MINUTES
REGULAR MEETING OF THE NEWTON CITY COUNCIL
September 5, 2017 – 7 p.m.
The regular meeting of the Newton City Council was held at 7 p.m. Tuesday, September 5, 2017 at Newton City Hall.

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

ABSENT: Council Member Tom Rowe

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 Jody Dixon provided the invocation and Pledge of Allegiance.

ITEM 3: APPROVAL OF MINUTES
Upon motion duly made by Mayor Pro Tem John Stiver, seconded by Council Member Jerry Hodge, it was unanimously RESOLVED:

That the Regular Minutes of the August 1, 2017 City Council meeting be – APPROVED

ITEM 4: CONSIDERATION OF CONSENT AGENDA ITEMS
Upon motion duly made by Council Member Jerry Hodge, seconded by Mayor Pro Tem John Stiver, it was unanimously RESOLVED:

That the Consent Agenda be – APPROVED

A. Sewer Adjustments

B. Consideration of Budget Ordinance Amendment – Newton-Conover High School Crosswalk

C. Consideration of Commission/ Committee Membership Appointments – Appearance Committee – Adele Gobble

D. Consideration to Designate Mayor Anne Stedman as Voting Delegate, and Council Member Jerry Hodge as the Alternate Voting Delegate at the NCLM Annual Conference

(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.
Mayor Stedman stated that at this time there will be a special presentation for Ms. Sandra Waters. Mayor Stedman stated that Newton Parks and Recreation Director Sandra Waters is being awarded the Order of the Long Leaf Pine, one of North Carolina’s most prestigious honors. Mayor Stedman stated that Ms. Waters has been with the Parks and Recreation Department for 50 years and that the city is very lucky to have her. Mayor Stedman thanked Ms. Waters on behalf of the city, the Council and herself for the great job that she does.

**ITEM 6: Presentation**

A. Pool Report

Parks and Recreation Director Sandra Waters presented the following pool report for summer 2017:

- Swimming Pool was opened 63 full days and/or 10 weeks with 20-22 days of afternoon thunderstorms.
- Pool had (7) day camps this summer with decreased attendance and 3 days where camps were rained out and unable to attend due to weather conditions.
- Water Aerobics had 49 in attendance for 8 weeks with evening thunderstorms 4 out of the 8 weeks.
- A total of (2) pool rentals this year.
- Two Dive-In Movies were a big hit during the month of July with a total of 400 spectators and participants.
- July 4th Splish, Splash Bash attendance was up for this particular event.
- Had three classes of children’s swimming lessons and a new parent/child Baby and Me class.
- Stayed open 2 weeks longer due to weather, August attendance was poor.
- Walkin’ Roll activity for “Kids with all abilities” held each Saturday morning at 10:00 a.m.
- Life Guard In-service training held every other weekend with mock drills and skill proficiency tests.
- 12 & under must be accompanied by a paying Adult - North Carolina State Law. Decreased public attendance.
- First (2) weeks in June very slow.

<table>
<thead>
<tr>
<th></th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
<th>2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Swim Attendance:</td>
<td>2,248</td>
<td>2,009</td>
<td>2,034</td>
<td>2,741</td>
<td>2,300</td>
</tr>
<tr>
<td>Day Camp Attendance:</td>
<td>979 (11)</td>
<td>706 (8)</td>
<td>490 (5)</td>
<td>550 (8)</td>
<td>521 (7)</td>
</tr>
<tr>
<td>Water Aerobics</td>
<td>-</td>
<td>-</td>
<td>226</td>
<td>109</td>
<td>49</td>
</tr>
<tr>
<td>Youth Swim Lessons</td>
<td>-</td>
<td>-</td>
<td>18</td>
<td>12</td>
<td>21</td>
</tr>
<tr>
<td>Lap Swim</td>
<td>-</td>
<td>-</td>
<td>16</td>
<td>23</td>
<td>32</td>
</tr>
<tr>
<td>Pool Rentals</td>
<td>-</td>
<td>-</td>
<td>150 (4)</td>
<td>183</td>
<td>102 (2)</td>
</tr>
<tr>
<td>Walkin’ Roll</td>
<td>34</td>
<td>130</td>
<td>238</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dive-In Movies</td>
<td>60</td>
<td>108</td>
<td>400</td>
<td></td>
<td></td>
</tr>
<tr>
<td>July 4th Splash Blast</td>
<td>25</td>
<td>30</td>
<td>75</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total:</td>
<td>3,227</td>
<td>2,715</td>
<td>3,053</td>
<td>3,886</td>
<td>3,738</td>
</tr>
</tbody>
</table>

