1. **Call to Order** – Mayor Anne P. Stedman

2. **Opening** – Council Member Ed Sain

3. **Approval of Minutes from the March 6, 2018 Regular Meeting**

4. **Consideration of Consent Agenda Items**
   - A. Tax Releases
   - B. Sewer Adjustments
   - C. Consideration of Resolutions Authorizing Utilization of Remaining BB&T Debt Proceeds and Related Budget Ordinance Amendment
   - D. Consideration of Appointments to Boards and Commissions

5. **Comments from the Public: (IF YOU WOULD LIKE TO MAKE A PUBLIC COMMENT ON NON-AGENDA ITEMS PLEASE SIGN IN WITH THE CITY CLERK PRIOR TO THE MEETING):**

6. **Presentation**
   - A. Report from the Business Advisory Committee Economic Task Force
   - B. Branding and Marketing

7. **Public Hearings**
   - A. Plan Amendment #2018-01 – Fresenius Medical Center Newton (Startown Crossing – Food Lion)
   - B. Consideration to Extend a Lease Agreement with T-Mobile

8. **Old Business**
   - A. Consideration of Expenditure of Principal from Sue Jones Estate

9. **City Manager’s Report**

10. **Questions and Comments From Mayor and Council**
    - A. Reports from Appointed Representatives on Outside Boards – Council Member Jerry Hodge

11. **Closed Session - Per North Carolina General Statutes 143-318.11(a)(5)**

12. **Adjournment**

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**PERSONS WANTING TO SPEAK ON AN AGENDA ITEM MUST SIGN IN WITH THE CITY CLERK PRIOR TO THE MEETING. PERSONS WANTING TO BE PLACED ON THE AGENDA FOR THE NEXT MEETING MUST CONTACT THE CITY MANAGER AT LEAST SEVEN WORKING DAYS BEFORE THE MEETING.**
The regular meeting of the Newton City Council was held at 7 p.m. Tuesday, March 6, 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 Anne Wepner provided the invocation and Pledge of Allegiance.

ITEM 3: APPROVAL OF MINUTES

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

That the Regular Minutes of the January 23, 2018 City Council meeting be – APPROVED

ITEM 4: CONSIDERATION OF CONSENT AGENDA ITEMS

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

That the Consent Agenda be – APPROVED

A. Tax Releases

B. Sewer Adjustments

C. Consideration of Budget Ordinance Amendment – Whitten Property

D. Consideration to Accept Fire Prevention Grant from FM Global

E. Consideration of Financial Audit Contract for FY 2018

F. Consideration to Accept the Annual Reports for the Wastewater System and the Consumer Confidence Report for the Water System

(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. Catawba County Library – Suzanne White

Library Director Suzanne White presented a PowerPoint highlighting recent happenings at the Catawba County Library.

ITEM 7: Public Hearings

A. Consideration of Lease Agreement Between the City of Newton and AT&T

Mayor Stedman opened the Public Hearing.

City Manager Todd Clark stated that the City of Newton currently leases property behind the AT&T building to AT&T for parking of its vehicles, and has done so for the last fifteen years. The current lease expires August 18, 2018. AT&T has contacted the City of Newton about a new lease of that property. The current lease provided that the initial amount was $500 per month with an annual increase of 2%.

Mr. Clark stated that a new lease has been presented to the City for consideration. This draft sets a lease rate of $552.03 per month with an annual increase of 2% for a period of five years and shall be for a period of five years beginning on the 19th day of August, 2018.

Mr. Clark stated that there is a Resolution which Council is asked to adopt to establish the terms of this lease.

Mayor Stedman asked if there was anyone present to comment. No one appeared. Mayor Stedman closed the Public Hearing.

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

That the Request to Approve the Lease with AT&T be – APPROVED.

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

That Resolution Establishing the Terms of the Lease be – APPROVED.

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

B. Consideration of Financing Capital Infrastructure Projects

Mayor Stedman opened the Public Hearing.

Finance Director Serina Hinson stated that on January 25, 2018, bids were solicited for funding of vehicles and equipment. These capital items were approved as part of the FY 2017-2018 budget ordinance. Ms. Hinson stated that five RFP’s were submitted to the following financial institutions:
BB&T Governmental Finance, Wells Fargo, SunTrust Equipment Finance & Leasing Corp. (SunTrust), First Citizens Bank, and Peoples Bank. Of the five financial institutions solicited, two of these institutions provided a quote: BB&T Governmental Finance and Peoples Bank.

The bids were as follows:

<table>
<thead>
<tr>
<th>Financial Institution</th>
<th>Interest Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>15 Year Amortization:</strong></td>
<td></td>
</tr>
<tr>
<td>BB&amp;T Governmental Finance</td>
<td>3.72%</td>
</tr>
<tr>
<td>Peoples Bank</td>
<td>3.45%</td>
</tr>
<tr>
<td><strong>20 Year Amortization:</strong></td>
<td></td>
</tr>
<tr>
<td>BB&amp;T Governmental Finance</td>
<td>3.90%</td>
</tr>
<tr>
<td>Peoples Bank</td>
<td>3.45%</td>
</tr>
</tbody>
</table>

Ms. Hinson stated that Peoples Bank provided the lowest bid and that staff is recommending that City Council award both the 15 year amortization and the 20 year amortization to Peoples Bank.

