<table>
<thead>
<tr>
<th>Page</th>
<th>1. Call to Order – Mayor Anne P. Stedman</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.</td>
<td>Opening – Council Member Jody Dixon</td>
</tr>
<tr>
<td>3.</td>
<td>Approval of Minutes from the July 10, 2018 Regular Meeting</td>
</tr>
<tr>
<td>4.</td>
<td>Consideration of Consent Agenda Items</td>
</tr>
<tr>
<td>9.</td>
<td>A. Sewer Adjustments</td>
</tr>
<tr>
<td>10.</td>
<td>B. Consideration of the Pyrotechnics Display Permit for the American Legion Fairgrounds</td>
</tr>
<tr>
<td>11.</td>
<td>C. Consideration of Resolution Authorizing the City to Engage in Electronic Payments</td>
</tr>
<tr>
<td>13.</td>
<td>D. Consideration of Budget Ordinance Amendment to Carry Forward Outstanding Purchase Orders at June 30, 2018</td>
</tr>
<tr>
<td>16.</td>
<td>E. Consideration of Budget Ordinance Amendment for West A Street Sanitary Sewer Design – ALTA Planning</td>
</tr>
<tr>
<td>25.</td>
<td>F. Consideration of Official Intent to Reimburse Capital Purchase of Five Police Vehicles</td>
</tr>
<tr>
<td>27.</td>
<td>G. Consideration to Recognize the Donation of Two Vehicles and Equipment to Newton Fire Department</td>
</tr>
<tr>
<td>33.</td>
<td>H. Consideration to Adopt Emergency Action Plan for Low River Flow Pumping at the Raw Water Station</td>
</tr>
<tr>
<td>5.</td>
<td>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):</td>
</tr>
<tr>
<td>6.</td>
<td>Presentation</td>
</tr>
<tr>
<td>7.</td>
<td>A. Great Blue Electric Customer Satisfaction Survey</td>
</tr>
<tr>
<td>34.</td>
<td>B. Consideration of Bid Award for Lighting at Jacob Fork Park</td>
</tr>
<tr>
<td>8.</td>
<td>New Business</td>
</tr>
<tr>
<td>39.</td>
<td>A. Consideration of Purchase of New Rear Load Garbage Truck</td>
</tr>
<tr>
<td>45.</td>
<td>B. Consideration of Intent to Reimburse for the Replacement of the 2000 Volvo Dumpster Truck</td>
</tr>
<tr>
<td>50.</td>
<td>C. Consideration of Budget Ordinance Amendment for Engineering Services for N. Ship Water Line Replacement</td>
</tr>
<tr>
<td>52.</td>
<td>D. Consideration of Policy on Water and Sewer Connections to Properties Outside the City Limits</td>
</tr>
<tr>
<td>9.</td>
<td>City Manager’s Report</td>
</tr>
<tr>
<td>10.</td>
<td>Questions and Comments From Mayor and Council</td>
</tr>
<tr>
<td>11.</td>
<td>A. Reports from Appointed Representatives on Outside Boards – Council Member Jody Dixon</td>
</tr>
<tr>
<td>12.</td>
<td>Adjournment</td>
</tr>
</tbody>
</table>

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, July 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 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 Tom Rowe 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 Jody Dixon, it was unanimously RESOLVED:

That the Regular Minutes of the June 19, 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 Jerry Hodge, it was unanimously RESOLVED:

That the Consent Agenda be – APPROVED

A. Tax Releases
B. Sewer Adjustments
C. Proclamation – Recreation and Parks Month
D. Consideration of Amendments to the Business Advisory Committee By-laws
E. Consideration of Appointments/Re-appointment to Boards and Commissions
F. Consideration to Waive Standby Fee for High School sporting Events
G. Consideration to Recognize the Donation of Surplus Equipment from Catawba County to Newton Police Department
H. Consideration of Lease Agreement with the State Employees Credit Union
I. Consideration of Change Order for Street Paving Projects
J. Consideration of ElectriCities Downtown Revitalization Grant
K. Consideration of NCDOT Grant
L. Consideration of Capital Project Ordinance to Establish Capital Project Funds
Council Member Jerry Hodge asked that Item 4L be moved from the consent agenda.

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

That Item 4L be Moved from the Consent Agenda.

(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 4L: Consideration of Capital Project Ordinance to Establish Capital Project Funds

The City of Newton periodically establishes capital project ordinances for endeavors that involve infrastructure/construction activities. In most cases, the duration of an infrastructure/construction project will extend from one fiscal year into another. Consequently, the adoption of a capital project ordinance allows the governmental entity to appropriate funds for the life of the project without the governing board having to reallocate funding on a fiscal year basis.

The Electric Distribution Automation Project was approved and appropriated within the operating budget as part of the Fiscal Year 2018-2019 Budget in the amount of $184,050 which has been identified as a capital project. It has been the City’s practice to move those budgeted funds from the respective operating budget into a Capital Project Fund after the annual budget has been adopted.

The Downtown Streetscape Capital Project currently only reflects Phase I of the project. We would like to amend the Downtown Streetscape Capital Project Ordinance to include all phases of the project, recognize the change in funding source for the Amphitheater from Proceeds from Borrowing to Frank and Sue Jones Funds, and to appropriate the $10,000 ElectriCities Grant and the $75,000 NCDOT Reimbursement of Funds for the North Main Avenue portion of the project.

Motion to approve the following:

1) Budget Ordinance Amendment to establish Capital Project Funds for the Electric Distribution Automation Project and to amend the revenues and expenditures for FY 2018-2019.

2) Capital Project Ordinance Amendment for Downtown Streetscape Capital Project

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

That Capital Project Ordinance to Establish Capital Project Funds be – ADOPTED.

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

ITEM 6: Presentation

A. AWOP Award

Public Works and Utilities Director Dusty Wentz stated that the City of Newton Water Treatment Plant received the Area Wide Optimization Program (AWOP) Award. This award is supported by the NC Division of Environment and Natural Resources and Region 4 of the United States Environmental Protection Agency. The award was presented by the Mooresville Regional Office of the North Carolina
Mr. Wentz stated that of the 152 water plants operating in North Carolina, only 69 achieved the higher standard goals of the AWOP program. The State also recognized four facilities with the “Gold Star” honor, which is an award for systems that have received the N.C. Area Wide Optimization Award for 10 consecutive years. They are Newton, Lincolnton, Marion and Henderson-Kerr Lake Regional Water Authority. Mr. Wentz stated that the City of Newton has received the AWOP award every year since the program’s inception in 2002. Only Marion has received as many AWOP awards.

Mr. Wentz stated that receiving this award demonstrates the experience and the professional skill that the City of Newton Water Treatment Plant staff exhibit in the operation of the City plant.

City Manager Todd Clark congratulated Mr. Wentz and the Water Department on this achievement.

Mayor Stedman, on behalf of the City Council, thanked Mr. Wentz and his staff on a job well done.

ITEM 7: Old Business

A. Consideration of Bid Award for Phase I Streetscape Materials

Electric Operations Manager, Doug Wesson stated that staff requested sealed proposals for Streetscape electrical materials from four electrical distributors. Staff placed the advertisement in the newspaper on June 21st and received sealed bids back on June 29th for a public opening at 2:00pm.

Mr. Wesson stated that after reviewing all bids, staff recommends awarding Streetscape electrical material bids to three different Electrical Distributors based on the best pricing for specific materials. In compliance with state law the City must accept the most “responsive” and “responsible” bids. Below is the recommended award for each vendor:

1. Boarder States $177,618.92
2. Anxiter $13,509.96
3. TEMA $42,599.00
4. Wesco No Award

Total $233,727.88

Mr. Wesson stated that staff is recommends that City Council award the bids to three different bidders in the amounts as follows: Boarder States in the amount of $177,618.92, Anxiter in the amount of $13,509.96 and TEMA in the amount of $42,599.00.

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

That Bid Award for Phase I Streetscape Materials be – APPROVED.

ITEM 8: New Business

A. Consideration of Budget Amendment for Rehabilitation of Wasterwater Treatment Plant Tertiary Filters

Public Works and Utilities Director Dusty Wentz stated that the Clark Creek Wastewater Treatment Plant has two tertiary filters which are the final physical treatment processes in the facility. Their primary function is to remove any remaining floating or suspended solids from the water that were not removed from the previous process. Mr. Wentz explained that as part of the facility’s permitting, no floatable and
miniscule concentrations of suspended solids are allowed to leave the facility and flow into Clark Creek. These solids are monitored on a daily basis and are reported monthly to the Division of Water Resources.

Mr. Wentz stated that it has been over 20 years since the filters were rehabilitated. Currently, the filters need to be back washed quite often and staff can see that the measured depths of filter material including gravel, sand, and anthracite have significantly been reduced from the engineered design standard. Mr. Wentz stated that for the filters to efficiently remove the contaminants and keep the City in compliance with our state issued permit, the proper amount and configuration of filter media is required.

During the week of June 11, 2018, staff went out for quotes. The three quotes received are as follows:

<table>
<thead>
<tr>
<th>Contractor/Vendor</th>
<th>Quote</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kemp Construction Inc.</td>
<td>$69,600.00</td>
</tr>
<tr>
<td>Suez</td>
<td>$144,678.00</td>
</tr>
<tr>
<td>Brushy Mountain Builders</td>
<td>$158,500.00</td>
</tr>
</tbody>
</table>

Mr. Wentz stated that staff recommends that the City Council entertain separate motions to approve the attached Budget Ordinance Amendment for the Rehabilitation Wastewater Treatment Plant Tertiary Filters (attached) and to award bid to Kemp Construction Inc. in the amount of $69,600.00, and hold a contingency in the amount of $7,000.

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

That Budget Ordinance Amendment for the Rehabilitation Wastewater Treatment Plant Tertiary Filters be – ADOPTED.

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

That Bid Award for the Rehabilitation Wastewater Treatment Plant Tertiary Filters be – APPROVED.

