

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

May 17, 2016 – 7 p.m.

The regular meeting of the Newton City Council was held at 7 p.m. Tuesday, May 17, 2016 at Newton City Hall.

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

ABSENT: Council Member Jerry Hodge

STAFF: City Manager Todd Clark, City Clerk Amy S. Falowski, City Attorney John Cilley, City Department Heads and members of the management team

ITEM 1: CALL TO ORDER

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

ITEM 2: OPENING Invocation and Pledge of Allegiance

Mayor Pro Tem John Stiver provided the invocation and Pledge of Allegiance.

ITEM 3: APPROVAL OF MINUTES

Council Member Robert C. Abernethy, Jr. stated that on page 4 that it states that he asked if there is a way to look at the roads with the most travel first. Mr. Abernethy stated that he thinks Mr. Hodge actually made this statement.

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

That the Regular Minutes of the April 18, 2016 City Council meeting be –
APPROVED with the above mentioned correction.

ITEM 4: CONSIDERATION OF CONSENT AGENDA ITEMS

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

That the Consent Agenda be – APPROVED

A. Sewer Adjustments

(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.

Michael Waltuck stated that he appreciated Mayor Pro Tem John Stiver's comments. Mr. Waltuck stated that there is a new farmer's market in Newton that will be located at Catawba Farms. He stated the hours

are Saturday, 8:00 a.m. – 2:00 p.m. He also stated that next Thursday would begin the weekly musical festival, lasting until the week of reunion.

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

ITEM 6: Public Hearing

A. Consideration of Ordinance Amendment – Subdivision Review Board

Mayor Stedman opened the public hearing.

Alex Fulbright stated that at a recent Subdivision Review Board meeting, the issue of composition of the Subdivision Review Board was broached and it was determined that the existing ordinance needs to be amended to reflect current position titles. In addition, it was discussed that there was the need for clarification on who could serve as an alternate in the event of absence and how the vice-chairmen was selected. Mr. Fulbright stated the current ordinance reads as follows:

(b) *Composition; chairman.* The SRB shall consist of the city manager, planning director/assistant city manager, director of parks and recreation, director of public works, police chief, and fire chief.

Attendance at all meetings is required, but a member may designate an alternate when attendance at an SRB meeting is precluded by illness, accident, vacation or irreconcilable conflict. The chairman of the SRB shall be appointed by the city manager to serve at his pleasure.

Mr. Fulbright stated that the proposed ordinance, if adopted would address those issues and would read as follows:

(b) *Composition; chairman.* The SRB shall consist of the City Manager, Planning Director, Director of Parks and Recreation, Director of Public Works, Police Chief, and Fire Chief. The City Manager may designate an alternate to serve on the SRB in his place or in the place of any department head for any length of time determined by the City Manager. Attendance at all meetings is required of each SRB member. The chairman and vice-chairman of the SRB shall be appointed by the city manager to serve at his pleasure.

Mr. Fulbright stated the Planning Commission unanimously recommends the proposed ordinance as presented.

Mayor Stedman asked if there was anyone present that would like to speak in favor of or against the proposed Ordinance Amendment. No one appeared.

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

That Public Hearing be – CLOSED.

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

That Ordinance Amendment – Subdivision Review Board be – ADOPTED.

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

ITEM 7: New Business

A. Presentation – Community Health Assessment – Catawba County Public Health

Zack King from Catawba County Public Health gave a presentation on the Community Health Assessment.

Mayor Stedman thanked Mr. King and told him that the city is working on a Recreation Master Plan

B. Report on Recent Department of Insurance Rating for Fire Protection Services

Fire Chief Kevin Yoder gave a presentation explaining the recent Department of Insurance Rating for Fire Protection Services for the city. Chief Yoder stated that the city is now rated a 4 on the fire insurance rating classifications. Chief Yoder stated that everyone in the department contributes to this rating, and that he wanted to especially thank Randy Walker, Alan Fox, Brian Whitener, and Dennis Falder for all their hard work preparing information for the inspection.

C. Consideration to Adopt Resolution for the Sale of Real Property

Assistant City Manager Sean Hovis stated the City of Newton acquired a parcel of land located at 1000 North Ashe Avenue several years ago through a foreclosure proceeding for the purpose of demolishing a structure that posed an eminent threat to the health, safety and welfare of the public. Mr. Hovis stated the structure has been demolished and the property has no practical use by the City at this time.

