1. Call to Order – Mayor Anne P. Stedman

2. Opening – Council Member Tom Rowe

3. Approval of Minutes from the March 20, 2018 Regular Meeting

4. Consideration of Consent Agenda Items
   A. Tax Releases
   B. Sewer Adjustments
   C. Consideration of Street Closure Request – Historical Association

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. New Business
   A. Consideration of Budget Ordinance Amendments
      1. Rebuilding Wastewater Treatment Plant Aeration Basin #3 Motor and Gear Box
      2. Replacement Wastewater Treatment Plant Lime Feeder #1
   B. Consideration of Budget Ordinance Amendment – Sanitation Truck Repairs
   C. Consideration of Sole Source for Shielding and Shoring Equipment and Related Budget Ordinance Amendment
   D. Consideration of Bid Award - Sidewalks

7. Old Business
   A. Consideration of Resolution Adopting 10 Year Capial Improvement Plan

8. City Manager’s Report

9. Questions and Comments From Mayor and Council
   A. Reports from Appointed Representatives on Outside Boards – Council Member Jody Dixon

10. Adjournment

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.
MINUTES
REGULAR MEETING OF THE NEWTON CITY COUNCIL
March 20, 2018 – 7 p.m.

The regular meeting of the Newton City Council was held at 7 p.m. Tuesday, March 20, 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 Ed Sain provided the invocation and Pledge of Allegiance.

ITEM 3: APPROVAL OF MINUTES

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

That the Regular Minutes of the March 6, 2018 City Council meeting be – APPROVED

ITEM 4: CONSIDERATION OF CONSENT AGENDA ITEMS

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

That the Consent Agenda be – APPROVED

A. Tax Releases

B. Sewer Adjustments

C. Consideration of Resolution Authorizing Utilization of Remaining BB&T Debt Proceeds and Related Budget Ordinance Amendment

D. Consideration of Appointments to Boards and Commissions

(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. Report from the Business Advisory Committee Economic Task force

Business Advisory Chair Jennifer Stiver presented a PowerPoint highlighting the accomplishments and future plans of the Business Advisory Committee.

B. Branding and Marketing

Assistant City Manager Sean Hovis gave a presentation about the process and results of the City’s 18 month Branding and Marketing study.

ITEM 7: Public Hearings

A. Plan Amendment #2018-01 – Fresenius Medical Center Newton (Startown Crossing – Food Lion)

Mayor Stedman opened the Public Hearing.

Planning Assistant Alex Fulbright stated that 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. Mr. Fulbright explained 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.

Mr. Fulbright stated that 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). He stated 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. Mr. Fulbright stated this is not a rezoning, only an amendment to the previously approved plan.

Mr. Fulbright stated 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. Mr. Fulbright stated that 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.

Mr. Fulbright stated that 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. Mr. Fulbright explained that 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.

Mr. Fulbright stated that 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.

Mr. Fulbright stated that it is the Planning Commission’s recommendation that this plan be approved on the condition that it 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, Mr. Fulbright stated 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.

Mayor Stedman asked if there was anyone present to comment. No one appeared.

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

That the Public Hearing be – CLOSED.

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

That Plan Amendment #2018-01 – Fresenius Medical Center Newton (Startown Crossing – Food Lion) be – APPROVED.

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

B. Consideration to Extend a Lease Agreement with T-Mobile

Mayor Stedman opened the Public Hearing.

Assistant City Manager Sean Hovis stated 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). Mr. Hovis explained that 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. Mr. Hovis said that the current lease is $4,000 per month.

Mr. Hovis stated that staff recommends 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.

Mayor Stedman asked if there was anyone present to comment. No one appeared.

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

That the Public Hearing be – CLOSED.
Upon motion duly made by Council Member Jody Dixon, seconded by Council Member Tom Rowe, it was unanimously RESOLVED:

That Consideration to Extend a Lease Agreement with T-Mobile be – APPROVED.

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

**ITEM 8: Old Business**

A. Consideration of Expenditure of Principal from Sue Jones Estate

City Manager Todd Clark stated that 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.

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 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 a splash pad and on lighting for the ball fields located at Jacob’s Fork Park.

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

That Consideration of Expenditure of Principal from Sue Jones Estate be – APPROVED.

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

**ITEM 9: City Manager’s Report**

**Meetings & Events**

- 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)
- March 28th – Leadership Day – South Newton Elementary, 12:30 p.m.– 2:00 p.m.
- April 16th and 23rd – Teen Leadership
- April 26th WPCOG Annual Meeting, Crowne Plaza, 6:00 p.m.

**Next City Council Meeting April 10, 2018**

**Budget Workshop Dates**

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

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

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

Council Member Jerry Hodge gave reports on the Western Piedmont Council of Governments Policy Board and on the Transportation Committee.

**ITEM 11: Closed Session – Per North Carolina General Statute 143-318.11(a)(5)**

Upon motion duly made by Council Member Anne Wepner, 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 Mayor Pro Tem John Stiver, seconded by Council Member Ed Sain to return to open session

All ayes.