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

B. Consideration of Budget Amendment for Recycling Fee at the Mixed Recycling Facility

Public Works and Utilities Director Dusty Wentz stated that the first week of June 2018, staff received notification from the Municipal Recycling Facility (which is operated by Catawba County) that a $35/ton charge would be assessed on all recyclables delivered to the facility starting July 1, 2018. The MRF has not assessed any fee previously, and therefore, this fee was not included in the FY 2019 budget. Mr. Wentz stated that based on the amount of recyclables the City delivered to the MRF last year, we project a total cost of $15,000.

Mr. Wentz stated that staff was informed that the fee is due to the steep decline of scrapping / recycling prices resulting from volatility in the materials and metals market. The MRF hopes to eliminate or reduce the fee once the market stabilizes, but is unsure when that will occur. Mr. Wentz stated that all municipalities in the county are being assessed the same fee.

Mr. Wentz stated that the City does not charge a fee for recyclable collection.

Mr. Wentz stated that staff recommends that the City Council approve the attached budget ordinance amendment in the amount of $15,000 to fund fees from the Municipal Recycling Facility.
Upon motion duly made by Council Member Tom Rowe, seconded by Council Member Jerry Hodge, it was unanimously RESOLVED:

That Budget Ordinance Amendment for Recycling Fee at the Mixed Recycling Facility be – ADOPTED.

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

C. Consideration of Purchase of Trolley

At this time, Mayor Stedman stated that she would like to discuss the possible purchase of a trolley for the city’s use. She stated that she thinks that it could be a good idea, and asked City Council members to weigh in.

Council Member Jerry Hodge stated that he thinks the idea is premature and ill advised to purchase without first studying the need.

Council Member Anne Wepner stated that conceptually she thinks it is a good idea but she would like to find ways to help fund it.

Council Member Ed Sain agreed, and said that right now the city has too much going on.

Mayor Pro Tem John Stiver stated that it could be one way of looking at a potential parking problem, and that he could see lots of good things involved. He also stated that he would like to know more about the costs and maintenance.

Council Member Jody Dixon said that he is not against it, but would like to look at it more.

Council Member Rowe said that he thinks the city should look at grants and the private sector to help with the costs.

Mayor Stedman stated that she would like a feasibility study; Mr. Clark asked if Council would like to have the study for the workshop in January. Mr. Rowe said that sounded good, and everyone agreed.

ITEM 9: City Manager’s Report

Meetings & Events

- July 12<sup>th</sup> - DNDA Merchants Mtg for Streetscape – The Loft @ Picket Fences – 8:30 am. – 9:30 a.m.
- July 18<sup>th</sup> - EDC Annual Meeting – Hickory Metro Convention Center 11:45 a.m. – 1:00 p.m.
- July 19<sup>th</sup> - NCLM Regional Roundtable – Judges Riverside BBQ, Morganton – 11:30 a.m. – 1:00 p.m.
- July 24<sup>th</sup> - NCMPA1 Board of Commissioners Meeting
- July 24<sup>th</sup> – Joint Community Meeting with Catawba County Concerning Water Line Projects – Balls Creek Elementary, 6:30 p.m.
- August 20-22, ElectriCities Conference

Other Projects

- Update on Lighting at Jacob Fork Park
- Electric Customer Service Survey
- Service Excellence University Makeup Date– Sept 7, 2018
• Planning Department Report Provided
• Downtown Core Streetscape Project
• Police Department Explorers’ Program (see handout)
• Report on Medical First Response – Ten (10) calls since July 1

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 a report on the Western Piedmont Council of Governments Policy Board and the Transportation Advisory Committee.

ITEM 11: Closed Session – Per North Carolina General Statute 143-318.11(a)(4) and 143-318.11(a)(5)

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

That City Council enter CLOSED SESSION per General Statute 143-318.11(a)(4) and 143-318.11(a)(5)

Motion was then made by Council Member Jerry Hodge, seconded by Council Member Anne Wepner to return to open session.

All ayes.

ITEM 11: Adjournment

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

That the Meeting be – ADJOURNED

________________________________
Anne P. Stedman, Mayor

________________________________
Amy S. Falowski, City Clerk
CITY OF NEWTON

Sewer Adjustments

TO: E. Todd Clark, City Manager
RE: Sewer Adjustments – 08/07/2018
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>2000070-002</td>
<td>William Ikard</td>
<td>309 E D St</td>
<td>July-Pool</td>
<td>42.18</td>
</tr>
<tr>
<td>18001801-002</td>
<td>Kathy Wilson</td>
<td>2077 Chelesa Ln</td>
<td>July-Pool</td>
<td>70.49</td>
</tr>
<tr>
<td>46000300-007</td>
<td>Ruth Boston</td>
<td>1115 Sandhurst Dr</td>
<td>July-Pool</td>
<td>78.81</td>
</tr>
<tr>
<td>17000220-005</td>
<td>Jennifer Harrill</td>
<td>1155 Counselor Dr</td>
<td>July-Pool</td>
<td>103.23</td>
</tr>
<tr>
<td>44000902-001</td>
<td>Mary Hames</td>
<td>1640 Old Conover</td>
<td>May</td>
<td>246.43</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.
DATE: July 31, 2018

TO: Todd Clark, City Manager

FROM: Kevin Yoder, Fire Chief

CONSIDERATION OF: Approval of the pyrotechnics display permit for the American Legion Fairgrounds

Approved for Council Consideration

________________________

1. NC General Statute §14-410 states the City Council has to approve any discharge of pyrotechnics at any public exhibit or concert in their jurisdiction.

2. The American Legion Fairgrounds has requested a permit to discharge pyrotechnics during the period of August 29th - September 2nd, 2018 at approximately 10:00 pm-11:00 pm each night. This will result in five separate evenings that pyrotechnics will be displayed.

3. The American Legion has applied to the City of Newton Fire Department for a permit to discharge pyrotechnics upon approval of the authority having jurisdiction and subsequent inspection by the City of Newton Fire Department each night prior to the pyrotechnics display.

4. It is a requirement of the NC General Statute that the responsible party displaying pyrotechnics be certified by the Office of the State Fire Marshal.

5. Attached please find a copy of the pyrotechnics display permit issued to the American Legion Fairgrounds by the City of Newton Fire Department, Certificate of Liability Insurance, Catawba County Board of Commissioners Resolution No. 2010-13, NC General Statute §14-410, a copy of the NC Outdoor Pyrotechnics Display Operators License for Jason Michael Vaughn, Tara Locklin Vaughn, and Jeff Hale.

Action Suggested:

Approval of the permit for pyrotechnics display at the American Legion Fairgrounds from August 29th - September 2nd, 2018. We have attached a copy for your convenience.
DATE: May 21, 2018

TO: Todd Clark, City Manager

FROM: Serina Hinson, Finance Director

CONSIDERATION OF: Resolution Authorizing the City of Newton to Engage in Electronic Payments as Defined by G.S. 159-28.

Approved for Council Consideration

Background:

The North Carolina Legislature modified G.S. 159-28 to allow the Local Government Commission (LGC) to adopt rules to address the execution of the “pre-audit” of obligations and disbursements related to electronic transactions for local governments.

As part of the pre-audit process, the Finance Director is required to certify that sufficient appropriations exist in the accounts of the City of Newton prior to purchase orders or contracts being entered into or obligations made, as well as before any payments are made during the respective fiscal year. Electronic transactions would consist of charge cards, credit cards, gas cards, procurement cards, and electronic funds transfers. This is not intended to be an all-inclusive list.

Units of government can now be exempt from attaching the pre-audit certificate on electronic transactions if they follow the requirements detailed in the 2018 Administrative Code rules as prescribed by the LGC.

As part of these LGC rules, the City of Newton is required to adopt a resolution authorizing the City to engage in electronic payments as defined by G.S. 159-28. Policies and procedures for pre-auditing electronic obligations and payments must be adopted or delegated to the Finance Director. I am requesting delegation of that authority as written in the Resolution. An encumbrance system must be in place to track obligations, as well as providing training to staff.

ACTION SUGGESTED:

Motion to approve the following:

1) Resolution Authorizing the City of Newton to Engage in Electronic Payments as Defined by G.S. 159-28 and to delegate to the Finance Director the responsibility to create certain written administrative policies and procedures in accordance with administrative code rules as prescribed by the LGC for electronic payments.
Resolution 23-2018
City of Newton
Resolution Authorizing City of Newton to Engage in Electronic Payments as Defined by G.S. 159-28

WHEREAS, it is the desire of the City Council that the City of Newton is authorized to engage in electronic payments as defined by G.S. 159-28; and,

WHEREAS, it is the responsibility of the Finance Director to adopt a written policy outlining procedures for pre-auditing obligations that will be incurred by electronic payments as required by NC Administrative Code 20 NCAC 03 .0409; and,

WHEREAS, it is the responsibility of the Finance Director to adopt a written policy outlining procedures for disbursing public funds by electronic transaction as required by NC Administrative Code 20 NCAC 03 .0410; and,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newton:

Section 1. Authorizes the City of Newton to engage in electronic payments as defined by G.S. 159-28; and,

Section 2. Authorizes the Finance Director to prepare and adopt a written policy outlining procedures for pre-auditing obligations that will be incurred by electronic payments as required by NC Administrative Code 20 NCAC 03 .0409; and,

Section 3. Authorizes the Finance Director to adopt a written policy outlining procedures for disbursing public funds by electronic transaction as required by NC Administrative Code 20 NCAC 03 .0410; and,

Section 4. This resolution shall take effect immediately upon its passage.

Adopted this 7th of August, 2018

________________________________________
Anne P. Stedman, Mayor

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

DATE: May 21, 2018

TO: Todd Clark, City Manager

FROM: Serina Hinson, Finance Director

CONSIDERATION OF: Budget Ordinance Amendment to Carry Forward Outstanding Purchase Orders at June 30, 2018

Background:

As of June 30, 2018, the City of Newton had $1,122,050 in outstanding purchase orders. In accordance with Governmental Accounting Standards, these purchase orders will not be recognized as expenditures in Fiscal Year 2018 since they were not complete. However, for reporting purposes, these purchase orders will be reflected as a reservation of fund balance. This is a normal and routine practice of all counties and municipalities. These purchase orders are still legal, valid obligations of the City.