|                          |        |        |        |        |        |
| Admissions: (Public Swim & Daycamps) | $ 11,500.00 | $ 8,722.00 | $ 7,349.00 | $ 9,195.55 | $ 8,149.50 |
| Concessions              | $ 3,726.75 | $ 3,717.75 | $ 2,497.00 | $ 5,637.25 | $ 4,883.50 |
| Youth Swim Lessons       | $ 840.00  | $ 520.00  | $ 720.00  | $ 240.00  | $ 840.00  |
| Water Aerobics           | $ 40.00   | -        | $ 678.00  | $ 357.00  | $ 147.00  |
| Pool Rentals             | $ 275.00  | $ 660.00  | $ 565.00  | $ 325.00  | $ 325.00  |
| Dive-In Movies           | $ 65.00   | $ 75.00   | $ 500.00  |        |        |
Council Member Wes Weaver asked Ms. Waters to reach out to North Newton Elementary school next year. Ms. Waters said that she would.

ITEM 7: **Public Hearing**

A. Consideration of Thomas Hullette Rezoning – Shea Road EM-1 to R-20

Mayor Anne Stedman opened the Public Hearing.

Assistant Planner Alex Fulbright stated that Thomas and Eve Hullette have filed a rezoning application to rezone a portion of their property located 707 Shea Rd from EM-1 Exclusive Manufacturing and R-20 Single Family Residential to entirely R-20 Single Family Residential. He stated the entire subject site is a 10.09 acre tract identified as Catawba County Pin # 3649-06-27-6610. The Property is located within the Extra Territorial Jurisdiction of the City of Newton.

Mr. Fulbright stated the portion of property requested to be rezoned is only a 1.1 acre portion of the property where the residence is located. The current EM-1 zoning could prevent the improvement, expansion, and/or reconstruction if the home were to be destroyed; as the EM-1 zoning district does not allow residential uses. Mr. Fulbright stated that existing residential structures are considered non-conforming but they cannot be expanded or rebuilt.

**Background:**

**Surrounding Zoning and Land Use:**

<table>
<thead>
<tr>
<th>ZONING</th>
<th>LANDUSE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subject</td>
<td>Single family home</td>
</tr>
<tr>
<td>EM-1 Exclusive Manufacturing</td>
<td></td>
</tr>
<tr>
<td>R-20 Single Family Residential</td>
<td></td>
</tr>
<tr>
<td>North</td>
<td>Single family home</td>
</tr>
<tr>
<td>R-20 Single Family Residential</td>
<td></td>
</tr>
<tr>
<td>EM-1 Exclusive Manufacturing</td>
<td></td>
</tr>
<tr>
<td>South</td>
<td>Manufacturing</td>
</tr>
<tr>
<td>EM-1 Exclusive Manufacturing</td>
<td></td>
</tr>
<tr>
<td>East</td>
<td>Single Family/non-conforming grading business</td>
</tr>
<tr>
<td>EM-1 Exclusive Manufacturing</td>
<td></td>
</tr>
<tr>
<td>West</td>
<td>Vacant/agriculture</td>
</tr>
<tr>
<td>EM-1 Exclusive Manufacturing</td>
<td></td>
</tr>
</tbody>
</table>

**Zoning History:**

Mr. Fulbright stated that the area under consideration has been zoned EM-1 Exclusive Manufacturing since the expansion of the City’s Extraterritorial Jurisdiction in the 1982 and that there have not been any zoning map amendments to the subject site.

**Transportation:**

Mr. Fulbright explained the site has frontage along St James Church Rd which is classified as Collector Street and Shea Road which is a neighborhood street. There will be no adverse effects on transportation if the request is approved.
Utilities:

According to Mr. Fulbright city water and sewer are not currently available and the site uses a well and septic system.

Consistency and Conclusion:

Mr. Fulbright stated the proposed request is not consistent with the 2008 Southeast Area Plan’s Future Land Use (see attached Future Land Use map); however, it would be consistent with the existing use of the land and character of the area. He said if the request is approved would not be an adverse impact on the adjoining industrial area.

Mr. Fulbright stated that it is the Planning Commission’s unanimous recommendation that the request be sent to the Newton City Council for approval as requested. The request is inconsistent with the 2008 Southeast Area Plan, but the request is consistent with existing use of the property and would not adversely impact nor hamper the development of the adjoining industrial areas.