**ITEM 12: Adjournment**

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

That the Meeting be – ADJOURNED

__________________________________________
Anne P. Stedman, Mayor

______________________________
Amy S. Falowski, City Clerk
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>
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</thead>
<tbody>
<tr>
<td>2017</td>
<td>75</td>
<td>Enloe, Rubel L</td>
<td>Small underpayment</td>
<td>$0.03</td>
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<tr>
<td>2017</td>
<td>76</td>
<td>Frederick, Matthew T</td>
<td>Small underpayment</td>
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<tr>
<td>2017</td>
<td>77</td>
<td>Herman, Bobby O</td>
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<td>$0.19</td>
</tr>
<tr>
<td>2017</td>
<td>78</td>
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<td>Small underpayment</td>
<td>$0.19</td>
</tr>
<tr>
<td>2017</td>
<td>79</td>
<td>Parham, Buddy T</td>
<td>Small underpayment</td>
<td>$0.46</td>
</tr>
<tr>
<td>2017</td>
<td>80</td>
<td>Reinhardt, Eugene Heirs</td>
<td>Value change</td>
<td>$7.01</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: 04/03/2018
RE: Sewer Adjustments – 04/10/2018

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>45000240-001</td>
<td>Margaret Biggs</td>
<td>315 Shannonbrook Dr</td>
<td>Feb</td>
<td>$51.68</td>
</tr>
<tr>
<td>57001160-007</td>
<td>Charles Johnson</td>
<td>423 N Davis Ave</td>
<td>Jan</td>
<td>$45.69</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: April 4, 2018

TO: E. Todd Clark, City Manager

FROM: Sean Hovis, Assistant City Manager

CONSIDERATION OF: Street Closure

Approved for Council Consideration

Background:

The Historical Association of Catawba County is hosting an exhibit from the Smithsonian titled “The Way We Worked” at the Catawba County Museum located on the Square in Newton. The Historical Association wants to host a kickoff party and fundraising event on Thursday August 9, 2018 between the hours of 5:30 p.m. and 9:30 p.m. They have requested that College Ave between 1st Street and A Street be closed from 5:30 p.m. until 9:30 p.m.

If approved by City Council, staff will assist with filing the request for street closures with the N.C.D.O.T. for the closure of College Ave between 1st Street and A Street.

Requested Action:

That City Council authorizes the closure of the street as requested by the Historical Association of Catawba County for the date of August 9, 2018.
North Carolina Department of Transportation
Special Event Request Form
Effective 7/31/15, Revised 2/25/16

This request form is required for non-governmental entities for all special events requiring a road, lane, and/or shoulder closure, or repurposing a State Highway System facility for something other than its intended use, except where a county or municipality is regulating the use of the highways in accordance with General Statute 820-169. This form must be submitted with a formal request to the appropriate Division Engineer(s) at least sixty (60) days prior to the scheduled beginning of the event. See a listing of the Highway Divisions and their contact information at the following URL:


Section A: Event Information

Name of Event: Smithsonian "The Way We Worked"
Type of Event: Historical
County/Counties: Catawba
City/Cities: Newton
Event Date(s): Thursday, Aug. 9, 2018
Event Time(s): approximately 6:00pm
Primary Sponsoring Organization: Historical Association of Catawba County
Anticipated number of participants (estimate): 100
Anticipated number of spectators (estimate): 100
Approximate distance in miles: 1 city block(side)
Requested Action(s): □ Road Closure* □ Lane Closure* □ Shoulder Closure*
□ Repurposing a State Highway System facility for something other than its intended use
*For closures, anticipated time road/lane/shoulder will actually close: 5:30pm and re-open: 9:30pm

Section B: Contact Information

Director/Organizer Name: Carmen Isenhower Email: cri74@bellsouth.net
Mailing Address: 1537 Little Hill Road, Newton, NC 28658
Responsible Local Government: City of Newton
Local Government Contact: Sean Houls Email:
Telephone 1: Telephone 2: Fax:
Responsible Law Enforcement Agency: Newton City Police
Law Enforcement Contact: Email:
Telephone 1: Telephone 2: Fax:
DATE: March 26, 2018
TO: Todd Clark, City Manager
FROM: Dusty Wentz, PWU Director
CONSIDERATION OF: Budget Ordinance Amendment

Background:
Aeration Basin Motor and Gear Box
Aeration basin #3 motor and gear box #2 has failed, causing dissolved oxygen in the waste stream to decrease below the State required 2.0 mg/L limits. This equipment is 28 years old. Outside vendors have looked at the gear box and motor, and cannot offer any solutions short of total replacement of the failed parts. Staff did reach out to vendors to seek quotes. Because of the specifications of the existing gear box and motor, only two vendors would entertain a quote as shown below