The attached budget ordinance reflects the necessary appropriations to reinstate these purchase orders in Fiscal Year 2019.

Action Suggested:

Motion to approve the attached Budget Ordinance Amendment to provide funding for the outstanding purchase orders at June 30, 2018.
ORDINANCE #2018-25

AN ORDINANCE TO CARRY FORWARD
OUTSTANDING PURCHASE ORDERS AT JUNE 30, 2018

WHEREAS, The City Council of the City of Newton have adopted a Budget Ordinance for fiscal year beginning July 1, 2018, and ending June 30, 2019, in accordance with the General Statutes of the State of North Carolina, and

WHEREAS, The City of Newton has outstanding purchase orders encumbered at June 30, 2018, that were not received before year end; therefore, those will be received and payable in the current fiscal year, and

WHEREAS, The City Council desires to honor these encumbrances and appropriate funds in the budget for Fiscal Year 2019.

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</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Revenue</strong></td>
</tr>
<tr>
<td>Fund Balance Appropriation 11-0000.3990</td>
</tr>
<tr>
<td><strong>Appropriation</strong></td>
</tr>
<tr>
<td>Administration</td>
</tr>
<tr>
<td>Marketing/Promotion 11-4120.6710</td>
</tr>
<tr>
<td>Streets and Drainage</td>
</tr>
<tr>
<td>Professional Services-Engineering 11-4252.4940</td>
</tr>
<tr>
<td>Public Safety – Fire</td>
</tr>
<tr>
<td>Vehicle Repair/Maintenance 11-4340.6530</td>
</tr>
<tr>
<td>Service/Maint Contract-Other 11-4340.7400</td>
</tr>
<tr>
<td>Parks and Recreation - Parks</td>
</tr>
<tr>
<td>Bldg Repair/Maintenance 11-6122.6510</td>
</tr>
<tr>
<td>Capital Outlay – Other 11-6122.8990</td>
</tr>
<tr>
<td>Non-Capital 11-6122.7900</td>
</tr>
<tr>
<td>Capital Outlay - Paving 11-6122.8911</td>
</tr>
</tbody>
</table>
**Powell Bill Fund**

**Revenue**
- Fund Balance Appropriation 13-0000.3992 $227,800

**Appropriation**
- Street Con/Recon/Repair 13-4253.6571 225,850
- Street Con/Recon Supplies 13-4253.5250 1,950

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**Water & Wastewater Fund**

**Revenue**
- Fund Balance Appropriation 61-0000.3995 $362,700

**Appropriation**
- Water & Wastewater Operations
  - Professional Services – Engineering 61-7100.4940 8,850
  - Professional Services – Other 61-7100.4990 135,300
  - Capital Outlay – Other Equipment 61-7100.8500 18,550
- Wastewater Treatment Plant
  - Capital Outlay – Other Equipment 61-7141.8500 76,500
  - Capital Outlay – Bldg/Bldg Improvements 61-7141.8800 86,500
  - Capital Outlay - Paving 61-7141.8911 37,000

---

**Electric Fund**

**Revenue**
- Fund Balance Appropriation 63-0000.3995 $375,900

**Appropriation**
- Professional Services – Engineering 63-7201.4940 18,450
- Other Services 63-7201.6990 109,550
- Capital Outlay – Motor Vehicles 63-7201.8400 247,900

Adopted this 7th day of August, 2018.

______________________________
Anne P. Stedman, Mayor

Attest:

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

DATE: July 31, 2018

TO: E. Todd Clark, City Manager

FROM: R. S. Williams, AICP, Planning Director

CONSIDERATION OF: Budget Amendment for West A Street DENR Sanitary Sewer Design - ALTA Planning

Approved for Council Consideration

Request:

The West A Street project includes several facets of work including those funded by the LAPP Grant funds and those funded by local funds. As part of the project, sanitary sewer rehabilitation/improvements are proposed. The City is working to receive a DENR grant for additional work necessary for the previously scoped sanitary sewer work, as well as an additional piece of sanitary sewer rehabilitation/improvements.

Background:

The primary scope of work for the West A Street project included work along the corridor. Additional off-site sanitary sewer improvements has been discovered and is necessary to fully rehabilitate the system in the area. Public Works staff is working to obtain a DENR grant for that portion of the project.

ALTA Planning is contracted with the City to complete the engineering and design services for the West A Street project. This agreement contracts ALTA to complete engineering and design services for the additional sanitary sewer work to be completed.

Recommendation:

Public Works, Finance and Planning departments are requesting this budget amendment for the additional sanitary sewer rehabilitation/improvements engineering and design services as part of the West A Street project.
City of Newton, NC - Newton, NC West A Street Project DENR Sanitary Sewer Design
Alta Planning + Design, Inc.

PROFESSIONAL SERVICES AGREEMENT

Newton, NC West A Street Project DENR Sanitary Sewer Design

PREAMBLE

This Agreement, effective as of June 27th, 2018, is by and between Alta Planning + Design, Inc., hereinafter called "CONSULTANT", and City of Newton, NC hereinafter called "CLIENT".

The CLIENT has need for the services of a professional firm with the particular training, ability, knowledge, and experience possessed by the CONSULTANT; therefore, subject to the terms and conditions set forth below, the parties hereto mutually covenant and agree as follows:

1. SCOPE OF AGREEMENT

The CONSULTANT shall perform its duties and obligations under this Agreement ("Services") as outlined in the Agreement documents, consisting of the terms and conditions set forth herein, the attached Exhibits, and any Work Order(s) and/or amendments referencing this Agreement as may be executed by written agreement of the parties. In the event of any conflict between the Agreement documents, the relevant Work Order(s) and Exhibits attached thereto shall supersede. If CLIENT is bound to a Prime Agreement with a project OWNER in connection with any Services authorized hereunder, CONSULTANT shall be bound to the applicable portions thereof that prescribe CONSULTANT's obligations to CLIENT and OWNER.

This Agreement represents the entire understanding between the parties and shall supersede any prior representation or Agreement, written or oral. The parties hereby acknowledge and represent that they have not relied on any representation, assertion, guarantee, warranty, collateral contract or other assurance, except those set out in this Agreement, made by or on behalf of any other party or any other person or entity whatsoever, prior to the execution of this Agreement.

2. PAYMENT

Amount of Payment: CONSULTANT shall be compensated for all goods, materials, expenses, and services as set forth in all attached Work Order(s) and Exhibits. Any hourly rates listed are applicable to the current calendar year and may be updated annually.

Invoicing and Manner of Payment: The invoices shall describe the Services performed, as detailed in any attached Work Order(s) and/or Exhibits. CONSULTANT shall send invoices to CLIENT's Technical Representative, as identified in any relevant Work Order or Exhibit. CLIENT shall render payment upon any acceptable invoice within 30 days following receipt from CONSULTANT.

3. STANDARD OF CARE

In providing services under this Agreement, the Consultant will endeavor to perform in a manner consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing under similar circumstances in the same locale. Consultant shall not be held responsible for any defects or delays caused by events outside of Consultant's reasonable control. CLIENT acknowledges CONSULTANT has no obligation to commence work for the project(s) under this Agreement until this Agreement and any relevant Work Order(s) are fully executed and effective. CONSULTANT's completion shall not extinguish or prejudice CLIENT's right to enforce this Agreement with respect to any default or defect in CONSULTANT performance.

4. TERMINATION

A. Parties' Right to Terminate for Convenience: This Agreement may be terminated at any time by
City of Newton, NC - Newton, NC West A Street Project DENR Sanitary Sewer Design
Alta Planning + Design, Inc.

mutual written consent of the parties.

B. **CLIENT's Right to Terminate for Convenience**: CLIENT may terminate this Agreement for any reason after 10 days' prior written notice to CONSULTANT.

C. **CONSULTANT's Right to Terminate for Cause**: CONSULTANT may terminate this Agreement after 10 days' prior written notice to CLIENT if CLIENT breaches this Agreement or fails to pay CONSULTANT pursuant to the terms of this Agreement and CLIENT fails to cure within 10 business days after receipt of CONSULTANT's notice, or such longer period of cure as CONSULTANT may specify in such notice.

D. **Remedies**: In the event of termination, CONSULTANT shall be entitled to full payment for Work completed and accepted by CLIENT. CLIENT shall have any remedy available to it in law or equity.

**CONSULTANT's Tender Upon Termination**: Upon receiving or issuing a notice of termination of this Agreement, CONSULTANT shall immediately cease all activities under this Agreement, unless otherwise agreed by the parties.

5. **INSURANCE**

The CONSULTANT shall obtain prior to the commencement of the Agreement, and shall maintain in full force and effect for the term of this Agreement, at the CONSULTANT's expense, a commercial general liability policy and automobile liability insurance policy for the protection of the CONSULTANT, its officers, agents, and employees and the CLIENT. If the insurance policy is issued on a “claims made” basis, then the CONSULTANT shall continue to obtain and maintain coverage for not less than three years following the completion of the Agreement. The policy shall be issued by a company authorized to do business in the project area, protecting the CONSULTANT against liability for personal and bodily injury, contractual liability, death and property damage, and any other applicable losses or damages with limits not less than

(a) $1,000,000 per occurrence and $2,000,000 in the aggregate for commercial general liability insurance policies, and

(b) $1,000,000 per occurrence, combined single-limit or $1,000,000 bodily injury and $1,000,000 property damage for automobile liability insurance policies

The insurance company shall provide the CLIENT with a certificate of insurance and an endorsement thereto naming the CLIENT as an additional primary insured. The certificate of insurance shall ensure if any of the above described policies be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions.

6. **PROFESSIONAL LIABILITY INSURANCE**

The CONSULTANT shall provide the CLIENT evidence of professional liability coverage in an amount not less than $1,000,000 per claim. The CONSULTANT shall keep in force the professional liability policy for at least one year after the expiration of the Agreement with the CLIENT.