Ms. Hinson explained that in an effort to streamline the process with the Local Government Commission, the resolutions will reflect the bid request numbers and projects presented to the financial institutions; however, the intent is to close our financings with a lesser amount due to savings in the amount of $249,500 from the Westside Dr. Sewer Project (financed in FY 2017) and utilization of $198,000 from the Frank and Sue Jones Funds for the Amphitheater. This also places the City in a better financial position. She explained that the financing would be as follows: 15 year amortization - $137,000 in lieu of $386,500 / 20 year amortization - $3,457,000 in lieu of $3,655,000.

**Action Suggested:**

1) Award the bid to provide financing to Peoples Bank for an amount **not to exceed**:
   a. $386,500 at stated interest rate of 3.45% for a 15 year amortization
   b. $3,655,000 at stated interest rate of 3.45% for a 20 year amortization

2) Adopt the Resolutions Approving Financing Terms based on:
   a. 15 year amortization at a stated interest rate of 3.45%.
   b. 20 year amortization at a stated interest rate of 3.45%

Mayor Stedman asked if there was anyone present to comment. No one appeared. Mayor Stedman closed the Public Hearing.

**ITEM 8: Old Business**

A. Consideration of Sue Jones Estate

City Manager Todd Clark stated that 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 January 8, 2013, at the regularly scheduled council meeting, and the second unanimous vote occurred January 9, 2018.

Mr. Clark stated that during the January 23, 2018, Council/Staff Workshop, City Council discussed projects on which to spend the proceeds. The three projects agreed upon were an amphitheater, splash pad, and possible lighting at Jacob Fork Park.

Mr. Clark stated that at this time staff requests that City Council consider an expenditure of principal funds allocated to the City by Ms. Jones’ estate on the downtown amphitheater project rather than funding this project through annual financing.
Mayor Pro Tem John Stiver stated that he would like to discuss the lighting and splash pad at the next meeting, and made a motion to utilize principal of funds allocated to the City by Ms. Jones’ estate on the downtown amphitheater project rather than funding the project through annual financing. The motion was seconded by Council Member Tom Rowe and the vote in favor was unanimous.

B. Consideration of Resolution Approving Financing Bid Award and Resolution Approving Financing

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

That the Bid to Provide Financing to Peoples Bank for an amount not to exceed:
   a. $386,500 at stated interest rate of 3.45% for a 15 year amortization
   b. $3,655,000 at stated interest rate of 3.45% for a 20 year amortization be – APPROVED.

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

That Resolution approving Financing Terms Based on 15 Year Amortization at a Stated Interest Rate of 3.45% be – APPROVED.

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

That Resolution approving Financing Terms Based on 20 Year Amortization at a Stated Interest Rate of 3.45% be – APPROVED.

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

ITEM 9: New Business

A. Consideration of Locally Administered Projects Program (LAPP) Sidewalk Grant Application

Planning Director Randy Williams stated that the Locally Administered Projects Program (LAPP) was adopted by the Greater Hickory Metropolitan Planning Organization (GHMPO) to be used by the GHMPO to prioritize and program all projects in the region that use federal funding. This process involves an annual call for all local highway, transit, bicycle and pedestrian projects, and will result in an annual program of projects added to the GHMPO’s Metropolitan Transportation Improvement Program (MTIP).

Mr. Williams stated that as a Transportation Management Area (TMA), the GHMPO will receive a direct allocation of approximately $2,700,000 in Surface Transportation Program Direct Attributable (STP-DA) and $200,000 in Transportation Alternatives Program (TAP) funding annually. He explained that these funds are distributed to local jurisdictions by application for grant funds to be used for transportation related activities and require a minimum 20% cash match.

Mr. Williams stated that since 2015, the City Council has adopted the Streetscape Master Plan and Strategic Growth Plan along with several similar studies which detail the improvements and priorities for the City of Newton for the future. Within those plans are design and implementation recommendations to enhance and reinforce the city’s downtown as an attractive and active place.
Mr. Williams stated that in 2016, the city was awarded this grant for the A Street corridor location due to its connection to Catawba County Government and Justice Center, Pin Station and Expo Center, and Downtown Newton combined with the high traffic counts. This sidewalk and bike lane improvement project was identified in this application and was chosen based on the connections to the existing sidewalk network, closing gaps in the sidewalk network, providing a sidewalk on a street with a high traffic volume, connecting business centers notably the County Government Center and Downtown Newton, and serving adjoining neighborhoods.

Mr. Williams stated that planning staff outlined the potential project and working closely with the public works staff, determined the required improvements necessary and a cost estimate for the project. The project consists of the planning, design, engineering, and administration to construct a combination of a protected bikeway and bike lane improvements, sidewalk construction and ADA improvements with connections in the gaps to the partial sidewalk network will allow users a more safe multi-modal connection between the areas. It also includes the replacement of waterlines and moving the utility poles for power lines which must be relocated as a part of these improvements and to conform to the federal standards for construction.

Mr. Williams explained that the initial project cost estimate was $1,900,000.00 in 2015 dollars. The initial grant funding approval was for $1,520,000 and City required 20% match is $380,000, of which NCDOT is funding $250,000. At this point the city has now entered into an agreement with NCDOT and hired an engineer to perform the design work. In reviewing the City estimates, it was stated that due to increased material and labor costs, the federal project cost could now be $3,330,000. This leaves a gap of $1,430,000 in funding.

Mr. Williams stated with the proposed increase in budget, the City is now requesting supplemental funding through this grant of $1,140,000 with the City’s 20% match of $290,000, equaling the $1,430,000 gap necessary. He stated this will bring the funding for the project to $2,660,000 federal funding, $250,000 NCDOT funding and $420,000 City funding match. Additionally, the City is contributing $854,000 in local funding to complete items within the project area that do not qualify for federal funding.