<table>
<thead>
<tr>
<th>Contractor/Vendor</th>
<th>Quote</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dixie Electro Mechanical Services, Inc.</td>
<td>$56,163.77</td>
</tr>
<tr>
<td>Kemp Construction Inc.</td>
<td>$65,900.00</td>
</tr>
</tbody>
</table>

Lime Feeder #1
This item will need to be replaced before the next large rain event, or before lime feeder #2 fails. If either of these were to happen, the plant will be in violation of the state permit. Violation of the permit will cause the plant to be noncompliant, prompting fines and environmental problems. Staff has rebuilt and replaced parts for both lime feeders over the past 30 years. Currently, parts for the lime feeder cannot be purchased or machined. Staff did reach out to vendors and found out that only one vendor can build a lime feeder that will fit our current process. The industry has changed from dry lime to liquid lime, which is a completely different process than the City’s plant uses. This industry change has reduced the number companies able to work on dry lime feeders. Please note that this repair will not reduce the cost of the CIP project “Replace Lime Feeder Building.”

<table>
<thead>
<tr>
<th>Contractor/Vendor</th>
<th>Quote</th>
</tr>
</thead>
<tbody>
<tr>
<td>Merrick</td>
<td>$22,800.00</td>
</tr>
</tbody>
</table>

Summary:
The equipment and repair/maintenance line item of the WWTP budget for FY 2017-2018 was budgeted $8,000. So far this year PWU has transferred $3,500 into the account to cover repairs and maintenance of several other large repairs. No additional funds are available.

Action Suggested:
It is recommended by the staff that Council consider approving the attached budget ordinance amendment in the amount of $79,000 for rebuilding equipment at Wastewater Treatment Plant.
Dixie Electro Mechanical Services, Inc.
2115 Freedom Drive
P.O. Box 668944
Charlotte, NC 28266
Phone: 800-876-6509  Fax: 704-333-6214

Quote: 002693  Department: 3P  Job Desc: RELIANCE 75/33 1780/1187
THREE PHASE-AC REPAIR  Type: 3P  THREE PHASE-AC REPAIR
Cust #: CI1181  Ship To #:
CITY OF NEWTON  CITY OF NEWTON
PO BOX 550  PO BOX 550
NEWTON, NC 28658  NEWTON, NC 28658

Quote Date 03/19/18

Nameplate Data:
MFG: RELIANCE, HP: 75/33, RPM: 1780/1187, VOLT: 460, FRAME: 405TC, ENCLOSURE: TEFC,
ID#: 1MAP71634 G1 XT, AMPS: 83.9/14.72, AMB TEMP: 40C, CYCLE: 60

Special Instructions:
REMOVE MOTOR AND GEARBOX
REWIND MOTOR AND INSTALL NEW BOX AND REINSTALL.

Description  Price

REMOVE MOTOR AND GEARBOX
TRUCK
REWIND MOTOR
DISASSEMBLE
INSPECT AND RECORD MECHANICAL TOLERANCES
REWIND CLASS "H" SYSTEM
MACHINE WORK
CLEAN PARTS
DYNAMICALLY BALANCE ROTOR
REASSEMBLE AND TEST
BEARINGS
COPPER
MISC SHOP SUPPLIES-INVENTORY

INSTALL NEW GEARBOX AND MOTOR
TRUCK CHARGE
NEW GEARBOX
FREIGHT
7.0 TAX

Continued
Dixie Electro Mechanical Services, Inc.
2115 Freedom Drive
P.O. Box 668944
Charlotte, NC 28266
Phone: 800-876-6508 Fax: 704-333-6214

| Quote: 002693 | Department: 3P | Job Desc: RELIANCE|75/33|1780/1187| THREE PHASE-AC REPAIR | Type: 3P THREE PHASE-AC REPAIR |
| Cust #: CI1181 | Ship To #: | Quote Date |
| CITY OF NEWTON | CITY OF NEWTON | 03/19/18 |
| PO BOX 550 | PO BOX 550 |
| NEWTON, NC 28658 | NEWTON, NC 28658 |

---

Total: 56,163.77

Quote valid for 30 calendar days from the above date. Plus Freight and Sales Taxes, If Applicable.

By: ___________________________ Date: ___________________________

Based Upon Our Standard Terms And Conditions.
Mr. Gordon Ross  
City of Newton  
WWTP Superintendent  
PO Box 550  
Newton, NC 28658  

March 21, 2018  

Re: Replace Aerator 2 in Aeration Basin 3 & Refurbish 75HP Motor  

Dear Mr. Ross:  

Kemp Inc. is pleased to submit this proposal for the Aerator Gearbox Replacement of Aerator 2 in Aeration Basin 3 at the City of Newton WWTP.  

Scope:  
Replace Aerator 2 in Aeration Basin 3:  
- Support mixer shaft as necessary.  
- Remove and dispose of existing Aerator.  
- Supply and install new replacement gearbox:  
  - Gearbox to be drop in replacement of existing concentric, 20:1 gearbox.  
  - Gearbox complete with:  
    - Lube Pump  
    - Lantern  
    - Flow Switch  
- Level gearbox with jacking bolts.  
- Grout as necessary.  