7. **INDEMNIFICATION**

CLIENT and CONSULTANT each agree to indemnify and hold the other harmless, and their respective officers, employees, agents, and representatives, from and against liability for all claims, losses, damages, and expenses, including reasonable attorneys' fees, to the extent such claims, losses, damages, or expenses are caused by the indemnifying party's negligent acts, errors, or omissions. In the event claims, losses, damages, or expenses are caused by the joint or concurrent negligence of CLIENT and CONSULTANT, they shall be borne by each party in proportion to its negligence.
City of Newton, NC - Newton, NC West A Street Project DENR Sanitary Sewer Design
Alta Planning + Design, Inc.

8. PUBLICATION RIGHTS/RIGHTS IN DATA

The final reports or products and all material contained in the reports (graphics, photos, etc.) shall remain the property of the CONSULTANT. Delivery of materials produced as a direct result of the specific Services performed under this Agreement shall constitute for CLIENT a perpetual, royalty-free license to use said materials for the purpose for which they were intended. Any unauthorized transfer, reproduction or re-use of products delivered by CONSULTANT in connection with Services performed under this Agreement shall be at CLIENT’s sole risk. The CONSULTANT accepts no responsibility for the use of the product beyond the intended purpose of this Agreement.

All original written material and other documentation, including background data, documentation, and staff work that is preliminary to final reports, originated and prepared for the project pursuant to this Agreement, shall become exclusively the property of the CONSULTANT.

The ideas, concepts, know-how or techniques relating to data processing developed during the course of this Agreement by the CONSULTANT or CLIENT personnel, or jointly by the CONSULTANT and CLIENT personnel, can be used by either party in any way it may deem appropriate at their sole risk.

Material already in the CONSULTANT’s possession, independently developed by the CONSULTANT outside the scope of this Agreement or rightfully obtained by the CONSULTANT from third parties, shall belong to the CONSULTANT.

9. CHANGES

This Agreement may be amended only by written instrument signed by both the CONSULTANT and the CLIENT.

10. LEGAL VENUE

The terms of this Agreement shall be interpreted and governed according to the laws of the state in which the majority of the project work is performed. Any legal action or proceeding with respect to the agreement shall be brought in Catawba County, NC.

11. DISPUTES

Prior to filing any claims related to this Agreement in the court of law, the parties shall endeavor in good faith to resolve disputes arising in connection to this agreement by a panel consisting of authorized representatives with the authority to execute agreements between the parties.

ALTA PLANNING + DESIGN, INC.       CITY OF NEWTON

By: __________________________    By: __________________________
Name: Wade Walker                Name: E. Todd Clark
Title: Vice President, as duly authorized
Date: Jul 5, 2018

Business Address:
711 SE Grand Avenue
Portland, OR 97214
503-230-9862 phone
Employer ID #: 68-0465555

Address:
401 Main Avenue
PO Box 550
Newton, NC 28658

Agreed to and initialed by: [INITIAL]

CONSULTANT: [INITIAL]          CLIENT: [INITIAL]

Page 3 of 3
WORK ORDER NO. 1

In accordance with the Professional Services Agreement between Alta Planning + Design, Inc. ("CONSULTANT"), and City of Newton, NC ("CLIENT"), dated June 27th, 2018, this Work Order describes the scope, schedule, and payment terms for CONSULTANT’s Services on the Project known as:

00-2018-211 - Newton, NC West A Street Project DENR Sanitary Sewer Design

CONSULTANT Technical Representative: Mike Repsch
Address: Alta Planning + Design, Inc.
711 SE Grand Avenue
Portland, Oregon 97214
Telephone No.: 503.230.9862
Email: mikerepsch@altaplanning.com

CLIENT Technical Representative: Randolph S. Williams
Address: City of Newton
401 Main Avenue,
PO Box 550
Newton, NC 28658
Telephone No.: (828) 695-4277
Email: rwilliams@newtonnc.gov

SERVICES. The Services shall be described in the Exhibit(s) to this Work Order.

SCHEDULE. Because of the uncertainties inherent in the Services, Schedules are estimated and are subject to revision unless otherwise specifically described herein.

PAYMENT & INVOICES. For satisfactory completion of the Services described herein, CONSULTANT shall invoice CLIENT for a total amount not to exceed $39,500.00 in accordance with the Schedule of Fees and Charges attached to this Work Order. The hourly rates listed (if any) are for the current calendar year and may be updated annually. The staff, labor categories and hours listed are subject to change as needed during the course of the performance of Services.

Services performed under this Work Order will be billed on a Percent Complete basis. Invoices will be submitted monthly showing progress toward milestones or current percent complete for each task.

TERMS AND CONDITIONS. The terms and conditions of the Professional Services Agreement referenced above shall apply to this Work Order, except as expressly modified herein.

ACCEPTANCE of the terms of this Work Order is acknowledged by the following signatures of duly authorized representatives of the parties.

Alta Planning + Design, Inc.

City of Newton

Wade Walker
Jul 5, 2018
Signature
Date

Wade Walker, Vice President, as duly authorized

E. Todd Clark, City Manager
Printed Name, Title
Scope of Services

Project Understanding

The West A Street project consists of proposed pedestrian, bike, and associated improvements on West A Street from Northwest/Southwest Boulevard (U.S. Business 321) to the alley just west of Main Avenue (NC 16 Business). As part of the project, sanitary sewer rehabilitation/improvements are proposed. The City recently received a DENR grant for the design and construction of these rehabilitation/improvements. Due to requirements of the DENR grant, additional work is necessary for the previously scoped sanitary sewer work, as well as an added piece of sanitary sewer rehabilitation/improvements.

Scope of Work

The following approach is based on our understanding of the City’s needs:

Task 1: Survey

1.1 Design Surveys (Topographic & Planimetric)

- Verify existing and establish new horizontal & vertical control.
- Perform deed research for affected properties within project limits. (10 Total properties)
- Locate existing property monumentation for affected properties for possible future R/W or Easement Acquisition Plat(s).
- Locate physical features including but not limited to curb, pavement, striping, signage, visible utilities, fences within project limits.
- Locate and measure existing gravity sewer (sanitary & storm) within project limits.
- Location and invert of the sewer manholes 551,158,465,474,475, which are outside the limits shown.
- Locate underground utilities as marked by ESP in Task 1.2.
- Perform field run topographic survey (1’ contour interval).
- Locate and map wetlands as marked by others (approx. 500’).
- Prepare overall survey in accordance with NC Standards of Practice.
- Provide five (5) hard copies and CAD file.

1.2 SUE Services (Subsurface Utility Designating)

Quality Level B SUE – Horizontal Location

- ESP shall perform horizontal subsurface utility location of underground non-gravity utilities. This includes Utility Records Research and Subsurface Utility Locating and Marking (Designating) of the existing utilities within the project limits. ESP will use conventional conductive utility designating methods in order to detect and mark the location(s) of conductive lines. ESP will use Ground Penetrating Radar to attempt to detect and mark the location(s) of non-conductive lines. Due to the nature of utility plant installation ESP may not be able to designate all underground utilities. Utilities designated in the field will be surveyed and mapped as ‘Quality Level B SUE’ and utilities not field locatable will be mapped from available utility records as ‘Quality Level C SUE’ on Task 1.1 above.
Task 2: Sanitary Sewer Design

The following scope of services includes the design for rehabilitation/improvement of additional length of the City of Newton’s sewer facilities, as well as additional requirements imposed by DENR on the already scoped section of sanitary sewer design. The following assumptions are associated with this scope of work:

- No additional utility coordination work is assumed necessary based on the additional sewer rehabilitation being outside of West A Street right-of-way/streetscape limits.
- The additional project limits for sanitary sewer rehabilitation extend from the intersection of North Spring Avenue to the rear of the Peoples Bank Building then across undeveloped property to the intersection of West 1st Street and North Cline Avenue.
- All existing sewer lines in the project area are vitrified clay pipe and will be replaced with PVC SDR-21 pipe; may include pipe bursting along the easement between Spring Ave and W. 1st St.
- All existing sewer manholes are brick and will be replaced with new concrete manholes.
- All sanitary sewer service lines are to be replaced, including the addition of cleanouts.
- A NCDEQ permit for sanitary sewer rehabilitation will not be required per 15 NCAC 02T .0303(4).
- A separate set of construction drawings will not be required for the additional length of sewer rehabilitation. Therefore, a single set of construction plans will be prepared for the entire sewer rehabilitation, taking into account both the sewer rehabilitation work related to the West A Street improvements and the additional length of sewer rehabilitation identified in the project limits as described above.

Mead & Hunt will perform the following services related to the rehabilitation/improvement of the City’s sewer facilities within the project limits:

- Prepare Engineering Report for State Reserve Project Grant. Report/document to include the following:
  - Executive summary
  - Current situation
  - Future situation
  - Purpose and need
  - Alternatives analysis
  - Proposed project description
  - Environmental information (only portions required for SRP Projects)
  - Financial analysis
  - Public participation
- Revise report/document per Client and DENR review comments.
- Prepare additional construction plans and specifications for the rehabilitation and improvement of sanitary sewer facilities as described in the assumptions above.
- Preparing a detailed cost estimate for sewer per the approved construction plans.
- Providing additional construction administration services related to sewer improvements including:
  - Attendance at meetings with City personnel
  - Review of shop drawings and other product material to be provided by the Contractor.
  - Respond to RFIs and contractor questions regarding the design plans and technical specifications
  - Coordinate final inspections with necessary regulatory agencies.
Exhibit B
Estimated Schedule

Consultant shall commence performance of Services and proceed toward completion of deliverables as directed by Client.