Mr. Williams stated that planning staff requests the City Council to endorse the project and authorize submission of the grant application to GHMPO for funding.

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

That Resolution to Consider Locally Administered Projects Program (LAPP) Sidewalk Grant Application be – APPROVED.

B. Consideration of Bid Award – Annual Paving

Public Works Director Dusty Wentz stated that this year, resurfacing is focused on N. Forney, S. Ceder, E. 14th, E. 16th, E. 1st, E. F St, Overlook, Chelsea Ln and Counselor Dr. All street segments were selected from the Asphalt and Sidewalk Condition assessment completed in late 2015. They are the city roads that the assessment indicated as having the most severe issues that could be replaced with available funds.

Staff has solicited and received three bids from local contractors. The responses are listed below:

1. Carolina Paving  No Bid
2. Evans Bros.  $406,648.45
3. J. T. Russell  No Bid

Evans Bros. bid was found to be complete and accurate.
Mr. Wentz stated that staff is uncertain of the subsurface conditions of several of the street segments. Therefore, staff recommends holding a 15% contingency of $61,000 for this project instead of the normal 10%. A 15% contingency will bring the total project cost to $467,645.72.

Mr. Wentz stated that city council budgeted $644,000 for paving this year. This leaves a total of $176,354.28 and staff is evaluating additional roads for paving under a separate contract. The second contract will be brought to council this fiscal year.

Mr. Wentz recommended that City Council consider awarding the bid for the Annual Overlay project to Evans Bros. in the amount of $406,648.45 and hold a 15% contingency of $61,000 in reserve. Any utilization of contingency funds will be presented to council.

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

That Consideration of Bid Award – Annual Paving be – APPROVED.

A. Consideration of Bid Award for Buffalo Shoals Rd and Balls Creed Rd Area Waterline Construction Project

Public Works Director Dusty Wentz stated that in March 2017, Catawba County and the City of Newton entered into an agreement to provide water in the Balls Creek area. This will create a hydraulic loop within the City’s water system and provide access to municipal water to citizens of Catawba County. The project area includes Balls Creek Road and Buffalo Shoals Road. Mr. Wentz stated the scope of the project on Balls Creed Rd will start where a current water main ends near Balls Creek Elementary School and end just before HWY 16 South. The scope of the project on Buffalo Shoals Road will start where a current water main ends near Mirrors Lake Road and end just before HWY 16 South. Both water mains will eventually tie into the water main that NCDOT and their contractor is installing as part of the HWY 16 South widening project. Combined, there will be 16,300 feet of 8” water line installed, 22 fire hydrants, and water services to each structure that is occupied.

Mr. Wentz stated that on February 1, 2018 a total of four bids were received out of nine that were sent.

<table>
<thead>
<tr>
<th>Utility Contractors</th>
<th>Bid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fuller &amp; Construction, LLC</td>
<td>$ 984,023.80</td>
</tr>
<tr>
<td>Iron Mountain Construction</td>
<td>$1,294,259.50</td>
</tr>
<tr>
<td>Piedmont Utility Group, Inc.</td>
<td>$ 896,540.32</td>
</tr>
<tr>
<td>Two Brothers Utilities, LLC</td>
<td>$ 987,120.00</td>
</tr>
</tbody>
</table>

McGill Associates, P.A. have reviewed the bids and determined that Piedmont Utility Group, Inc is the lowest qualified and most responsive bidder.

McGill Associates, P.A. recommends that a contingency of ($90,000) be allocated for the construction project. This contingency will raise the construction amount to $ 986,540.32.

Mr. Wentz stated that staff requests that Council consider award of the bid to Piedmont Utility Group, Inc. in the amount of $896,540.32. Additionally, staff recommends that a contingency of $90,000 (10%) be held in reserve.

Upon motion duly made by Mayor Pro Tem John Stiver, seconded by Council Member Ed Sain, it was unanimously RESOLVED:
That Consideration of Bid Award for Buffalo Shoals Rd and Balls Creed Rd Area Waterline Construction Project be – APPROVED.

D. Consideration of an Amendment to the FY 2017-18 Schedule of Fees and Charges

City Manager Todd Clark stated the City Council has expressed a need to extend water lines to currently un-served areas within the City’s service area. As part of this effort, the City Council authorized the construction of water lines on Fye Drive, Balls Creek Road and Buffalo Shoals Road during this fiscal year.

Mr. Clark stated that members of City Council have also expressed an interest in waiving tap fees as a way to encourage property owners to connect to water line extension projects at the time of construction. Consequently, the City staff have drafted an amendment to the 2017-2018 “Schedule of Fees and Charges” that, if adopted, will allow potential new customers to connect to water extension projects without having to pay the existing tap fee.

Mr. Clark explained that if approved by City Council, the following text will be incorporated into the Schedule of Fees and Charges:

“The City Council may on a case by case basis waive tap fees for the standard 3/4” water tap or standard 4” sewer tap for connections to newly installed water or sewer mains. The tapping fee will only be waived during the first 90 days after the date the water or sewer main is placed into service. The City will not waive or provide a credit for any tap fee other than the standard 3/4” for water or 4” for sewer. The cost for meter and transmitter fees will not be waived and will still be due and payable by the customer.”

Mr. Clark stated that the recommendation is for City Council to amend the FY 2017-18 Schedule of Fees and Charges by including the aforementioned text.

Council Member Jerry Hodge stated that he would like to have another workshop concerning how the city plans paving projects for the city.