Refurbish existing 75hp motor:  
- Remove motor from gearbox and contract American MTS to refurbish motor as follows:  
  - Inspect, clean and megger test windings.  
  - Insulation overcoat of windings  
  - Replace bearings  
  - Install new grease  
  - Apply protective coating  
  - Hot test  
  - Final inspection  
  - Re-install motor onto new gearbox once installed.  
  - Start-up/test  

NOTE: Motor refurbish service does not include Motor Rewind – assumes Motor winding is in good condition.
Clarifications/Terms
- Proposal does not include any repairs to Mixer Shaft/Mixer
- Payment: 100% NET 30 Days.
- Proposal valid for 60 days.

*North Carolina RMI (sales) Tax is not included on the labor portion of this proposal, if NCDOR E-589CI Affidavit of Capital Improvement is not submitted to us, NC Sales Tax will be added to our invoice. NC RMI Tax Catawba County = $656.25 if applicable.

Proposal Total..................................................$65,900.00

Kemp Inc. is a licensed General Contractor with classifications for Water and Wastewater projects. Thank you for the opportunity to provide this proposal.

Sincerely,

Luke Kemp
Kemp Construction Inc.
March 14, 2018

Newton, NC, Clark Creek WWTP

Attention: Eric Jones  
828-217-4457

Subject: MERRICK Proposal WT18-8477

Sent Via Email: ejones@newtonnc.com

Dear Eric:

MERRICK is pleased to provide you with our equipment proposal and pricing per your request.

New Feeder Option:

ONE (1) Liquid Lime Slurry Feeder consisting of the following equipment components:

- Chemical: Lime Slurry
- Model: 65 – 02 Rotodip
- Dose Range: 18-1800 GPH
- Voltage: 115/60/1

MERRICK MODEL 65 – 02 VOLUMETRIC LIQUID FEEDER:

- Carbon Steel Construction, Epoxy Painted
- FRP Lining Inside of Tank, for Corrosion Resistance
- Fiberglass Cover
- PVC Dipper Wheel, for Corrosion Resistance
- 316 Stainless Steel Internal Parts, for Corrosion Resistance
- Teflon Shafts and Seals
- Rotodip Counter Totalizer
- PVC Bearings
- PVC Overflow Pipe
- 1/4 HP 90VDC Motor with Tach for 100:1 Turndown
- Merrick Xtra Drive Motor Controller, 115/60/1
- Direct Drive Gear Reducer

PRICE for One (1) Model 65 – 02 Feeder $22,800.00 USD

F.O.B. Newton, NC
ORDINANCE # 2018-8

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, the City of Newton City Council desires to appropriate funds for repairs to the Wastewater Treatment Plant aeration basin #3 motor and gear box and the lime feeder #1; and,

WHEREAS, on February 14, 2018, the aeration basin motor and gear box failed causing dissolved oxygen in the waste stream to decrease below the State required 2.0 mg/L limits; and,

WHEREAS, on February 12, 2018, lime feeder #1 failed as well. If the plant is without an operational lime feeder, the plant will be in violation of the State permit; and,

WHEREAS, City Council desires to approve utilization of fund balance from the Water/Wastewater Fund and the related appropriation for repairs within the Wastewater Treatment Plant operating budget.

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>General Fund Revenues</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Fund Balance Appropriation</td>
<td>61-0000.3995</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>General Fund Appropriations</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Repairs/Maintenance</td>
<td>61-7141.6510</td>
</tr>
</tbody>
</table>

Adopted this 10th day of April, 2018.

Anne P. Stedman, Mayor

Attest:

Amy S. Falowski, City Clerk
CITY OF NEWTON
REQUEST FOR COUNCIL ACTION

DATE: November 29, 2016

TO: E. Todd Clark, City Manager

FROM: Dusty Wentz, PWU Director

CONSIDERATION OF: Budget Amendment for Repair of 2009 Dumpster Truck (Unit 626)

Approved for Council Consideration

Background:

The City operates a 2009 Mack Dumpster Truck that is in need of repair. Specifically, the hydraulic compressor failed and damaged the back of the engine. The estimate cost for the repair is $12,485.51. This truck has 107,342 miles and 4,946 hours (247,300 equivalent miles) and is scheduled for replacement in fiscal year 2024.

This year’s budget contains $35,000 for fleet repair and maintenance. So far, $22,460.23 has been spent out of this account, with roughly $12,539.77 remaining for repairs on all sanitation trucks for the next 2 months.

At the present time, City dumpsters are being serviced by the backup dumpster truck, a 2000 Volvo dumpster truck. This truck has had two major repairs this fiscal year, and is scheduled for replacement in fiscal year 2021. Staff is very concerned regarding the continued daily operation of the truck, both in terms of repair costs and failure.