Mr. Hovis stated the Newton City Council previously declared this parcel as surplus property on March 18, 2014. As directed by the City Council, the city staff subsequently advertised the property for sale.

Mr. Hovis stated that most recently, James E. Brackett submitted a bid on May 12, 2016 in the amount of \$2,200. In accordance with North Carolina General Statute §160A-269, “when an offer is made and the council proposes to accept it, the council shall require the offeror to deposit five percent (5%) of his bid with the city clerk, and shall publish a notice of the offer.”

Mr. Hovis stated that the Statute requires the public notice include a general description of the property, the amount and terms of the offer, and a notice that within 10 days any person may raise the bid by not less than ten percent (10%) of the first one thousand dollars (\$1,000) and five percent (5%) of the remainder. If an upset bid is offered, the bidder must deposit (5%) of his increased bid with the City Clerk and the Clerk must re-advertise the offer at the increased bid. This procedure shall be repeated until no further qualifying upset bids are received, at which time the council may accept the offer and sell the property to the highest bidder. The Statute also provides that the Council may at any time reject any and all offers.

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

That the Bid for the Sale of Real Property located at 1000 N Ashe Av, in the amount of \$2,200 be – ACCEPTED.

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

D. Consideration of Resolution for 10 Year Capital Improvement Plan

City Manager Todd Clark stated that 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.

Mr. Clark stated 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. Mr. Clark explained 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 change.

Mr. Clark stated the 10-Year CIP for Fiscal Years 2017- 2026 was provided at the May 5, 2016 budget workshop for your review. He explained that there are some minor changes to the wording of the document, but not the bottom line.

Council Member Wes Weaver stated that it does not mean that you agree with everything in the CIP if you vote in favor of it. It is a working document and just puts a plan in place.

Council Member Robert C. Abernethy, Jr. stated that he agrees with 99% of the document.

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

That Resolution for 10 Year Capital Improvement Plan be – ADOPTED.

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

ITEM 8: City Manager's Report

Meetings

- May 18th – Catawba Valley Business and Health Council Meeting, AHEC 12 at CVMC, 4:30-6:00 p.m.
- May 22nd – Unity Day, Newton-Conover Auditorium 2 p.m.- 4 p.m.
- May 24th – WPCOG Policy Board Meeting hosted by City of Newton at Newton Fire Headquarters – 6 p.m.
- May 27th – Employee Fitness Day at Southside Park, 11:30 a.m.-1:00 p.m.
- May 31st – United Arts Council of Catawba County Annual Meeting at SALT Block, 5:30 p.m.
- June 1st – Biscuit Day, Courthouse Square
- June 3rd – Rep. Patrick McHenry to visit Technibilt at 9:00 a.m.
- June 4th – Controlled Burn of building located at 1137 N Main Ave, beside the Newton Depot
- June 8th – Town Hall Day

Budget Workshop

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

- May 5, 2016
- May 10, 2016
- May 12, 2016

Tentative Dates if needed:

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

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

- On May 18th the Recreation Survey Results will be presented to the Steering Committee, results will be presented to city council at an upcoming meeting (488 responses). The Steering Committee consists of John Stiver, Kyle Smith, Sean Hovis, Randy Williams, Carol Stiles, Bradley Martin, Dennis Falder and Sandra Waters.
- The upper and lower parking lots at the Recreation Center have been re-paved
- The Police Academy Graduation will be next Monday at 6:00 p.m. in the Council Chamber

ITEM 11: Questions and Comments from Mayor and Council

Mayor Anne P. Stedman asked if any Council Members would like to make any comments. There were none. Mayor Stedman stated that since Mr. Hodge is not well tonight, he would give his report at a later date.

ITEM 9: Closed Session to Consult with the City Attorney – G.S. 143-318-11(a)(4) and G.S. 143-318-11(a)(5)

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

That the City Council enter CLOSED SESSION per G.S. 143-318-11(a)(4) and G.S. 143-318-11(a)(5)

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

ITEM 10: Recess

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

That the Meeting be – ADJORNED

Amy S. Falowski, City Clerk



Anne P. Stedman, Mayor