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

That Consideration of an Amendment to the FY 2017-18 Schedule of Fees and Charges be – APPROVED.

E. Consideration to Waive Waterline Tap Fees for Fye Dr, Buffalo Shoals Rd and Balls Creek Rd

City Manager Todd Clark stated this Request for Council Action has been prepared in anticipation of City Council adopting an amendment to the Schedule of Fees and Charges that will encourage potential new customers to connect to newly constructed water lines on Fye Drive, Balls Creek Road, and Buffalo Shoals Road.

Mr. Clark stated the amendment to the Schedule of Fees and Charges has been included as a separate agenda item on the March 6th City Council agenda and it allows the City Council to waive tap fees as set forth in the following paragraph:

“The City Council may on a case by case basis waive tap fees for the standard 3/4” water tap or standard 4” sewer tap for connections to newly installed water or sewer mains. The tapping fee will only be waived during the first 90 days after the date the water or sewer main is placed into service. The City will not waive or provide a credit for any tap fee other than the standard 3/4” for water or 4” for sewer. The cost for meter and transmitter fees will not be waived and will still be due and payable by the customer.”
fee other than the standard 3/4” for water or 4” for sewer. The cost for meter and transmitter fees will not be waived and will still be due and payable by the customer.”

Mr. Clark explained the City Council is asked to consider waiving the tap fee as set forth above for the water line extension projects on Fye Drive, Balls Creek Road, and Buffalo Shoals Road. The current tap fee of $940 per connection is what staff proposes to waive. The cost for each individual meter and transmitter associated with the project is currently $260 and is not recommended to be waived.

Mr. Clark stated the recommendation is for City Council to consider waiving the tap fee of $940 for a period of 90 days following the date each respective water line is installed on Fye Drive, Balls Creek Road, and Buffalo Shoals Road.

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

That Consideration to Waive Waterline Tap Fees for Fye Dr, Buffalo Shoals Rd and Balls Creek Rd be – APPROVED.

ITEM 10: City Manager’s Report

Meetings & Events

- March 9th – Ribbon Cutting, Catawba First Insurance Associates, Inc., (232 West A St), 10:00 a.m.
- March 9th – Reception for Narrow Coffee & Nosh Along with The Local Crowd (Affordable Floors, 208 North College Ave.), 5:30-7:00 p.m.
- March 9th – City Manager Meeting with Roger Kumpf from Patrick McHenry’s Office, 2:00 p.m.
- March 13th – 15th - Main Street Conference, Clayton, NC – will be attended by Mayor Stedman and Council Members Anne Wepner and Ed Sain
- March 20th – NCMPA1 Board of Commissioners Mtg., Raleigh, NC
- March 20th – Capital Improvement Plan Workshop, Council Chamber, 5:15 p.m.
- March 22nd – Catawba Co. Chamber of Commerce “Future of Catawba County”, The Crossing at Hollar Mill, 7:30 a.m. – 12:00 p.m.
- March 25th - Newton Easter Egg Hunt (Southside Park)

- Meetings with Local Businesses are being scheduled

Budget Workshop Dates

May 3, 2018
May 8, 2018
May 10, 2018
May 15, 2018*
May 16, 2018*
May 17, 2018**

*Council meeting scheduled
**If needed
Other Items

- Core Business Revitalization Project Bid Opening – March 27th
- Marketing and Branding Presentation – March 20th
- Storm Water Enterprise Fund Presentation – March 20th
- SRF Loan Has Unofficially Been Awarded to the City of Newton for the Sewer Portion of the West A St. Project
- Update on Fye Drive and South Cedar Projects
- Update on Public Art Initiatives
- Update on Catawba Nuclear Station Tours
- Town Hall Meetings are Being Scheduled

ITEM 11: Questions and Comments from Mayor and Council

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

Council Member Anne Wepner gave a report on the Newton-Conover Auditorium Authority.

ITEM 12: Closed Session – Per North Carolina General Statute 143-318.11(a)(5)

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

That City Council enter CLOSED SESSION per General Statute 143-318.11(a)(5)

Motion was then made by Council Member Jody Dixon, seconded by Council Member Ed Sain to return to open session

All ayes.

ITEM 13: Adjournment

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

That the Meeting be – ADJOURNED

_________________________________  _____________________________________________
Anne P. Stedman, Mayor                      Amy S. Falowski, City Clerk
CITY OF NEWTON
Inter-office Correspondence

TO: E. Todd Clark, City Manager
DATE: March 7, 2018

RE: Tax Releases – February 2018

FROM: Serina T. Hinson, Finance Director

The following tax releases have been received from the Catawba County Tax Collector. The reason for each release is annotated beside the name.

<table>
<thead>
<tr>
<th>Tax Year</th>
<th>Tax Release Number</th>
<th>Name</th>
<th>Reason</th>
<th>Amount of Release</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td>68</td>
<td>Boy Scout Troop 325</td>
<td>Exempt</td>
<td>$2.38</td>
</tr>
<tr>
<td>2016</td>
<td>69</td>
<td>Cloninger, Dale A</td>
<td>Vehicle tagged. Will be taxed through DMV Tag &amp; Tax Together</td>
<td>$5.52</td>
</tr>
<tr>
<td>2017</td>
<td>70</td>
<td>Cloninger, Dale A</td>
<td>Vehicle tagged. Will be taxed through DMV Tag &amp; Tax Together</td>
<td>$5.40</td>
</tr>
<tr>
<td>2017</td>
<td>71</td>
<td>Coulter, Walter</td>
<td>Small underpayment</td>
<td>$0.05</td>
</tr>
<tr>
<td>2015</td>
<td>72</td>
<td>Hill, Christopher M</td>
<td>Name changed in error. Re billed with correct name.</td>
<td>$292.14</td>
</tr>
<tr>
<td>2016</td>
<td>73</td>
<td>Hill, Christopher M</td>
<td>Name changed in error. Re billed with correct name.</td>
<td>$292.14</td>
</tr>
<tr>
<td>2017</td>
<td>74</td>
<td>Hill, Christopher M</td>
<td>Name changed in error. Re billed with correct name.</td>
<td>$292.14</td>
</tr>
<tr>
<td>2016</td>
<td>74</td>
<td>Xiong, Vang</td>
<td>Small underpayment</td>
<td>$0.01</td>
</tr>
</tbody>
</table>