Staff requests an appropriation from General Fund Balance for $12,485.51 to the Sanitation Operation Budget to pay for the incurred expenditures for dumpster truck repair.

Action Suggested:

Motion to approve the attached budget ordinance amendment for repairs to the 2009 Mack Dumpster Truck.
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, the City of Newton City Council desires to appropriate funds for repairs to the 2009 Mack Dumpster Truck. Estimated repairs are $12,500; and,

WHEREAS, the City of Newton City Council desires to approve utilization of fund balance and the related appropriation for the repairs to the 2009 Mack Dumpster Truck; and

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.

General Fund Revenues
   Fund Balance Appropriation  11-0000.3990  $ 12,500

General Fund Appropriations
   Vehicle Repairs/Maintenance  11-4310.8400  $ 12,500

Adopted this 10th day of April, 2018.

Anne P. Stedman, Mayor

Attest:

Amy S. Falowski, City Clerk
CITY OF NEWTON
REQUEST FOR COUNCIL ACTION

DATE: March 26, 2018

TO: Todd Clark, City Manager

FROM: Dusty Wentz, PWU Director

CONSIDERATION OF: Sole Source Shielding and Shoring Equipment and Related Budget Ordinance Amendment

Approved for Council Consideration

Background:

On November 26, 2017 the old public works yard at 202 E. 5th St., caught on fire, damaging the main storage building and items stored there. One of those items was an Efficiency shielding and shoring unit that water sewer maintenance uses to work in trenches deeper than five (5) feet, which is an OSHA requirement.

This unit was deemed a total loss and is covered by insurance. It will cost $57,060.50 to replace this unit. Fortunately, not all items were on this unit at the time of the fire. There was however, over $4,500.00 in shielding and shoring items such as hydraulic pump cans, cylinder rails, cotter pins, and clevis clip heads that were damaged. All belong to the Efficiency brand and these items are required when using shielding and shoring equipment.

These items will have to be thrown away, unless the City purchases an Efficiency brand trench and shoring system. Engineering certification is required; therefore, all shielding and shoring equipment items are designed brand for brand. These items will not function with another brand. Furthermore, current staff is trained in this product. Selection of another product will cost more in training is estimated to be $4,000. Utilizing the vendor Pumping & Shoring Solutions (the sales company for Efficiency products) will save at a minimum $8,500.00 that is not covered by insurance.

Action Suggested:

It is recommended by the staff that Council approve the related budget ordinance amendment and consider sole sourcing replacement of the shielding and shoring system to the Efficiency brand, sold by Pumping & Shoring Solutions.
SOLE SOURCE JUSTIFICATION FORM
(For Items Costing $750.00 or More)

Vendor: Pumping & Shoring Solutions

Item: Hydraulic Shoring & Shoring Unit

Estimated Expenditure for the Above Item: $87,000.50

INITIAL ALL ENTRIES BELOW THAT APPLY TO THE PROPOSED PURCHASE. ATTACH A MEMO CONTAINING JUSTIFICATION AND SUPPORT DOCUMENTATION.

1.__ Sole source request is for the original manufacturer or provider, there are no area distributors.

2.✓ The parts/equipment are not interchangeable with similar parts of another manufacturer.

3.__ This is the only known item or service that will meet the specialized needs of this department or perform the intended function.

4.__ The parts/equipment are required from this source to permit standardization.

5.✓ None of the above apply. A detailed explanation and justification for this sole source request is contained in attached memo.

The undersigned requests that competitive procurement be waived and that the vendor identified as the supplier of the material or service described in this sole source justification be authorized as a sole source for the material or service.

[Signatures]
Department Head/Authorized Personnel
Division

5-13-18 Date

11/15/13
TO:       Ed Epley  
From:     Dennis Falder Jr.  
Subject:  Sole Source Shielding and Shoring Equipment  
Date:     March 13, 2018  

The City of Newton Water Sewer Operations Department has over $4,500.00 in shielding and shoring items that was stored in a different location than where the fire took place. Items such as hydraulic pump cans, cylinder rails, cotter pins, and clevis clip heads. All belongs to the Efficiency brand. These items help make up the total package when using shielding and shoring equipment that is required by OSHA.

