The regular meeting of the Newton City Council was held at 7 p.m. Tuesday, April 10, 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 Attorney John Cilley, City Department Heads and members of the management team

ITEM 1: CALL TO ORDER

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

ITEM 2: OPENING Invocation and Pledge of Allegiance

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

ITEM 3: APPROVAL OF MINUTES

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

That the Regular Minutes of the March 20, 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 Jody Dixon, it was unanimously RESOLVED:

That the Consent Agenda be – APPROVED

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

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

Mayor Anne P. Stedman presented a Proclamation recognizing Child Abuse Prevention Month to Melissa Kerekes with the Children’s Advocacy & Protection Center of Catawba County.

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: 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

Public Works and Utilities Director Dusty Wentz said that aeration basin #3 and gear box #2 have 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 reached out to vendors to seek quotes. Because of the specifications of the existing gear box and motor, only two vendors entertained a quote:

<table>
<thead>
<tr>
<th>Contractor/Vendor</th>
<th>Quote</th>
</tr>
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<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>
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Mr. Wentz said lime feeder #1 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 reached out to vendors and found that only one vendor can build a lime feeder that will fit the 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 of companies able to work on dry lime feeders. The repair will not reduce the cost of the CIP project “Replace Lime Feeder Building.”

<table>
<thead>
<tr>
<th>Contractor/Vendor</th>
<th>Quote</th>
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<tbody>
<tr>
<td>Merrick</td>
<td>$22,800</td>
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Mr. Wentz said the equipment and repair/maintenance line item of the WWTP budget for FY 2017-2018 was budgeted at $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.

Mr. Wentz said that staff recommends Council consider approving a budget ordinance amendment in the amount of $79,000 for rebuilding equipment at the Wastewater Treatment Plant.

Mayor Anne P. Stedman said the Public Works and Utilities Department had squeezed as much use out of the equipment as possible, which they always do.

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

That the Budget Ordinance Amendment in the amount of $79,000 for rebuilding equipment at the Wastewater Treatment Plant be – APPROVED.

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

B. Consideration of Budget Ordinance Amendment – Sanitation Truck Repairs
Public Works and Utilities Director Dusty Wentz said 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 estimated cost for the repair is $12,485.51. The truck has 107,342 miles and 4,946 hours (247,300 equivalent miles) and is scheduled for replacement in fiscal year 2024.

Mr. Wentz said 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 two months.

Mr. Wentz said 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.

Mr. Wentz said 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.

Mr. Wentz said staff recommends approval of the budget ordinance amendment for repairs to the 2009 Mack Dumpster Truck.

Mayor Pro Tem John Stiver asked whether this amendment would affect the consideration of the resolution adopting the 10 Year Capital Improvement Plan later on the agenda.

City Manager Todd Clark said the budget ordinance amendment is not a long-term fix.

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

That the Budget Ordinance Amendment for repairs to the 2009 Mack Dumpster Truck be – APPROVED.

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

C. Consideration of Sole Source for Shielding and Shoring Equipment and Related Budget Ordinance Amendment

Public Works and Utilities Director Dusty Wentz said that on November 26, 2017 the old public works yard at 202 East 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 feet, which is an OSHA requirement.

Mr. Wentz said the unit was deemed a total loss and is covered by insurance. It will cost $57,060.50 to replace the unit. Fortunately, not all items were on the unit at the time of the fire. There was, however, more than $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.

Mr. Wentz said 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, which 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.
Mr. Wentz said staff recommends that Council approve the budget ordinance amendment and consider sole sourcing replacement of the shielding and shoring system to the Efficiency brand, sold by Pumping & Shoring Solutions.

Mayor Pro Tem John Stiver asked how much the new equipment would cost.

Mr. Wentz said the new equipment would cost $57,060.50 and would be covered by insurance.

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

That sole sourcing replacement of the shielding and shoring system to the Efficiency brand, sold by Pumping & Shoring Solutions be – APPROVED.

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

That the Budget Ordinance Amendment be – APPROVED.

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

D. Consideration of Bid Award – Sidewalks

Public Works and Utilities Director Dusty Wentz said sidewalk resurfacing this year is focused on East 21st Street and East 22nd Street. 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.

Mr. Wentz said both segments are complete removal, repair of the sub-base, as needed, and replacement of five foot wide sidewalks.