Should you have any questions or need clarification, please notify. Releases are submitted as required by NCGS § 105-381(b).
CITY OF NEWTON

Sewer Adjustments

TO: E. Todd Clark, City Manager  DATE: 03/14/2018
RE: Sewer Adjustments – 03/20/2018
FROM: Serina Hinson, Finance Director

The following sewer adjustment is recommended for approval. The adjustment is recommended as a result of a water leak at the service address or a pool fill up.

<table>
<thead>
<tr>
<th>Account Number</th>
<th>Name</th>
<th>Service Address</th>
<th>Adjustment Period</th>
<th>Amount of Adjustment</th>
</tr>
</thead>
<tbody>
<tr>
<td>51001040-001</td>
<td>Terrell Baker</td>
<td>2116 N Whisnant Ave</td>
<td>Jan</td>
<td>$35.90</td>
</tr>
<tr>
<td>7000126-004</td>
<td>Kenneth Reitzel</td>
<td>727 S College Ave</td>
<td>June-Aug</td>
<td>$182.16</td>
</tr>
<tr>
<td>34001176-015</td>
<td>Antrail Lineberger</td>
<td>100 W 17th St #E38</td>
<td>Jan</td>
<td>$80.51</td>
</tr>
<tr>
<td>19000425-001</td>
<td>Alan Parsons</td>
<td>2708 Touchstone Cir</td>
<td>Jan-Feb</td>
<td>$226.84</td>
</tr>
<tr>
<td>14000980-002</td>
<td>Tim Dumire</td>
<td>309 W F St</td>
<td>Feb</td>
<td>$26.65</td>
</tr>
</tbody>
</table>

Backup documentation to support each adjustment is on file in the Finance Department. Should you have questions or require further clarification, please notify.
CITY OF NEWTON
REQUEST FOR COUNCIL ACTION

DATE: March 15, 2018

TO: E. Todd Clark, City Manager

FROM: Serina Hinson, Finance Director

CONSIDERATION OF: Resolutions Approving Use of Remaining BB&T Financing Proceeds

Approved for Council Consideration

The City has completed the purchase of all intended capital for three different capital financings with Branch Banking and Trust (BB&T). With each of these financings, there are still remaining funds to be utilized. The remaining funds are a result of unused contingency and/or lower costs on the capital purchases.

Contract 32/33 in the amount of $1,284,392 dated January 14, 2015 was for the purchase of telephone system replacement, street sweeper, 800 MHz Radio System, Tanker and HVAC unit for the gym. The remaining $53,650.35 plus interest are a result of contingency that was not needed on the 800 MHz radio system (Police Department) and tanker (Fire Department). I am recommending the remaining funds be utilized for the purchase of approximately 16 Toughbooks/Docking Stations for police patrol vehicles.

Contract 35 in the amount of $626,100 dated December 16, 2015 was for the purchase of a 27-yard refuse truck, voltage regulators and electric bucket truck. The remaining $31,485 plus interest are a result of lower costs associated with the voltage regulators (Electric Department). I am recommending the remaining funds be utilized for the purchase of a SCADA processor and electric utility locating equipment.

Contract 36 in the amount of $472,800 dated December 27, 2016 was for the purchase of 6 police vehicles, Ford F-550 with lift/utility bed (Water/Wastewater Operations), and excavator (Electric Department). The remaining $9,306.36 plus interest are a result of lower costs on the Police vehicles and excavator. I am recommending the remaining funds be utilized to reimburse the City for the purchase of a trailer that’s purpose is for transporting the excavator.

Action Suggested:

1) Adopt the Resolutions approving Use of Remaining BB&T Financing Proceeds for the following BB&T Contracts:
   a. Contract 9933002737-0032/0033
   b. Contract 9933002737-0035
   c. Contract 9933002737-0036

2) Adopt the attached Budget Ordinance Amendment to reinstate the remaining BB&T funds that reverted to Fund Balance in a prior year.
Resolution # 10-2018

Resolution Approving Use of Remaining BB&T Financing Proceeds -
Contract 9933002737-0032/0033

WHEREAS, the City approved the financing of equipment through Branch Banking and Trust Company (BB&T) on Resolution 24-2014 and Resolution 25-2014 dated December 2, 2014; and,

WHEREAS, the City entered into a financing agreement with BB&T on January 14, 2015 in the amount of $1,284,392 – Contract 9933002737-0032/0033; and,

WHEREAS, the City has completed the purchase of all capital (telephone system replacement, street sweeper, 800 MHz Radio system, Tanker, and HVAC Unit for Gym) that was intended for this financing agreement. There are remaining funds in the amount of $53,650.35 plus interest of $83.06 as of February 28, 2018 on this financing agreement. The remaining funds are a result of contingency that was not needed on the 800 MHz radio system and tanker; and,

WHEREAS, the City desires to utilize the remaining funds, including any interest received after February 28, 2018, for the purchase of equipment; and,

WHEREAS, BB&T will not require the equipment as collateral and the insurance requirement will be waived.