These items will have to been thrown away, unless we go with Efficiency product. Engineering certification is required. All shielding and shoring equipment items are designed brand for brand. These items cannot go with another brand. Furthermore, current staff is trained in this product. Going with another product will cost more in training. Training cost could be around $4,000. Going with Pumping & Shoring Solutions which is the sales company for Efficiency product will save the City money.
Sale Quotation

Quotation Date: 3/22/18
Customer Number: 
Page: 1

Prepared For: 
Roy Burgess
City of Newton
PO Box 550
Newton, NC 28658

Ship To: 
City of Newton
Newton, NC

<table>
<thead>
<tr>
<th>Ship Date</th>
<th>PO Number</th>
<th>Ship Via</th>
<th>Terms</th>
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<tr>
<td>TDB</td>
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<td>Best Way</td>
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<tr>
<th>Qty</th>
<th>Description</th>
<th>Unit Price</th>
<th>Total Price</th>
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<tbody>
<tr>
<td>2</td>
<td>New Efficiency Model AH810 Aluminum Hydraulic Shield 8&quot; High x 10' Long</td>
<td>$7,545.00</td>
<td>$15,090.00</td>
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<tr>
<td>8</td>
<td>New Efficiency Model QBH3455-1 Quickbrace Hydraulic Strut 34&quot; x 55&quot;</td>
<td>$690.00</td>
<td>$5,520.00</td>
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<tr>
<td>4</td>
<td>New Efficiency Model QBH94130-1 Quickbrace Hydraulic Strut 94&quot; x 130&quot;</td>
<td>$945.00</td>
<td>$3,780.00</td>
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<tr>
<td>4</td>
<td>New Efficiency Model QBEK55EP8 8&quot; End Panel 34&quot; x 55&quot; Range with 2' x 8' End Panels</td>
<td>$990.00</td>
<td>$3,960.00</td>
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<tr>
<td>2</td>
<td>New Efficiency Model QBEK130EP8 8' End Panel Kit 94&quot; x 130&quot; Range without Panels</td>
<td>$525.00</td>
<td>$1,050.00</td>
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<tr>
<td>2</td>
<td>New Efficiency Model ALUM-EP-8 End Panel 2' x 8' End Panel</td>
<td>$185.00</td>
<td>$370.00</td>
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<tr>
<td>12</td>
<td>New Efficiency Model S-1.5X3455 Hydraulic Shore 34&quot; x 55&quot; Cylinder w/1.5' Rails</td>
<td>$370.00</td>
<td>$4,440.00</td>
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<tr>
<td>6</td>
<td>New Efficiency Model EXU36 Universal Cylinder Extension 36&quot;</td>
<td>$215.00</td>
<td>$1,290.00</td>
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</tbody>
</table>

Notes:
1) Prices quoted do not include applicable sales and use taxes. 2) Prices Quoted shall be valid for 30 days from the date of the quote.
## Sale Quotation

### Quotation Details
- **Quotation Date:** 3/8/18
- **Customer Number:**
- **Page:** 2
- **Ship To:**
  - City: Newton
  - City: Newton, NC

### Prepared For:
- Roy Burgess
- City of Newton
- PO Box 550
- Newton, NC 28658

### Ship Date
- **TDB**

### PO Number

### Ship Via
- **Best Way**

### Terms
- **Upon Receipt**

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<th>Description</th>
<th>Unit Price</th>
<th>Total Price</th>
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</thead>
<tbody>
<tr>
<td>12</td>
<td>New 4' x 8' Finn Form&lt;br&gt;Sales Price FOB Newton, NC</td>
<td>$120.00</td>
<td>$1,440.00</td>
</tr>
<tr>
<td>1</td>
<td>New Efficiency Model AS512039 5 Gallon Plastic&lt;br&gt;Hydraulic Pump Can&lt;br&gt;Sales Price FOB Newton, NC</td>
<td>$815.00</td>
<td>$815.00</td>
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<tr>
<td>1</td>
<td>48&quot; Release Tool</td>
<td>$46.50</td>
<td>$46.50</td>
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<tr>
<td>1</td>
<td>48&quot; Removal Hook</td>
<td>$46.50</td>
<td>$46.50</td>
</tr>
<tr>
<td>25</td>
<td>Model 56103-A Clevis Pin Clipped Head&lt;br&gt;Sales Price FOB Newton, NC</td>
<td>$3.75</td>
<td>$93.75</td>
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<tr>
<td>25</td>
<td>Model 56200 Cotter, Circle Small&lt;br&gt;Sales Price FOB Newton, NC</td>
<td>$0.85</td>
<td>$21.25</td>
</tr>
<tr>
<td>25</td>
<td>Model 56201 Cotter, Circle Large&lt;br&gt;Sales Price FOB Newton, NC</td>
<td>$0.85</td>
<td>$21.25</td>
</tr>
<tr>
<td>25</td>
<td>Model 56210 Socket Pad/Oversleeve Pin&lt;br&gt;Sales Price FOB Newton, NC</td>
<td>$3.05</td>
<td>$76.25</td>
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</table>

**Total Sales Price FOB Newton, NC**

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<th>Qty</th>
<th>Description</th>
<th>Unit Price</th>
<th>Total Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>New Model SST Shielding and Shoring Trailer&lt;br&gt;Sales Price FOB Newton, NC</td>
<td>$16,500.00</td>
<td>$16,500.00</td>
</tr>
</tbody>
</table>

*Estimated Delivery 3 - 4 Weeks from receipt of order*<br>*Estimated Freight $2,500.00*