Exhibit C
Schedule of Fees and Charges

<table>
<thead>
<tr>
<th>Task</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Task 1: Survey</td>
<td>$13,500.00</td>
</tr>
<tr>
<td>Task 2: Sanitary Sewer Design</td>
<td>$26,000.00</td>
</tr>
<tr>
<td>Grand Total</td>
<td>$39,500.00</td>
</tr>
</tbody>
</table>
ORDINANCE # 2018-26

AN ORDINANCE TO AMEND REVENUES AND EXPENDITURES FOR FISCAL YEAR 2018-2019 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, 2018 and ending June 30, 2019, in accordance with the General Statutes of the State of North Carolina; and

WHEREAS, the primary scope of work for the West A Street Project includes work along the corridor. Additional off-site sanitary sewer improvements, also referred to as non-participating sewer (optional), are necessary to fully rehabilitate the system in that area; and,

Whereas, the City has contracted with ALTA Planning to complete the engineering and design services for the West A Street Project (primary scope); and,

WHEREAS, the City Council desires to contract with ALTA Planning for the engineering and design services on the additional sanitary sewer improvements, also referred to as non-participating sewer (optional) in the amount of $39,500; and,

WHEREAS, the City Council desires to authorize the related expenditure appropriation within the Water/Wastewater Capital Project Fund and to finance this along with the primary scope.

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>Water/Wastewater Capital Project Fund Revenues</th>
<th>47-7100.3900 (100)</th>
<th>$ 39,500</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proceeds from Borrowing</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Water/Wastewater Capital Project Fund Appropriations</th>
<th>47-7100.5994 (100)</th>
<th>$ 39,500</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sewer Rehabilitation</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Adopted this 7th day of August, 2018.

__________________________________________
Anne P. Stedman, Mayor

Attest:

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

DATE: July 31, 2018

TO: E. Todd Clark, City Manager

FROM: Donald G. Brown II, Chief of Police


Approved for Council Consideration

Background:

In the 2018-2019 FY budget Newton City Council approved $277,150.00 to purchase and equip (5) new vehicles for the Newton Police Department. Four of the five vehicles will be financed with a cost of $230,600. Once financing has been arranged, ordering of new vehicles usually takes place in January or February of the following calendar year using borrowed funds. The current estimated delivery time for patrol vehicles is between 90-120 days, sometimes later depending on supply disruptions, pushing back delivery to May or June. This time frame does not include vehicle up-fitting requiring an additional 30-60 days.

The City of Newton Police Department has received notification from the NC Sheriffs’ Association’s Cooperative Purchasing Programs and the State of NC Purchase Contract that all current vehicle pricing is locked in until October, 2018. This option will allow for potential cost savings as the pricing of new patrol vehicles is expected to increase for the 2019 purchase contract. It is the desire of the police department to pre-order vehicles and equipment necessary to install and up-fit for duty with an “Intent to Reimburse”. Vehicles could be purchased and up-fitted prior to June 30, 2019 pending no supply or installation issues. This option would reduce the current burden placed on the police fleet for the short term until additional vehicles can be purchased in future years.

Summary:

Use an “Intent to Reimburse” to move forward with the purchase of (5) police department vehicles including equipment and installation necessary for up-fitting.

Requested Action:

Motion to adopt the attached “Intent to Reimburse” resolution authorizing the Newton Police Department to purchase (5) vehicles and equipment to include installation and complete up-fitting.
WHEREAS, the City of Newton desires to incur certain capital expenditures prior to the issuance of debt; and

WHEREAS, the City of Newton intends to reimburse such expenditures from the proceeds of debt to be issued; and

WHEREAS, this is made pursuant to the requirements of the United States Treasury Regulations Section 1.150-2 and is intended to constitute a Declaration of Official Intent to Reimburse under such Treasury Regulations Section; and

WHEREAS, the undersigned is authorized to declare the official intent of the City of Newton, North Carolina with respect to the matters contained herein.

NOW, THEREFORE, BE IT RESOLVED The City’s 10-Year Capital Improvement Plan and Fiscal Year 2019 Budget reflect $277,150 for the purchase of five police vehicles. Four of the five vehicles will be financed with a cost of $230,600. The City can purchase these vehicles at the 2018 contract pricing which will provide potential savings as the pricing for 2019 is expected to increase. Expediting the purchasing process by ordering in advance of the financing will not only provide savings but will help alleviate extended delivery times of the new vehicles.

The cost is estimated to be $230,600 for the four financed vehicles which includes equipment upfitting as well.

The City of Newton intends to finance the cost of the Project with the proceeds of debt to be issued, the interest on which is to be excluded from gross income for Federal income tax purposes,

The maximum principal amount of the Borrowing to be incurred by the City of Newton to finance the Project noted above is $230,600.

The City of Newton hereby declares its official intent to reimburse itself with the proceeds of the Borrowing for any of the Expenditures incurred by it prior to the issuance of the Borrowing.

Adopted this 7th of August, 2018

Anne P. Stedman, Mayor

Amy S. Falowski, City Clerk
DATE: August 1, 2018

TO: E. Todd Clark, City Manager

FROM: Kevin Yoder, Fire Chief

CONSIDERATION OF: Recognize the donation of surplus vehicles and equipment from Newton Conover Rescue Squad and Catawba County to the City of Newton Fire Department.

Approved for Council Consideration

1. Newton Conover Rescue Squad was dissolved effective June 30, 2018. The City of Newton Fire Department began providing Medical First Response and Rescue Services to their previously served area on July 1, 2018.

2. The City Manager has negotiated with the County Manager to acquire equipment from the Rescue Squad for use within the Fire Department for the provision of Medical First Response and Rescue services within the City of Newton and the Newton Rural Service District.

3. The equipment acquired by the City consists of two vehicles, one boat and trailer, and various pieces of equipment.

4. The City Council needs to recognize the donation of this equipment and vehicle as property and assets of the City of Newton. The items and values are listed on the attached sheets.

Action Suggested:

The Staff Recommendation is to accept the donated vehicles and equipment at the listed values as assets of the City of Newton.
<table>
<thead>
<tr>
<th>Vehicle/Equipment</th>
<th>Year</th>
<th>VIN</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ford F350 Super Duty Pickup</td>
<td>2012</td>
<td>1FT8W3BT5CEB68430</td>
<td>$16,450.00</td>
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<tr>
<td>Ford F350 Super Duty Pickup</td>
<td>2004</td>
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<td>$3,160.00</td>
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<tr>
<td>Alumacraft Jon Boat w/Mercury 9.9</td>
<td>2003</td>
<td>QT850414</td>
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<tr>
<td>Wesco Boat Trailer</td>
<td>2003</td>
<td>1W7B1171431004038</td>
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<tr>
<td>A</td>
<td>B</td>
<td>C</td>
<td>D</td>
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<tr>
<td>---</td>
<td>---------------</td>
<td>------------</td>
<td>----------</td>
</tr>
<tr>
<td>2</td>
<td>Rescue Equipment</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Quantity</td>
<td>Type</td>
<td>Make</td>
</tr>
<tr>
<td>4</td>
<td>1</td>
<td>Hurst Pump</td>
<td>JL-ER</td>
</tr>
<tr>
<td>5</td>
<td>1</td>
<td>Hurst Reel</td>
<td>Honda</td>
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<tr>
<td>6</td>
<td>1</td>
<td>Hydraulic Pump</td>
<td>Briggs &amp; Stratton</td>
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<td>7</td>
<td>1</td>
<td>Hydraulic Reel</td>
<td>Hannay</td>
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<td>8</td>
<td>1</td>
<td>Hurst Spreader</td>
<td>Hurst</td>
</tr>
<tr>
<td>9</td>
<td>1</td>
<td>Hurst Ram</td>
<td>Hurst</td>
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<tr>
<td>10</td>
<td>1</td>
<td>Hurst Ram</td>
<td>Hurst</td>
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<tr>
<td>11</td>
<td>1</td>
<td>Hurst Telescoping Ram</td>
<td>Hurst</td>
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<tr>
<td>12</td>
<td>1</td>
<td>Hurst Ram</td>
<td>Hurst</td>
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<tr>
<td>13</td>
<td>1</td>
<td>Hurst Cutter</td>
<td>Hurst</td>
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<tr>
<td>14</td>
<td>1</td>
<td>Hurst Cutter (Old)</td>
<td>Hurst</td>
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<td>15</td>
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<td>16</td>
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<td>Hurst</td>
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<td>17</td>
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<td>50' Air Line</td>
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<td>43&quot;</td>
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<td>1</td>
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<td>26</td>
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<td>Paratech Air Gun</td>
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<td>27</td>
<td>1</td>
<td>AJAX Bottle Jacks</td>
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<td>28</td>
<td>2</td>
<td>1 Ton</td>
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<td>1</td>
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<td>Torin</td>
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<td>33</td>
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<td>2</td>
<td>Ear Muffs</td>
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<td>40</td>
<td>7</td>
<td>Water Rescue Whistle</td>
<td>Storms</td>
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<tr>
<td>41</td>
<td>3</td>
<td>Water Rescue Throw</td>
<td>Bags</td>
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<tr>
<td>42</td>
<td>1</td>
<td>Rescue Throw Ring</td>
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<td>43</td>
<td>10</td>
<td>Kim Lights</td>
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<td>45</td>
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<td>46</td>
<td>6</td>
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<td>CMI/SMS</td>
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<tr>
<td>47</td>
<td>1</td>
<td>Double Pulley (Red)</td>
<td>SMC</td>
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<tr>
<td>Quantity</td>
<td>Type</td>
<td>Make</td>
<td>Model</td>
</tr>
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</tr>
<tr>
<td>2</td>
<td>Double Pulley</td>
<td>CMC</td>
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<tr>
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<td>SMALL DOUBLE PULLEY</td>
<td>SMS</td>
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<td>PM SINGLE PULLEY</td>
<td>CMC</td>
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<td>RIGGING PLATE</td>
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<td>SMALL SINGLE PULLEY</td>
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<td>600lbs.</td>
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<td>1</td>
<td>Yosemite Rig</td>
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<td>1/2”x600’</td>
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<td>Electrical Cord</td>
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<td>8x10 Tarp</td>
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<td>10 x 12 Tarp</td>
<td>Silver</td>
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</tr>
<tr>
<td>1</td>
<td>10 x 10 Tarp</td>
<td>Silver</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>11 x 15 Tarp</td>
<td>Silver</td>
<td></td>
</tr>
<tr>
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<td>Fire Blanket</td>
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<tr>
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<td>Webbing (Yellow)</td>
<td>Tubular</td>
<td>2” x 25’</td>
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<tr>
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<td>Webbing (Black)</td>
<td>Tubular</td>
<td>1” x 15’</td>
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<td>Webbing (Red)</td>
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<td>1” x 20’</td>
</tr>
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<td>Webbing (Blue)</td>
<td>Tubular</td>
<td>1” x 15’</td>
</tr>
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<td>Webbing (Green)</td>
<td>Tubular</td>
<td>1” x 5’</td>
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<td>Webbing (Yellow)</td>
<td>Tubular</td>
<td>1” x 12’</td>
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<td>Yates</td>
<td>Class 3</td>
</tr>
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<td>Harness (Blue)(Universal)</td>
<td>Yates</td>
<td>Class 3</td>
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<tr>
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<td>Harness (Blue)(Medium)</td>
<td>Yates</td>
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</tr>
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<td>8</td>
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<td>Harness (B/Y)(Large)</td>
<td>Yates</td>
<td>Class 2</td>
</tr>
<tr>
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<td>Harness (B/Y)(Medium)</td>
<td>Yates</td>
<td>Class 2</td>
</tr>
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<td>Harness (Red)(Medium)</td>
<td>Roco</td>
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<td>Harness (Orange)</td>
<td>Yates</td>
<td>Class 3</td>
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<tr>
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<td>Universal Harness (Yellow)</td>
<td>Petzel</td>
<td>Class 3</td>
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<tr>
<td>1</td>
<td>Light Kit</td>
<td>Home Light</td>
<td>1000 Watt</td>
</tr>
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<td>1</td>
<td>Water Cooler</td>
<td></td>
<td>5 Gallon</td>
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<td>1</td>
<td>Gas Monitor</td>
<td>MSA</td>
<td>Solaries</td>
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<tr>
<td>1</td>
<td>Sledge Hammer</td>
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<td>4lb.</td>
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<tr>
<td>2</td>
<td>Can Opener</td>
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</tr>
<tr>
<td>2</td>
<td>Round Shovel</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Hacksaws</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Hand Saw</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Bolt Cutter</td>
<td></td>
<td>36”</td>
</tr>
<tr>
<td>1</td>
<td>Mass Master (No Window Punch)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Saw</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Blades</td>
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</tr>
<tr>
<td>1</td>
<td>Bolt Cutter</td>
<td></td>
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</tr>
<tr>
<td>1</td>
<td>Axe</td>
<td></td>
<td>1 1/4”</td>
</tr>
<tr>
<td>1</td>
<td>Crow Bar</td>
<td></td>
<td>36”</td>
</tr>
<tr>
<td>A</td>
<td>B</td>
<td>C</td>
<td>D</td>
</tr>
<tr>
<td>-----</td>
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<td>--------</td>
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<tr>
<td>108</td>
<td>Rescue Equipment</td>
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</tr>
<tr>
<td>109</td>
<td>Quantity</td>
<td>Type</td>
<td>Make</td>
</tr>
<tr>
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<td>2</td>
<td>Sledge Hammer</td>
<td>8 lb.</td>
</tr>
<tr>
<td>111</td>
<td>1</td>
<td>Machete</td>
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</tr>
<tr>
<td>112</td>
<td>3</td>
<td>Folding Shovel</td>
<td>Military</td>
</tr>
<tr>
<td>113</td>
<td>1</td>
<td>Pry Bar</td>
<td>5'</td>
</tr>
<tr>
<td>114</td>
<td>2</td>
<td>Halligan Bar</td>
<td></td>
</tr>
<tr>
<td>115</td>
<td>1</td>
<td>Bolt Cutters</td>
<td>24&quot;</td>
</tr>
<tr>
<td>116</td>
<td>2</td>
<td>Axes</td>
<td>Pick Head</td>
</tr>
<tr>
<td>117</td>
<td>1</td>
<td>Flat Shovel</td>
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</tr>
<tr>
<td>118</td>
<td>1</td>
<td>Crow Bar</td>
<td>24&quot;</td>
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<tr>
<td>119</td>
<td>1</td>
<td>Bow Saw</td>
<td></td>
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<tr>
<td>120</td>
<td>2</td>
<td>Pry Bars (Blue)</td>
<td>52&quot;</td>
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<td>121</td>
<td>1</td>
<td>Axe</td>
<td>Flat Head</td>
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<tr>
<td>122</td>
<td>2</td>
<td>Push Brooms (Just Heads)</td>
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<tr>
<td>123</td>
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<td>Chain Binders</td>
<td>Ratchets</td>
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<tr>
<td>124</td>
<td>1</td>
<td>Chains</td>
<td>5'</td>
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<tr>
<td>125</td>
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<td>Chains</td>
<td>5'</td>
</tr>
<tr>
<td>126</td>
<td>4</td>
<td>Hooks</td>
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<tr>
<td>127</td>
<td>2</td>
<td>Snatch Blocks</td>
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<tr>
<td>128</td>
<td>1</td>
<td>Chain Camo Green Can</td>
<td>1/2&quot;</td>
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<tr>
<td>129</td>
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<td>Triple Pulley</td>
<td>4&quot;</td>
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<td>130</td>
<td>2</td>
<td>Extended Equipment Mounts</td>
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<td>Tablet Mount</td>
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<td>134</td>
<td>1</td>
<td>Caution Tape</td>
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<tr>
<td>135</td>
<td>2</td>
<td>Stokes Basket</td>
<td></td>
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<td>136</td>
<td>3</td>
<td>Backboard</td>
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<td>137</td>
<td>1</td>
<td>Board Splints</td>
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<tr>
<td>138</td>
<td>2</td>
<td>KED</td>
<td></td>
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<td>139</td>
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<td>Frac Pak</td>
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<td>Child Splint Kit</td>
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<td>Pediatric Kit</td>
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<td>142</td>
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<td>143</td>
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<td>Lock-Out Tag Out</td>
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<tr>
<td>144</td>
<td>200'</td>
<td>YELLOW &amp; BAG</td>
<td>1/2&quot;</td>
</tr>
<tr>
<td>145</td>
<td>8</td>
<td>25' ORANGE BODY CORDS</td>
<td>1/2&quot;</td>
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<tr>
<td>146</td>
<td>175'</td>
<td>BLUE/PINK &amp; BAG</td>
<td>11 MM</td>
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<tr>
<td>147</td>
<td>150'</td>
<td>BLUE/YELLOW &amp; BAG</td>
<td>11 MM</td>
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<tr>
<td>148</td>
<td>8</td>
<td>25' YELLOW BODY CORDS</td>
<td>1/2&quot;</td>
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<tr>
<td>149</td>
<td>200'</td>
<td>YELLOW/ORANGE</td>
<td>1/2&quot;</td>
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<tr>
<td>150</td>
<td>190'</td>
<td>RED/BROWN</td>
<td>1/2&quot;</td>
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<td>151</td>
<td>150'</td>
<td>BLUE/WHITE</td>
<td>1/2&quot;</td>
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<tr>
<td>152</td>
<td>190'</td>
<td>BLUE/RED</td>
<td>1/2&quot;</td>
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<td>153</td>
<td>3</td>
<td>50' BLACK 2&quot; WEDDING</td>
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<td>31.8 ton, 34.2 ton</td>
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<td>1</td>
<td>Air bag controller</td>
<td>box type</td>
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<tr>
<td>157</td>
<td>2</td>
<td>Air lines</td>
<td>25'</td>
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<tr>
<td></td>
<td>A</td>
<td>B</td>
<td>C</td>
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<tr>
<td>161</td>
<td>Rescue Equipment</td>
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</tr>
<tr>
<td>162</td>
<td>Quantity</td>
<td>Type</td>
<td>Make</td>
</tr>
<tr>
<td>163</td>
<td>1</td>
<td>AirPak</td>
<td>Scott</td>
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<tr>
<td>164</td>
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<tr>
<td>179</td>
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DATE: July 31, 2018

TO: Todd Clark, City Manager

FROM: Dusty Wentz, PWU Director

CONSIDERATION OF: Adoption of the Emergency Action Plan for Low River Flow Pumping at the Raw Water Pump Station

Approved for Council Consideration

Background:

During drought conditions, water flow at the Raw Water Intake on the Jacob’s Fork River can fall to levels that would require the City to enact strict drinking water consumption reduction measures. As a precaution, Staff has contracted with Wither-Ravenell to produce an Emergency Action Plan for Low River Flow Pumping out of the Henry Fork River at the existing canoe launch. This plan must be adopted by Council in order to gain approval from the State. Approval will allow the City to set up temporary pumps and hoses to feed water into the raw water main adjacent to the Raw Water Pump Station.

Recommendation:

It is recommended that the Council adopt the Emergency Action Plan for Low River Flow Pumping at the Raw Water Pump Station.
CITY OF NEWTON
REQUEST FOR COUNCIL ACTION

DATE: July 31, 2018

TO: Todd Clark, City Manager

FROM: Sean Hovis, Assistant City Manager

CONSIDERATION OF: Consideration of Bid Award to MUSCO for the Installation of Lighting at Jacob Fork Park Ball Field’s.

Approved for Council Consideration

Background:

The City Council has contemplated the utilization of proceeds from the Jones’ estate on several occasions. According to Lillian Sewell Jones will, there must be two unanimous votes by two seating 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.

On July 05, 2018 the City of Newton received a quote for lighting installation of the two ball fields located at Jacob Fork Park. The quote is in the amount of $399,000. Musco Sports Lighting, LLC is a member of the Sourcewell Purchasing Co-op and has an existing contract (#082114-MSL) with that group that is effective until 9/16/2019. The City is a member of the Sourcewell Purchasing Co-Op (member #71661) and will utilize the existing contract for the purchase and installation of this project.