Adopted this 20th day of March, 2018.

________________________________________
Anne P. Stedman, Mayor

________________________________________
Amy S. Falowski, City Clerk
Resolution # 11-2018

Resolution Approving Use of Remaining BB&T Financing Proceeds - Contract 9933002737-0035

WHEREAS, the City approved the financing of equipment through Branch Banking and Trust Company (BB&T) on Resolution 18-2015 dated December 8, 2015; and,

WHEREAS, the City entered into a financing agreement with BB&T on December 16, 2015 in the amount of $626,100 – Contract 9933002737-0035; and,

WHEREAS, the City has completed the purchase of all capital (27-yard refuse truck, voltage regulators, and electric bucket truck) that was intended for this financing agreement. There are remaining funds in the amount of $31,485 plus interest of $93.27 as of February 28, 2018 on this financing agreement. The remaining funds are a result of lower costs; and,

WHEREAS, the City desires to utilize the remaining funds, including any interest received after February 28, 2018, for the purchase of additional electric utility equipment for the Electric Department; and,

WHEREAS, BB&T will not require the additional equipment as collateral and the insurance requirement will be waived.

Adopted this 20th day of March, 2018.

Anne P. Stedman, Mayor

Amy S. Falowski, City Clerk
Resolution # 12-2018

Resolution Approving Use of Remaining BB&T Financing Proceeds -
Contract 9933002737-0036

WHEREAS, the City approved the financing of vehicles and equipment through Branch Banking and Trust Company (BB&T) on Resolution 19-2016 dated December 6, 2016; and,

WHEREAS, the City entered into a financing agreement with BB&T on December 27, 2016 in the amount of $472,800 – Contract 9933002737-0036; and,

WHEREAS, the City has completed the purchase of all capital (6 police vehicles, Ford F-550 with lift/utility bed and excavator) that was intended for this financing agreement. There are remaining funds in the amount of $9,306.36 plus interest of $33.28 as of February 28, 2018 on this financing agreement. The remaining funds are a result of lower costs; and,

WHEREAS, the City desires to utilize the remaining funds, including any interest received after February 28, 2018, to reimburse the City for the FY 2017 purchase of a trailer for the purpose of transporting the excavator for the Electric Department; and,

WHEREAS, BB&T will not require the trailer as collateral and the insurance requirement will be waived.

Adopted this 20th day of March, 2018.

Anne P. Stedman, Mayor

Amy S. Falowski, City Clerk
AN ORDINANCE TO AMEND REVENUES AND EXPENDITURES FOR FISCAL YEAR 2017-2018 FOR THE CITY OF NEWTON.

WHEREAS, the City Council of the City of Newton have adopted a Budget Ordinance for fiscal year beginning July 1, 2017, and ending June 30, 2018, in accordance with the General Statutes of the State of North Carolina; and

WHEREAS, City Council desires to utilize the remaining BB&T Financing Proceeds from Contract 9933002737-0032/0033 in the amount of $53,650.35 plus interest and Contract 9933002737-0035 in the amount of $31,485 plus interest. The City has completed the purchase of all capital that was intended for each of these financings. The remaining funds are a result of contingency and lower costs; and,

WHEREAS, the City Council desires to utilize financing proceeds recognized in previous fiscal years and an expenditure appropriation within the Information Services Department Operating Budget for the purchase of Toughbooks/docking stations for Police patrol vehicles and the Electric Fund Operating Budget for a SCADA processor and other electric utility equipment.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEWTON, NORTH CAROLINA, THAT:

THE FOLLOWING SOURCE OF REVENUE AND APPROPRIATION ARE HEREBY APPROVED.

<table>
<thead>
<tr>
<th>Description</th>
<th>Code</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>General Fund Revenues</td>
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<tr>
<td>Fund Balance Appropriated</td>
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<td>General Fund Appropriations</td>
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<tr>
<td>Non-Capital Outlay</td>
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<td>Electric Fund Revenues</td>
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<td>Fund Balance Appropriated</td>
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<td>Electric Fund Appropriations</td>
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<tr>
<td>Capital Outlay – Other Equipment</td>
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</table>

Adopted this 20th day of March, 2018.

Anne P. Stedman, Mayor

Attest:

Amy S. Falowski, City Clerk
DATE: March 15, 2018

TO: City Council

FROM: Anne P. Stedman, Mayor

CONSIDERATION OF: Appointments

Members of City Council, I would like to recommend the following re-appointments to the Newton Depot Authority: Jody M. Dixon, Jerome W. Bolick, and Matthew C. Bumgarner, terms ending 6/30/2021
DATE: March 16, 2018

TO: Mayor Anne Stedman and Newton City Council

FROM: Todd Clark, City Manager

CONSIDERATION OF: Report from the Business Advisory Committee Economic Task Force

Approved for Council Consideration

Background:

In order to facilitate discussion between the City Council and the Business Advisory Committee, Mayor Stedman appointed Council Members Stiver and Hodge to an ad-hoc Economic Task Force. The mission of the committee was to recommend strategies to encourage the development of economic wealth in Newton for the wellbeing of the citizens. Council Members Stiver and Hodge have worked with the Business Advisory Committee for about one year to accomplish the mission and objectives established for the Task Force. A presentation will be made in cooperation with Jennifer Stiver, the Business Advisory Committee chair, regarding the work that has taken place.