**Notes:**
1) Prices quoted do not include applicable sales and use taxes. 2) Prices quoted shall be valid for 30 days from the date of the quote.
ORDINANCE # 2018-9

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, the City of Newton City Council desires to appropriate funds for repairs to the Wastewater Treatment Plant aeration basin #3 motor and gear box and the lime feeder #1; and,

WHEREAS, on November 26, 2017, the old Public Works yard at 202 E. 5th Street caught on fire damaging the main storage building, contents of the building, and other items stored on site. One of the items was the shielding and shoring trench box and equipment. The shielding and shoring trench box and equipment was deemed a total loss; however, it was covered by insurance; and,

WHEREAS, City Council desires to recognize $57,100 of the insurance proceeds related to the fire at 202 E. 5th Street and the related appropriation for the purchase of a shielding and shoring trench box and equipment within the Wastewater Treatment Plant operating budget.

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>General Fund Revenues</th>
<th>Insurance Claims</th>
<th>61-0000.3780</th>
<th>$ 57,100</th>
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<tr>
<td>General Fund Appropriations</td>
<td>Capital Outlay – Other Equipment</td>
<td>61-7100.8500</td>
<td>$ 57,100</td>
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</table>

Adopted this 10th day of April, 2018.

Anne P. Stedman, Mayor

Attest:

Amy S. Falowski, City Clerk
Sole Source Justification

North Carolina General Statute §143-129(e)(6) provides an exception to the formal bidding requirements when:

a) Performance or price competition for a product is not available, or
b) A required product is available from only one source of supply, or
c) Standardization or compatibility is the overriding consideration.

Purchases made under this exception must be approved by the City of Newton City Council. The authority to award sole source contracts cannot be delegated.

Vendor: Pumping and Shoring Solutions

Item/Service: Shielding and Shoring Trench Box and Equipment

Purchase Amount: $57,060.50

Mark all entries below that apply to the proposed purchase:

1. _____ Sole source request is for the original manufacturer or provider. There are no area distributors.
2. _____ The parts/equipment are not interchangeable with similar parts of another manufacturer.
3. _____ This is the only known item or service that will meet the specialized needs of this department or perform the intended function.
4. _____ The parts/equipment are required from this source to permit standardization.
5. _____ None of the above apply.

Provide detailed explanation and justification for this sole source request:
See attached Council Action Request

I hereby request that a Sole Source be approved for the procurement of the above stated item or service.

Signature of Requestor: [Signature] Date: 4/3/2018 Department: PWU

For Purchasing Department Use Only

Purchasing Agent Approval: __________________________ Date: __________________________

Date Approved by Council: __________________________
DATE: March 1, 2018

TO: E. Todd Clark, City Manager

FROM: Dusty Wentz, Director of Public Works and Utilities

CONSIDERATION OF: Awarding the bid for the Annual Sidewalk Replacement Project

Approved for Council Consideration

Background:

This year sidewalk resurfacing is focused on E. 21st and E. 22nd Streets. All street segments were selected from the Asphalt and Sidewalk Condition assessment completed in late 2015. They are the sidewalk segments that the assessment indicated as having the most severe issues that could be replaced with available funds.

Both segments are complete removal, repair of sub-base, as needed, and replacement of five foot wide sidewalks.

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

1. Evans Construction Co. No Bid
2. M & M Construction Inc. $79,020
3. Sawyer’s Concrete Co. No Bid

M & M’s bid was found to be complete and accurate.

Staff is uncertain of the subsurface conditions of several of the sidewalk segments. Therefore, staff recommends holding a 15% contingency of $11,850 for this project instead of the normal 10%. A 15% contingency would bring the total project cost to $90,870.

City Council appropriated $130,000 this year, with $18,492 already expended on other sidewalk segments. Staff recommends waiting until subsurface conditions are access before moving forward with additional sidewalk replacement projects.

Recommendation:

It is recommended that Council consider awarding the bid for the Annual Sidewalk Replacement project to M & M Construction of Banner Elk, Inc. in the amount of $79,020 and hold a 15% contingency of $11,850 in reserve. Any utilization of contingency funds will be presented to council.
<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Quantity</th>
<th>Unit</th>
<th>$/Unit</th>
<th>Total</th>
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<tbody>
<tr>
<td></td>
<td>1 Remove existing, haul off, install 5' concrete sidewalk on E. 21st</td>
<td>427 LF</td>
<td></td>
<td>$65.00</td>
<td>$27,755.00</td>
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<td></td>
<td>2 Remove existing, haul off, install 5' concrete sidewalk on E. 22nd</td>
<td>771 LF</td>
<td></td>
<td>$65.00</td>
<td>$50,115.00</td>
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<tr>
<td>Alt 1</td>
<td>Remove existing, haul off, install 5' concrete sidewalk on N. Cline</td>
<td>1017 LF</td>
<td></td>
<td>$65.00</td>
<td>$66,108.00</td>
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<tr>
<td>Alt 2</td>
<td>Remove existing, haul off, install 5' concrete sidewalk on W. 21st</td>
<td>504 LF</td>
<td></td>
<td>$65.00</td>
<td>$33,260.00</td>
</tr>
<tr>
<td></td>
<td><strong>Project Total</strong></td>
<td></td>
<td></td>
<td></td>
<td><strong>$183,538.00</strong></td>
</tr>
</tbody>
</table>