Mr. Wentz said staff solicited bids from local contractors and received three responses. The responses are:

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

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

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

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

Mr. Wentz said staff recommends 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.

Mayor Anne P. Stedman asked whether the single bid qualified since there were two no-bids.
Mr. Wentz said the single bid qualified.

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

That awarding the bid for the Annual Sidewalk Replacement Project to M & M Construction of Banner Elk, Inc. in the amount of $79,020 and to hold a 15% contingency of $11,850 in reserve be – APPROVED.

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

Council Member Jody Dixon said he thought last year Council approved $500,000 in spending on new roads and $100,000 for new sidewalks. He asked whether staff was looking in to how to spend the $100,000 on new sidewalks.

Council Member Tom Rowe asked whether $100,000 in spending on new sidewalks was approved.

Mr. Wentz said the $100,000 appropriation was the total amount approved for tearing out old sidewalks and putting in new sidewalks.

ITEM 6:  Old Business

A. Consideration of Resolution Adopting 10-Year Capital Improvement Plan

City Manager Todd Clark said the CIP was presented at the Council Workshop in January. An in-depth workshop on the CIP was held before the March 20 Council meeting. The plan is a comprehensive account of equipment and projects identified for purchase by the City during the next 10 years. The CIP is integrated into the budget process each year. Finance Director Serina Hinson will review the first year of implementation, which is what is on the agenda for Council to approve tonight.

Ms. Hinson said the CIP includes $73.4 million in capital during 10 years. The resolution being considered is for 10 years, but only the first year is binding.

Ms. Hinson reviewed the capital investments for 2018-2019.

Mayor Pro Tem John Stiver said he had a problem with the garbage trucks. He asked if there was a means to fund them sooner.

Ms. Hinson said replacement of garbage trucks was not in the CIP for 2018-2019. Public Works and Utilities Director Dusty Wentz is looking into which truck replacement to move earlier in the CIP. The 2009 Mack Dumpster truck may be moved earlier. That truck is in the CIP in 2024 for $313,000. If the truck were replaced sooner, it would cost less. Financing the truck over seven years would equal about $50,000 per year.

Mr. Clark said staff is looking for a long-term solution for the sanitation truck.

Mayor Anne P. Stedman said that if the CIP is approved, it will be the formal vote that moves forward the Streetscape Revitalization Project. She said she appreciated all the work of council and staff to get to this point.

Upon motion duly made by Council Member Jerry Hodge, seconded by Council Member Anne Abernethy Wepner, it was unanimously RESOLVED:
That adopting the 10-Year Capital Improvement Plan for Fiscal Years 2019-2028 be – APPROVED.

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

ITEM 7: **City Manager’s Report**

**Meetings & Events**

- April 13th – Dementia Friendly Newton, Newton Recreation Center, lower level, 8:30-10 a.m.
- April 16th and 23rd – Teen Leadership
- April 26th – WPCOG Annual Meeting, Crowne Plaza, 6:00 p.m.
- April 28th – Spring Litter Sweep, meet at Westside/Jaycee Park, 8:30 a.m.-12:30 p.m.
- April 29th – Newton-Conover Community Concert Band and Jazz Band, Newton-Conover Auditorium, 3 p.m.

**Next City Council Meeting April 24, 2018**

**Budget Workshop Dates**
May 8, 2018
May 10, 2018
May 15, 2018*
May 16, 2018
May 17, 2018**
*Council meeting scheduled
**If needed
All workshops are scheduled to begin at 5:15 p.m.

**Other Items**
- The Streetscape Revitalization Project has been authorized and bid opening is today. The City’s engineer is assessing bids.
- Surveying has begun on the West A Street Revitalization Project. The City has applied for grant funding to augment the $1.5 million in grants already obtained. Construction will begin in about one year.
- Planning Director Randy Williams said he is working with Newton-Conover High School and Discovery High School students to design bike racks for the Streetscape Revitalization Project. A committee has been organized to choose the top eight designs. Designs should be done by May 1 and students will know which designs were selected by the end of the school year. A design for gateway signs for six locations has also been completed and estimates are being sought.
- A new piece of public art will be installed at the Main Library on April 11.

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

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

Council Member Jody Dixon gave reports on the Newton Depot Authority and Branding Committee.
ITEM 12:  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

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Amy S. Falowski, City Clerk