Recommendation:

City Council to consider a budget amendment and bid award to Musco Lighting in the amount of $399,000 plus a ten percent contingency of $39,000, totaling $438,000 for lighting installation of the two ball fields at Jacob Fork Park. Staff recommends formal action in two motions. One for the budget amendment and one for the bid award.
July 5, 2018

Sean Hovis
Assistant City Manager
Jacob Fork Park LED Softball Fields
Newton, North Carolina

Mr. Hovis,

Thank you for allowing us to provide this quote for Jacob Fork Softball fields. I am available at your convenience to review any questions.

Equipment Description

Light Structure Green™ System delivered to your site
- Factory aimed and assembled pole top luminaire assemblies
- LED fixtures
- UL Listed remote electrical component enclosures
- Mounting hardware for the pole top units and electrical component enclosures
- Pole length wire harness
- Disconnects
- Poles
- Precast concrete foundations

Also includes:

- 50% less spill and glare light than Musco's prior industry leading technology
- Musco Constant product assurance and warranty program that eliminates 100% of your maintenance costs for 25 year LED including labor and materials
- Guaranteed constant light levels 50/30 for ball-fields
- Control Link® Control & Monitoring System for flexible control and solid management of your lighting system
- Lighting Contactors

Softball Turnkey Installation (2) 300' fields LED.............................................$399,000
Quote is based on:

- (2) 300’ Softball fields at 50/30 foot-candle light levels
- IBC 2015 90 MPH exp C
- Assumes 480/3 phase located within 50’ of closest pole by softball fields
- Includes signed and sealed electrical drawings, signed and sealed foundations design (based on standard soils), permitting, materials and labor.
- Standard soil conditions. Rock, bottomless, wet or unsuitable soil may require additional engineering, special installation methods and additional cost.
- All landscaping and sidewalk repair is not included in this quote. The installer will have to access the poles from the field side in some cases. Care will be taken to minimize any damage.
- Owner responsible for taking down the fence sections (if required)
- Priced off NJPA contract #082114-MSL  City of Newton Member #71661 joined 7/2/2012

Thank you for considering Musco for your sports-lighting needs.

Sincerely, Dina Neeley

Field Lighting Consultant
336/414-1030 cell
dina.neeley@musco.com
ORDINANCE # 2018-27

AN ORDINANCE TO AMEND REVENUES AND EXPENDITURES FOR FISCAL YEAR 2018-2019 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, 2018 and ending June 30, 2019, in accordance with the General Statutes of the State of North Carolina; and

WHEREAS, City Council has agreed upon three projects for utilization of the Frank and Sue Jones Funds (Lillian Sewerll Jones): amphitheater, splash pad, and lighting at Jacob Fork Park; and,

Whereas, the City has obtained a cost on the lighting for Jacob Fork Park through Sourcewell Purchasing Co-op in which the City is a member of this co-op. Musco Sports Lighting, LLC has an existing contract for lighting through the Sourcewell Purchasing Co-op which is effective until 09/16/19. Based on that contract; the quote to install lighting at two balls fields at Jacob Fork Park is $399,000 plus a 10% contingency for a total of $438,000; and,

WHEREAS, the City Council desires to appropriate fund balance from Frank and Sue Jones Funds and authorize the related expenditure appropriation within the Parks 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.

General Fund Revenues
Fund Balance Appropriated-Frank/Sue Jones 11-0000.3993 $ 438,000

General Fund Appropriations
Capital Outlay-Land/Land Improvements 11-6122.8700 $438,000

Adopted this 7th day of August, 2018.

______________________________________________________
Anne P. Stedman, Mayor

Attest:

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

DATE: July 30, 2018

TO: Todd Clark, City Manager

FROM: Dusty Wentz, PWU Director

CONSIDERATION OF: Budget Ordinance Amendment and Resolution Declaring Official Intent to Reimburse Expenditures for Purchase of Rear loading Garbage Truck

Approved for Council Consideration

Background:

The Sanitation Division of PWU continues to experience difficulties keeping the rear load garbage trucks in service. On two separate occasions in July, all but one of the five rear loading garbage trucks were inoperable. Attached is a narrative that explains the impact to garbage collection if one, two or four of the trucks are down at the same time.

The rear load fleet is aging. The four rear loader trucks are 1995, 2001, 2008, and 2016 models. The sanitation department had $58,063.92 in unexpected repairs in FY 2017 (on all trucks), and $41,288.56 in FY 2018. Rear load trucks 608 (2001 Sterling) and 610 (2008 International) account for $8,605.89 in FY 2017 and $35,954.16 in FY 2018 of the total unexpected repairs in those years.

Unit 608 is recommended for replacement. It is currently the frontline yardwaste / back up garbage truck and is burning one gallon of oil every day it is in operation. The engine is in need of a complete overhaul in order to correct this issue. This truck also experiences frequent breakdowns due to the electrical and hydraulic systems. The new truck would be moved to a frontline garbage truck position.

Unit 608 would be replaced with a dual drive, low entry rear loading truck, as shown in the attached brochures. This truck would be operated by two sanitation operators instead of three, freeing up one position for yard waste and recycling. The attached quote in the amount of $290,000 is for the truck only. An additional $2,050 will be required for tags and insurance.

Unit 610 is one of the frontline garbage trucks. It has undergone a complete electric system overhaul in FY 2018. If 608 is replaced, we would move this truck to 608’s position of frontline yardwaste / back up garbage truck.

The next garbage truck replacement is scheduled for FY 2021 in the most recent CIP.

Action Suggested:

Staff recommends that the City Council approve the following:

1) Budget Ordinance Amendment for the replacement of one rear load garbage truck in the amount of $292,050.

2) Resolution Declaring Official Intent to Reimburse Expenditures for purchase of rear load garbage truck.
6-3-18

To: City of Newton
Attn: Andrew Roseblock
Ref: budgetary quote for 27 cu yd rear loader/ low entry cab

Per our conversation I have prepared the following for your review.

**Rear Loader body**
- Heil model DP5000
- 27 cubic yard high compaction
- 3.94 cubic yard hopper
- Standard cycle time, 28-30 seconds
- Front mount pump
- Side access door
- Peterson LED smart light system, factory installed with in-cab switch and all LED lights
- Swinging link design, no slides
- HD contractors package with ¼” hopper floor and 3/16” hopper face liner
- Dual rear buzzers
- Dual factory mounted cart dumper valving and controls
- 3 micron filter
- Factory mounting
- Broom and shovel rack
- 5 gallon igloo cooler and rack
- Front of body LED amber flashing lights
- Hopper work light
- One year warranty, complete parts and labor
- Steel tool box 36”x18”x18”
- Mud flaps ahead of rear axle
- Mud flaps behind rear axle
- Steel surcharge
- Freight
- Dual QC model 100 HD cart dumpers, CES installed
- CES camera system, front recording, rear vision, one monitor
Chassis,
2019 CCC LET2 Crew Cab
Three man seating
Dual steering, RH stand up, bi fold doors
Cummins ISL 9 345 HP engine
FEPTO
Allison model 4500 RDS, 6 speed transmission
44,000 lbs rear axle with 44,000 lbs suspension
20,000 “ front “ 20,000 “ “
11R x 22.5 front tires/rims
156” Cab to trunion
Other: battery disconnect switch, block heater, front tow hooks, air dryer, 80 gallon fuel tank, can tilt assist, air conditioning, vertical exhaust, AM/FM radio, 6 gallon DEF tank

Total price, chassis and body, budgetary $290,000.00

Delivery: 60-100 days

We appreciate the opportunity to submit this quotation. If you have questions or need additional information, please do not hesitate to contact me.

Sincerely,

Matt Keeble

Matt Keeble
Resolution 25-2018
A Resolution Declaring Official Intent
to Reimburse Expenditures

WHEREAS, the City of Newton desires to incur certain capital expenditures prior to the issuance of debt; and

WHEREAS, the City of Newton intends to reimburse such expenditures from the proceeds of debt to be issued; and

WHEREAS, this is made pursuant to the requirements of the United States Treasury Regulations Section 1.150-2 and is intended to constitute a Declaration of Official Intent to Reimburse under such Treasury Regulations Section; and

WHEREAS, the undersigned is authorized to declare the official intent of the City of Newton, North Carolina with respect to the matters contained herein.

NOW, THEREFORE, BE IT RESOLVED  The City’s 10-Year Capital Improvement Plan does not reflect a residential garbage truck replacement until Fiscal Year 2021. Due to the poor condition of the main frontline residential garbage truck and the concern of providing service to the City’s customers, Council desires to approve $292,050 to expedite the purchase of a residential rear load garbage truck.

The cost is estimated to be $292,050.

The City of Newton intends to finance the cost of the Project with the proceeds of debt to be issued, the interest on which is to be excluded from gross income for Federal income tax purposes,

The maximum principal amount of the Borrowing to be incurred by the City of Newton to finance the Project noted above is $292,050.

The City of Newton hereby declares its official intent to reimburse itself with the proceeds of the Borrowing for any of the Expenditures incurred by it prior to the issuance of the Borrowing.

Adopted this 7th of August, 2018

______________________________
Anne P. Stedman, Mayor

______________________________
Amy S. Falowski, City Clerk
When a frontline garbage truck goes down we have to use the yardwaste truck for garbage and the cardboard truck for yardwaste. This causes complaints from our commercial cardboard customers. Recently one of our commercial customers was cited by the fire department for having excess cardboard on the premises due to our not having a truck to collect cardboard with.

If we have two frontline garbage trucks go down at the same time we have to use the cardboard truck and the yardwaste truck to cover the garbage routes. This results in yardwaste and cardboard service being sidelined until we can get a truck back on the road. There are times when we will have to run a garbage route, go to the landfill and then go back out and run a yardwaste or cardboard route with the same truck. Many times a crew will come in early to run cardboard and then run yardwaste after they dump cardboard at the MRF.