Mayor Stedman asked if anyone would like to speak during this public hearing. No one appeared.

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

That the Public Hearing be – CLOSED.

Council Member Abernethy asked if there is no correction is needed north of the property. Mr. Fulbright stated that it wouldn’t impact them

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

That Thomas Hullete Rezoning – Shea Road EM-1 to R-20 be – APPROVED.

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

ITEM 8: New Business

A. Consideration of Intent to Reimburse for the Purchase of Police Vehicles

Police Chief Don Brown stated that in the 2017-2018 FY budget Newton City Council approved $363,975.00 to purchase and equip (7) new vehicles for the Newton Police Department. Chief Brown stated that once financing has been arranged by the finance department, 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 disruptions, pushing back delivery to May or June. Chief Brown explained that this time frame does not include vehicle up-fitting requiring an additional 30 - 60 days.

Chief Brown stated the City of Newton Police Department has received notification from the Sheriffs’ Association’s Cooperative Purchasing Programs that new patrol vehicles can still be purchased using the 2017 contract pricing until September 30, 2017. Chief Brown stated that purchase orders must be submitted to the vehicle dealer before the contract cutoff date of September 30. This option will allow for potential cost savings as the pricing of new patrol vehicles is expected to increase for the 2018 purchase contract. Chief Brown stated that 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” so that vehicles could be
up-fitted and placed into service prior to June 30, 2018 pending no supply or installation issues.

Chief Brown explained that 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.

Chief Brown recommended motion to adopt the attached “Intent to Reimburse” resolution authorizing the
Newton Police Department to purchase 7 vehicles and equipment to include installation and complete up-
fitting.

Mayor Stedman stated that this sounds like a win/win situation.

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

That Intent to Reimburse for the Purchase of Police Vehicles be – APPROVED.

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

ITEM 9: City Manager’s Report

Meetings & Events

• September 18th New Employee Customer Service Training at Fire Dept. Headquarters
  9:00 a.m. – 11:00 a.m.
• September 19th NCMPA1 Regular Monthly Meeting, 10:00 a.m. - Concord
• September 20th – 23rd North Carolina League of Municipalities Annual Conference
• September 26th – WPCOG Policy Board Meeting – Catawba County Agricultural
  Resources Center 6:00 p.m.
• October 7th Folk Art Festival, 10:00 a.m. – 4:00 p.m.
• November 15th – 18th National League of Cities, City Summit - Charlotte

Newton 101 Information

o Session 1 (Sept. 7): Meet and greet at Newton City Hall. Attendees will meet the Mayor, City
  Council, City Manager and Department Heads. Participants will learn about the history of
  Newton.

o Session 2 (Sept. 14): Public Works and Utilities. Participants will tour the raw water intake at the
  Jacob Fork River, the water treatment plant, and the wastewater treatment plant.

o Session 3 (Sept. 21): Newton City Hall. Participants will tour City Hall including the
  Administration, Police, Human Resources, Planning, Information Systems and Finance
  departments. They also will learn more about the city’s electric distribution system, as well as
  other Public Works services and facilities.

o Session 4 (Sept. 28): Public Safety at Fire Department Headquarters. Citizens will learn about the
  fire and police departments and the many ways they work to protect and serve the citizens of
  Newton.

o Session 5 (Oct. 5): Finance, Human Resources and Information Systems at the Historic Newton
  Depot. Participants will learn about the inner workings of municipal government finance,
  personnel, and information systems.

  Participants will learn about the many activities and resources offered at the Newton Recreation
Department. This session also will explore the Planning Department and economic development projects.

- Session 7 (Oct. 19): Graduation at Newton City Hall. Participants will enjoy a brief social event, followed by a question-and-answer session with the Mayor, City Council, City Manager and Department Heads. Each participant will receive a certificate of completion at the final session.

**Other Projects**

- Hurricane Readiness (Irma)
- Trees at City Hall
- W A Street Project Update
- Core Streetscape Project Update

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

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

Council Member Robert C. Abernethy, Jr. asked about the status of the updated tree trimming policy. Sandra Waters told him that the tree board is waiting on one of their members to return from Germany so the policy can be finalized.

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

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

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

Motion was then made by Council Member Wes Weaver to return to open session, seconded by Mayor Pro Tem John Stiver. All Ayes.

**ITEM 12: Adjournment**

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

That the Meeting be – ADJOURNED