Action Suggested:

A presentation will be made to City Council with specific strategies recommended. The City Council may choose to formally adopt the recommendations as part of the City’s strategic plan.
To: BAC Economic Task Force
From: Jerry Hodge and John Stiver
Date: November 9, 2017
Subject: Final Recommendation on Residential Development
Action: Approve final recommendations

Task Force Charge: To explore and make recommendations to identify city-owned and privately-held properties for residential development. This charge relates to the following current council plans.

Strategic Plan:
- 2.1.7 Work with developer to create downtown living options.
- 3.1.9 Review and strengthen nuisance, minimum and non-residential maintenance codes.
- 4.1.3 Encourage residential growth by recruiting developers. Develop appropriate incentives, including but not limited to, the provision of utilities.
- 4.1.5 Develop comprehension strategy to create new residential housing in Newton to attract residents to the city.

Pedestrian Plan:
- 4.1 Establish a standing Walk-ability Committee with initiating Pedestrian Programs.
- 4.6 Seek designation as Walk-Friendly Community.
- 5.6 Improve crossing facilities across US 321-Business.
- 6.7 Implement a Wayfinding Program.

Master Parks and Recreation Plan
- 1.2 Coordinate with Planning: prioritize Park connections.
- 3.2 Connect playground to sidewalk utilizing ADA features (all parks).

BAC Task Force Recommendations:

Recommendation #1: Foster highly walkable neighborhoods with amenities 15 minutes from downtown
- Develop a walkable access from Azalea Glen Village to “A” Street
- Repair, add sidewalks and improve lighting with ADA compliance
- Implement Strategic Plan, Pedestrian Plan and Master Parks and Recreation Plan

Recommendation #2: Develop partnerships with land/property owners, builders, realtors and developers
- Communicate, effectively, with builders (Home Builders Association) realtors, and developers by delivering a consistent message on the value of living in Newton
- Clearly explain what amenities the City can provide the builder and developer
- Addition of an Economic Development Web Page (a must) to the city web page
- Work cooperatively with builders and developers to construct new housing
- Determine ways to refurbish existing housing
- Match selling house prices with buyer’s income
Recommendations #3: Support an aging population
  - Develop city-wide ordinances and improve infrastructure to ensure ADA compliance
  - Work with Abernethy Laurels, Azalea Glen, Carillon and other existing partners to meet the housing needs of seniors

Recommendations #4: Engage in regional planning (joint efforts regarding policy development for smart growth)
  - WPCOG
  - Newton Planning Staff
  - Catawba County

*Consistent and comprehensive marketing plan to focused on the value of living in Newton.
**Mission:** To recommend strategies to encourage the development of economic wealth in Newton for the well-being of the citizens

**Vision:** The Economic Development Task Force will be committed to:
- Expanding the City’s tax base and economic stability through the growth and quality of business development.
- Facilitating the creation and retention of jobs.
- Providing a positive business and residential climate.
- Attracting residents, trade and industry to the Newton community.

**Objectives:**

1. Facilitate the creation and retention of jobs.
   - □ Research the best ways to recruit businesses either through an economic development coordinator or contract services.
   - □ Implement budgeting strategies that will provide economic development stimuli, create new tax investment and broaden the tax base for businesses and citizens of Newton.

2. Promote desirable residential, commercial (small business) and industrial developments so as to keep an equitable and diverse tax base.
   - □ Identify city-owned and privately-held properties for residential development. Work with local builders to develop new housing.
   - □ Implement the strategy of “site-control” for property acquisitions to stimulate development opportunities in Newton.
   - □ Construct a spec shell building in collaboration with public and/or private partners in Newton.
   - □ Identify and acquire new utility customers.

3. Create opportunities to reuse older buildings and sites for future economic development inside city limits and extra-territorial jurisdictions (ETJ).
   - □ Evaluate strategic properties within the City and gain “site-control”.
   - □ Form an economic development task force to evaluate areas of potential economic growth and research properties for development.

4. Expand strategic economic development planning, land-use, and policy development with zoning changes when needed to encourage sound economic development.
   - □ Establish a non-profit organization or foundation for funding of property/building investments in Newton.
   - □ Create a new business development group in cooperation with Catawba County Chamber of Commerce.

5. Promote, assist and encourage initiatives that will further the goals and objectives stated in Newton’s **Master Strategic Growth Plan and 2017 Council Workshop.**

Complete
Work in progress
CITY OF NEWTON
REQUEST FOR COUNCIL ACTION

DATE: March 14, 2018
TO: E. Todd Clark, City Manager
FROM: Alex Fulbright, Assistant Planning Director
CONSIDERATION OF: Plan Amendment 2018-01 Fresenius Medical Care

Approved for Council Consideration

Applicant: Clayton Engineering & Design on behalf of Fresenius Medical Care
Address: 3802 Startown Rd
Parcel ID#: 3629-07-68-2129
Zoning: PD-SC-C, Planned Development Shopping Center - Community
Land Area: 2.07 acres
Purpose: The applicant requests approval of a plan amendment to accommodate a new medical facility on an out-parcel of the Startown Crossing Shopping Center.

Review:

Staff received a development plan from the Clayton Engineering & Design on behalf of Fresenius Medical Care to construct a medical facility on a 2 acre outparcel in front of the Startown Crossing Shopping Center. The project will front on Startown Rd and the primary entrance will be off of the shopping center’s existing driveway access from Startown road. The project will have a secondary driveway on Startown Rd which will be restricted to a right turn in and right turn out of the proposed facility.

