March 15, 2016 – 7 p.m.

The regular meeting of the Newton City Council was held at 7 p.m. Tuesday, March 1, 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., and Jody Dixon

ABSENT: Council Member 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.

ITEM 2: OPENING Invocation and Pledge of Allegiance

Council Member Robert C. Abernethy, Jr. provided the invocation and Pledge of Allegiance.

ITEM 3: APPROVAL OF MINUTES

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

That the Regular Minutes of the March 1, 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 Council Member Tom Rowe, it was RESOLVED:

That the Consent Agenda be – APPROVED

- A. Sewer Adjustments
- B. Consideration of Proclamation – Arbor Day, April 30, 2016
- C. Consideration of Appointments to Boards and Commissions
- D. Consideration of Acceptance of Donations for Police Explorer Program

(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.

Mr. Jason White, resident of 6th Street stated that there needs to be something done about speed control on 6th Street. He stated that there is a petition that has been turned in to the city. He explained that he has lived there for 3.5 years and that it is a wonderful place to live but he has concerns about the speed of traffic on the street when his kids are outside. He stated that he would love to see speed bumps added. Mr. White stated that he has worked with Mr. Fulbright and Mr. Williams and he hopes that something can be done.

Mayor Stedman stated that she appreciates Mr. Whites' comments, and that this petition will be brought to city council at an upcoming meeting.

Council Member Wes Weaver asked if the city has made the street a speed enforcement area. Major Tim Hayes stated that the police department has made it an enforcement area that is targeted often. Mr. Weaver asked if citations have been written. Major Hayes stated that some have, but not many. Mr. Weaver stated that he would like to see those numbers and that his concern is practicality. Mayor Stedman stated that it will all be brought to city council for consideration.

ITEM 6: **Old Business**

A. Presentation – Gateway Signage

Planning Director Randy Williams gave a presentation concerning the proposed gateway signage for the city.

Mayor Stedman asked the projected time for the signage. Mr. Williams stated that easements need to be secured, and that he would like to have all that taken care of by the end of the fiscal year. Mayor Stedman thanked Mr. Williams for the presentation.

ITEM 7: **New Business**

A. Consideration of Fire Department SAFER Grant

Fire Chief Kevin Yoder stated the fire department has previously applied to the federal government through the SAFER Grant for funding for additional personnel for firefighting purposes. He explained that previously this grant was a five year grant with a local match each of the first four years with the local unit committing to 100% of the funding in the fifth and final year, but that the grant has been modified to a two year grant with 100% funding in each of the two years with no obligation by the recipient following the two year period.

Chief Yoder stated that if awarded, the local unit would need to maintain current staffing levels throughout the duration of the grant, and that during the grant period the local unit can have no reduction in force in the fire department without forfeiting part or the entire grant.

Chief Yoder stated that if the council chooses to submit an application for funding for firefighting personnel, the recommendation of the staff is that the request be for six personnel, and that the justification for this funding request is to comply with NFPA (National Fire Protection Association) minimum guidelines for the Fire Department.

Council Member Wes Weaver asked if the fire department has a volunteer program. Chief Yoder explained that in 2005 the city council changed the volunteer department to a reserve department.

Council Member Robert Abernethy asked if part timers would be considered for these jobs if the grant was awarded. Chief Yoder said absolutely. Mr. Abernethy asked how many times the city has been awarded this grant. Chief Yoder stated that they have not as yet been awarded this grant.

Chief Yoder discussed further the staffing requirements and protocol for fighting fires according to NFPA rules.

Council Member Weaver asked how long it would be until the city would find out if the grant is awarded. Chief Yoder stated that they start awarding in June and finish when they run out of money. Mr. Weaver asked if there was a chance that the city could be awarded less. Chief Yoder said that it is his understanding that it is all or nothing.

Upon motion duly made by Mayor Pro Tem John Stiver, seconded by Council Member Tom Rowe, with Council Member Robert C. Abernethy, Jr. voting in opposition, it was RESOLVED:

That Application of the Fire Department SAFER Grant be - APPROVED

B. Consideration of Change Order 4 (Final) for AMI

Public Works and Utilities Director Dusty Wentz stated that they utilities department is in the process of changing out water and electric meters as part of the Smart Meter / AMI project. The meter installation portion of the project is rapidly reaching conclusion. Mr. Wentz stated that staff and the contractor have agreed the final number of meters needed to complete the project.