During the last couple of months we have had our frontline yardwaste truck down for an extended period and used the cardboard truck for yardwaste. During this same time one of our frontline garbage trucks went down temporarily. We had only one garbage truck on the road. The cardboard truck was half full of yardwaste and we had to wait two hours until the landfill opened to dump it so it could be used for garbage. This resulted in yardwaste getting a day behind schedule. Trying to get this caught back up while also running the regular routes took a week.
ORDINANCE # 2018-23

AN ORDINANCE TO AMEND REVENUES AND EXPENDITURES FOR FISCAL YEAR 2018-2019 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, 2018 and ending June 30, 2019, in accordance with the General Statutes of the State of North Carolina; and

WHEREAS, the City’s 10-Year Capital Improvement Plan does not reflect a residential garbage truck replacement until Fiscal Year 2021. Due to the poor condition of the main frontline residential garbage truck and the concern of providing service to the City’s customers, Council desires to approve $292,050 to expedite the purchase of a residential rear load garbage truck; and,

WHEREAS, the $292,050 will be financed as part of the City’s annual financing. In an effort to expedite the purchase, a Resolution Declaring Official Intent to Reimburse Expenditures will be provided to City Council for approval at the August 7, 2018 Council meeting; and,

WHEREAS, the City Council desires to authorize the related expenditure appropriation within the Sanitation Department’s operating budget and the related financing.

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>11-0000.3900</th>
<th>$292,050</th>
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<tbody>
<tr>
<td>Proceeds from Borrowing</td>
<td></td>
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<table>
<thead>
<tr>
<th>General Fund Appropriations</th>
<th>11-4251.8400</th>
<th>$292,050</th>
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</thead>
<tbody>
<tr>
<td>Capital Outlay – Motor Vehicles</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Adopted this 7th day of August, 2018.

________________________________________
Anne P. Stedman, Mayor

Attest:

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

DATE: July 30, 2018

TO: Todd Clark, City Manager

FROM: Dusty Wentz, PWU Director

CONSIDERATION OF: Resolution Declaring Official Intent to Reimburse Expenditures for the Replacement of the 2000 Volvo Dumpster Truck

Background:

The approved FY 2018-2019 Budget includes $282,600 for the purchase of a new dumpster truck to replace the 2000 Volvo Dumpster Truck. Staff has received a quote from Nation Joint Powers Alliance (NJPA), for a Heil Body with Mack Chassis in the amount of $269,436.00 plus $3,000 for the tags, insurance and preparation work.

Given the current state of the City’s two dumpster trucks, and the 60 – 100 day delivery time, staff recommends purchasing the truck now and reimbursing the general fund once this year’s financing is complete.

Action Suggested:

Staff recommends that the City Council approve the attached Resolution regarding the intent to reimburse expenditures related to the purchase of the dumpster truck.
7-9-18  Mack via NJPA contract # 112014-THC
To: City of Newton
Attn: Jeff Biggs

Front loader budget quote. New Mack/Heil updated

**Body: New Heil 40 cubic yard Half Pack**
Full-eject style
Front mount pump with EOS
Dual front clean out sumps
Auto-pack
Sliding top door with arm interlock
Shur-Lock tailgate system
Air joystick
Cab shield
3 micron filter with in cab by-pass light
John Deere arm cylinders, internally cushioned
Four bearing blocks on rear torque tube
Flat floor ¼” AR with crossmember bracing, interlaced
Formed channel upper
aaa wall hopper
Lube lines on rear packing blade/cylinder zerks, now factory installed standard
Hopper work light LED, now standard
All LED body lights, now standard
Mud flaps ahead and behind tandems, now standard
Clean out shovel and bracket on packer inner packer panel framework, now standard
Standard hydraulic tank location
Body undercoating, now standard
1 year warranty, 2000 hours
Lower tailgate mounted strobe light, now standard
Severe duty wear bar kit in hopper zone, now standard
3” sump drain under clean out door, now standard
Underbody control valve now standard

Rear caution decal
Dual side body backing assist lights
Rear mounted access ladder
Single hopper mounted LED container work lights
Dual cab guard mounted LED flood lights
Peterson LED rear “smart light” system
Cab protector raise, hydraulic, driver operated, includes manual jack for tip extension
Steel surcharge
Factory installation and paint

Sub total body from Heil $126,826.00

CES installed 36” tool box 750.00
   “   “ dual camera system front recording and rear back up vision 3,000.00
Delivery to you 1,500.00

Total body price $132,076.00

**Chassis: 2018 Mack** model MRU 613
Mack MP7 engine, 355HP, engine brake
Roll up windows, LH and RH
Allison model 4500 RDS
20,000 lbs front axle
46,000 lbs rear axle, 4.80 ratio, Mack camelback suspension
210” wheelbase
   Other, fixed steering wheel, air conditioning, differential lock in cab
   refuse special rear brakes, 8” wide vs 7”
Front tires 315/80R x 22.5 on aluminum rims
Rear tires   “   “
Other: Air dryer, 80 gallon fuel tank, 10 gallon DEF tank, air ride drivers seat, AM/FM
   Blue tooth
Warranty: base chassis 1 year, Mack engine 2 year, 200,000 miles

Chassis price $137,360.00

**Total price for body and chassis $269,436.00**

Cab color white, body any one color of your choice

Delivery: 60-100 days

Extended warranties available

We appreciate your interest in our product.

**Matt Keeble**
Matt Keeble, mob 704-239-8471
email mattkeeble@bellsouth.net

distributors for:

Heil, Galbreath, Pac-Mac, Pak’Rat, Schaefer, Bush, Schwarze, SwapLoader, Pioneer, Roll-Rite, Huge Haul
Resolution 26-2018
A Resolution Declaring Official Intent
to Reimburse Expenditures

WHEREAS, the City of Newton desires to incur certain capital expenditures prior to the issuance of debt; and

WHEREAS, the City of Newton intends to reimburse such expenditures from the proceeds of debt to be issued; and

WHEREAS, this is made pursuant to the requirements of the United States Treasury Regulations Section 1.150-2 and is intended to constitute a Declaration of Official Intent to Reimburse under such Treasury Regulations Section; and

WHEREAS, the undersigned is authorized to declare the official intent of the City of Newton, North Carolina with respect to the matters contained herein.

NOW, THEREFORE, BE IT RESOLVED The City’s Fiscal Year 2019 Budget reflects $282,600 for the purchase of a commercial dumpster truck which will replace the 2000 Volvo dumpster truck. The replacement is currently on the 10-Year Capital Improvement Plan for Fiscal Year 2021. Due to the condition of the dumpster truck and the concern of providing service to the City’s customers, Council approved the purchase of this vehicle in the Fiscal Year 2019 Budget.

The cost is estimated to be $282,600.

The City of Newton intends to finance the cost of the Project with the proceeds of debt to be issued, the interest on which is to be excluded from gross income for Federal income tax purposes,

The maximum principal amount of the Borrowing to be incurred by the City of Newton to finance the Project noted above is $282,600.

The City of Newton hereby declares its official intent to reimburse itself with the proceeds of the Borrowing for any of the Expenditures incurred by it prior to the issuance of the Borrowing.

Adopted this 7th of August, 2018

__________________________
Anne P. Stedman, Mayor

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

DATE: July 31, 2018

TO: Todd Clark, City Manager

FROM: Dusty Wentz, PWU Director

CONSIDERATION OF: Budget Ordinance Amendment for Engineering Services for N. Ship Water Line Replacement

Approved for Council Consideration

Background:

The week of July 24\textsuperscript{th}, 2018, Staff was made aware of five residences on the 2100 block N. Ship Ave between W. 21\textsuperscript{st} and W. 23\textsuperscript{rd} street with water pressure of 13 psi. The minimum pressure allowed under the City’s water distribution permit is 30 psi. Further investigation by Staff revealed that all five homes are tapped of the same 1” water line.

In order to be in compliance with the permit, Staff has determined that approximately 420’ of 6” line needs to be installed on N. Shipp Ave. This section of line will eliminate one dead end and improve water quality as well as increase available pressure. Staff can complete the construction in house, but plans and permits are required since installation of the 6” line is considered a water system extension.

Staff contacted Wooten Engineering and received an Engineering Services proposal to complete the work for $12,800. The attached Budget Ordinance Amendment will provide funds for the engineering proposal.

Action Suggested:

Staff recommends that City Council approve the attached Budget Ordinance Amendment for engineering services for the N. Shipp Water Line Extension project.
AN ORDINANCE TO AMEND REVENUES AND EXPENDITURES FOR FISCAL YEAR 2018-2019 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, 2018 and ending June 30, 2019, in accordance with the General Statutes of the State of North Carolina; and

WHEREAS, 420’ of 6” water line on N. Shipp Ave. needs to be installed in order to be in compliance with the 30 psi required under the City’s water distribution permit. There are five residences on the 2100 block of N. Shipp Ave. with water pressure of 13 psi which falls short of the City’s required psi. Plans and permits are required since installation of the 6” line is considered a water system extension; and,

WHEREAS, the City Council desires to appropriate fund balance and authorize the related expenditure appropriation within the Water/Wastewater Operations Department’s 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.

| Water/Wastewater Fund Revenues | Fund Balance Appropriated | 61-0000.3995 | $ 12,800 |
| Water/Wastewater Fund Appropriations | Professional Services - Engineering | 61-7100.4940 | $ 12,800 |

Adopted this 7th day of August, 2018.

Anne P. Stedman, Mayor

Attest:

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

DATE: August 3, 2018

TO: Mayor Anne Stedman and Newton City Council

FROM: Todd Clark, City Manager

CONSIDERATION OF: Policy on Water and Sewer Connections To Properties Outside the City Limits

Approved for Council Consideration

Background:

The City of Newton has received a request for water service to a property located just outside of the corporate limits. In consideration of the expense related to the extension of water and sewer lines outside of the corporate limits, the City Council needs to consider the adoption of a policy concerning the extension of utilities. Furthermore, the City Council needs to consider how such extensions encourage municipal growth and whether voluntary annexation petitions should be required where utility extensions are made outside the corporate limits.

A policy is currently being drafted for consideration by City Council and will be presented for information during the August 7th City Council meeting for discussion. The Council will be asked to consider the policy and be prepared to consider adoption at the September 4, 2018 City Council meeting.

Action Suggested:

The City Council does not need to take action at the August 7th meeting. Staff requests City Council consider a policy that is currently being drafted for presentation to City Council on August 7th with possible adoption at the September 4th meeting.