While researching the compliance with Zoning requirements, it was determined that the subject property is currently zoned as PD-SC-C (Planned Development Shopping Center - Community). This zoning designation was established when the City Council, in 2002, approved a development plan for the entire Startown Crossing Shopping Center which included the out-parcel in question. The Zoning Ordinance specifies that any substantial change in an approved preliminary plan shall be considered by Council. This is not a rezoning, only an amendment to the previously approved plan.

The proposed use is a permitted use in the zoning district. The original approved plan indicated that a 15’ buffer and screening be established along the north side and east side of the parcel; that there would be a driveway connection to the shopping center; and that sidewalks be constructed along the frontage along Startown Road. Only the driveway connection is shown on the plan. In addition to the requirements on the original approved plan, the development would still have to comply with the zoning, erosion control, and stormwater ordinance as it relates to the development of the site and that the plan amendment would approve the location of the building, parking and driveway on the site; as well as the appearance of the building.

Startown Road is scheduled to be widened to four travel lanes from US Hwy 70 to NC Hwy 10. The widening is listed in the current State Transportation Improvement Plan with right of way acquisition to begin in 2022 and construction to begin in 2024. The design of the widening has not been done so there is not a way to determine the impact that it may have on the project; however additional right of way was dedicated in 2002 and the project is located as far back on the site as possible which should minimize the impact the widening will have on the project.
Public Notices:

The notices for this case have been performed as follows:

Posted on-site: posted February 9, 2018.
Mailed notices: sent notice to the owner of the site, owners of adjacent property, and the owners of property within 100 feet of the property adjacent to the subject site. 26 letters were sent on March 9, 2018.

Recommendation action:

It is the Planning Commission’s recommendation that the attached plan be approved on the condition that the plan complies with the conditions established when the original plan was approved in 2002, which are as follows:

1. That a 15’ buffer and screening be established along the north side and east side of the parcel.
2. That there would be a driveway connection to the shopping center.
3. That sidewalks be constructed along the frontage along Startown Road.

In addition, the Planning Commission recommends that the buffer on the north side of the site be designed so that it does not negatively impact St Paul’s Reformed Church’s use of their property by reducing the site distance of their driveway on Startown Rd.
Plan Amendment 2018-01
FMC Newton
3802 Startown Rd

Subject
- Single Family Residential (R-20)
- Highway Business (B-2)
- Planned Development Shopping Center Community (PD-SC-C)
- Single Family and Manufactured Home Residential (R-20A)
- Railroad

Date: 2/16/2018
January 16, 2018

Alex Fulbright
Assistant Planning Director
City of Newton
Newton, NC 28658

Re: FMC Newton

Per our previous discussions and correspondence, my client would like to submit our site plan and building elevations to the Planning Commission and City Council for review. It is our understanding that this property currently has an approved plan that will need to be amended.

This project will consist of the construction of a medical building and associated parking and driveways. I have attached a site plan and building elevation for your review. Please consider this letter our request for said amendment.

If you have any questions or need additional information, please feel free to call me at (828) 455-3456 or email wclayton@clayton-engineering.net.

Sincerely,

Clayton Engineering & Design, PLLC

William S. Clayton

William S. Clayton, PE
President
DATE: March 14, 2018

TO: E. Todd Clark, City Manager

FROM: Sean Hovis, Assistant City Manager

CONSIDERATION OF: Lease Extension and Amendment to T-Mobile Lease at Water Tank

Approved for Council Consideration

Background:

The City of Newton entered into a Lease Agreement with T-Mobile USA, Inc. to lease space on the city’s water tank located at 201 West 4th Street on October 06, 2008 and is set to expire October 05, 2018. T-Mobile is requesting to renew the lease agreement for up to 180 months (15 years). Each initial lease is for 60 months with up to two renewals with the City of Newton being guaranteed 60 months. T-Mobile is requesting a lease rate of $3550.00 per month and offering a 10% escalation rate every 5 years. The current lease is $4,000 per month.

Requested Action:

That City Council agrees to the terms of the amendment allowing the City Manager to sign the contract and City Council determine the property will not be needed or interfere with city operations for the term of the lease.
PUBLIC NOTICE OF LEASE AGREEMENT

The City of Newton plans to extend a Lease Agreement with T-Mobile to lease space on the city’s water tank located at 201 West 4th St. on March 20, 2018. T-Mobile requests the extension of a lease agreement for up to 15 years in the amount of $3,550 per month. Each initial lease is for 5 years with up to two renewals with the City of Newton being guaranteed 5 years.

Any person wishing to comment on the Lease Agreement should do so by contacting Sean Hovis, Assistant City Manager, at shovis@newtonnc.gov or 828-695-4261.
DATE: March 6, 2018

TO: Mayor and City Council

FROM: Todd Clark, City Manager

CONSIDERATION OF: Consideration of the Use of Proceeds from the Lillian Sewell Jones Estate

Approved for Council Consideration

Background:

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. The first unanimous vote occurred January 8, 2013, at the regularly scheduled council meeting, and the second unanimous vote occurred January 9, 2018.

During the January 23, 2018, Council/Staff Workshop, City Council discussed projects on which to spend the proceeds. The three projects agreed upon were an amphitheater, splash pad, and lighting at Jacob Fork Park.

Recommendation:

At this time staff requests that City Council consider an expenditure of principal funds allocated to the City by Ms. Jones’ estate on a splash pad and on lighting for the ball fields located at Jacob’s Fork Park.