UB 1 Removal of unsuitable soil / material under sidewalk alignment 100 LF | $5.75 | $575.00 |
UB 2 Placement of 4" thick ABC stone base 100 LF | $5.75 | $575.00 |

|      | **Total**                                         |          |      |        | **$1,150.00** |
|      | **Subtotal**                                      |          |      |        | **$184,688.00** |
|      | 10% contingency                                   |          |      |        | **$18,468.60** |
|      | **Total Bid Price**                               |          |      |        | **$202,823.50** |

signed = Michelle E. Somer
Sawyers Concrete LLC
PO Box 448
Claremont, NC 28610

Job name:
City Of Newton

We will not be bidding on the job.

Thanks, Jerry Brown

On Monday, March 19, 2018, 3:29:51 PM EDT, Epley, Edward <eepley@newtonnc.gov> wrote:

Please find attached a bid request from the City of Newton. If you should elect to not bid on this work please submit the bid tab with a no bid written on it.

Thks,

Edward Epley, CLGPO
Purchasing Agent
City of Newton
P. O. Box 550
Newton, NC 28658
Phone: 828-695-4328
Fax: 828-465-7464
Cell: 828-217-4390
eepley@newtonnc.gov
<table>
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<td>427</td>
<td>LF</td>
<td></td>
<td></td>
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<tr>
<td>2</td>
<td>Remove existing, haul off, install 5' concrete sidewalk on E. 22nd</td>
<td>771</td>
<td>LF</td>
<td></td>
<td></td>
</tr>
<tr>
<td>All 1</td>
<td>Remove existing, haul off, install 5' concrete sidewalk on N. Cline</td>
<td>1017</td>
<td>LF</td>
<td></td>
<td></td>
</tr>
<tr>
<td>All 2</td>
<td>Remove existing, haul off, install 5' concrete sidewalk on W. 21st</td>
<td>604</td>
<td>LF</td>
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<tr>
<td>Project Total</td>
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<td></td>
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<tr>
<td>UB 1</td>
<td>Removal of unsuitable soil / material under sidewalk alignment</td>
<td>100</td>
<td>CY</td>
<td></td>
<td></td>
</tr>
<tr>
<td>UB 2</td>
<td>Placement of 4&quot; thick ABC stone base</td>
<td>100</td>
<td>LF</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

"NO BID"

EVANS CONSTRUCTION
DATE: April 4, 2018

TO: E. Todd Clark, City Manager

FROM: Serina Hinson, Finance Director

CONSIDERATION OF: Resolution for 10-Year Capital Improvement Plan for Fiscal Years 2019-2028

Approved for Council Consideration

City staff has prepared a 10-Year Capital Improvement Plan (CIP) which balances projected revenues and expenditures based on financial forecast and assumptions with the City’s long-range financial capacity.

The CIP is updated annually as part of the City’s regular budget process. First-year projects noted on the CIP will be incorporated into the City Manager’s recommended annual operating budget or in some cases a capital project ordinance with the exception of capital which will be funded by a potential grant that has not been awarded. The nine (9) subsequent years are not binding and are subject to change each year as the City’s priorities/needs, grant opportunities, emergency needs or other priorities established change.

The 10-Year CIP for Fiscal Years 2019-2028 was provided at the March 20, 2018 City Council Workshop for review.

Action Suggested:

Adopt the Resolution Approving the 10-Year Capital Improvement Plan for Fiscal Years 2019 - 2028.
Resolution 13-2018
Adopting City of Newton Capital Improvement Plan
For Fiscal Years 2019-2028

WHEREAS, the City of Newton, North Carolina (the "City") continues to adhere to a high standard of professional financial management to ensure adequate public infrastructure, economic development and services for its citizens; and

WHEREAS, the City recognizes the Capital Improvement Plan to be an important management tool that coordinates community infrastructure needs with the financial capacity of the City; and

WHEREAS, the City prepared a ten-year Capital Improvement Plan which balances projected revenues and expenditures based on financial forecast and assumptions with the City’s long-range financial capacity; and

WHEREAS, the City will update the Capital Improvement Plan annually as part of the City’s regular budget process; and

NOW, THEREFORE BE IT RESOLVED by the governing body of the City of Newton, North Carolina in its regular session duly assembled, that it does hereby adopt the Capital Improvement Plan for Fiscal Years 2019-2028 as the long-range capital improvement plan for the City.

Adopted this 10th day of April 2018.

Anne P. Stedman, Mayor

Amy S. Falowski, City Clerk