Change Order 4: Increases the contract amount for the following:

- 1" meters by 2
- 1 ½" meters by 8
- 1 ½" Register replacements by 15
- 2" meters by 15
- 2" register replacements by 18
- 4" meters by 1
- 4" register replacements by 4
- 6" meters by 1
- 6" register replacements by 1
- 3S/4S non RD meters by 12
- 35S/5S Commercial meters by 16
- 16S Commercial meters by 14

This change order also reduces the contractor amount for the following:

- 2S / RD Residential meters by 22
- 3S / 4S non RD meters by 13
- 12S RD meters by 2

Mr. Wentz stated that as a result of change order 4, the net increase in project cost is \$56,015.95. He stated there are several causes for Change Order 4, including replacement of inactive meters, unclear data during the contract negotiation process, etc.

Mr. Wentz stated that in November 2015, council approved Change Orders 1 and 2, with a combined total of \$19,269.55. At the February 16 meeting, council approved Change Order 3, increasing the project cost by \$44,677.32. The three previous change orders result in a project increase of \$63,946.87. Approval of change order 4 would result in a total project increase of \$119,962.82, and a total project cost of \$3,619,962.82. This represents a 3.43% increase in the original cost of the project.

Mr. Wentz stated that \$200,000 in contingency is reserved for this project and that if Change Order 4 is approved, \$80,037.18 remains in contingency.

Council Member Wes Weaver asked if there would be a reduction in cost to indemnify the city. Mr. Wentz stated that the time to pay has been extended and that no contractual method was in place to ask for a reduction.

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

That Change Order 4 (Final) for AMI be - APPROVED

C. Presentation – Marketing Video

Public Information Officer Alex Frick presented the first of five marketing video for the City of Newton.

Council Member Wes Weaver stated that the video was great, and hoped that future videos would focus more on family and the school system.

ITEM 8: City Manager’s Report

Meetings

- March 19th and April 16th Police Department Self Defense Class – both classes full with 35 participants
- March 20th – Easter Egg Hunt, Southside Park 2 p.m.
- April 11-May 23 – Citizens Police Academy *Applications due April 4th
- April 19th and 20th – Tour of Catawba Nuclear Station
- May 22nd – Unity Day, Newton-Conover Auditorium 2 p.m.- 4 p.m.
- May 24th – WPCOG Policy Board Meeting hosted by City of Newton at Newton Fire Headquarters – 6 p.m.
- Free compost is available at the Boston Road Facility

Budget Workshop

- May 2, 2016 Presentation of Fiscal Year 2016-2017 Budget to City Council
- May 5, 2016
- May 10, 2016
- May 12, 2016

Tentative Dates if needed:

- May 17, 2016
- May 18, 2016
- May 19, 2016
- June 7, 2016 Public Hearing and Budget Adoption

All Workshops will begin at 5:15 p.m.

Projects

- The City was awarded the NCDOT Pedestrian Planning Grant

Awards and Certifications

- The Electric Department was Awarded the Certificate of Excellence in Reliability from the American Public Power Association

- Ronnie Ingram earned his designation as a Certified Local Government Finance Officer (CLGFO)

ITEM 9: Questions and Comments from Mayor and Council

Mayor Anne P. Stedman asked if any Council Members would like to make any comments. There were none.

Mayor Stedman gave a report on the DNDA. She stated that priorities were:

- Branding and Marketing
- 2nd Story living
- Work Plan
- Spooktacular
- Light Up the Town
- Foothills Folk Art Festival

Mayor Stedman also gave a report on the Human Relations Committee and the date for Unity Day: May 22, 2016.

ITEM 10: Closed Session to Consult with the City Attorney – G.S. 143-318-11(a)(4)

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

That the City Council enter CLOSED SESSION per G.S. 143-318-11(a)(4)

Council Member Wes Weaver made the motion to go back into open session, which was seconded by Council Member John Stiver, All Ayes.

ITEM 11: Adjournment

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

That the Meeting be – ADJOURNED

Amy S. Falowski, City Clerk



Anne P. Stedman, Mayor