The regular meeting of the Newton City Council was held at 7 p.m. Tuesday, September 3, 2019 at Newton City Hall.

PRESENT: Mayor Anne P. Jordan, 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. Jordan 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 Council Member Ed Sain, seconded by Council Member Jerry Hodge, it was unanimously RESOLVED:

That the Regular Minutes of the September 3, 2019 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 Ed Sain, it was unanimously RESOLVED:

That the Consent Agenda be – APPROVED

A. Tax Releases
B. Sewer Adjustments
C. Proclamation – Constitution Week, September 17-23, 2019
D. Consideration of Easement for Spectrum at A Street and Spring Street Intersection
E. Consideration of Easement for Spectrum at Nottingham Estates
F. Consideration of Resolution for the Fast Charging Stations Grant Applications
G. Consideration to Adopt Grant Ordinance for Governor’s Crime Commission Grant
H. Consideration of Capital Project Ordinance to Establish Capital Project Fund
I. Consideration of Appointment to Boards and Commissions - Recreation

(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. Jordan asked if anyone present would like to make comment concerning non-agenda items.

Mr. John Sigmon thanked Public Works Director Dusty Wentz, and the entire city staff for the good job they did during Soldiers Reunion week.

ITEM 6: Presentation

A. Recognition of Jeffrey Todd Tester

Police Chief Vidal Sipe stated that on July 10, 2019, Lieutenant David Sigmon was dispatched to the Goodwill Retail Outlet in Newton in reference to a larceny from the business. When Lieutenant Sigmon arrived on the scene, his attention was directed to a red pickup truck in the parking lot. Chief Sipe stated that when Lieutenant Sigmon made contact with the suspect in the truck, an altercation ensued where the suspect assaulted Lieutenant Sigmon and was attempting to continue assaulting him. This is when Mr. Jeffrey Todd Tester, a citizen, observed what was happening and without hesitation went to assist Lieutenant Sigmon. While Mr. Tester was assisting Lieutenant Sigmon, he was also assaulted. Even after being assaulted, Mr. Tester continued to assist by helping Lieutenant Sigmon hold the suspect on the ground until other officers arrived on the scene. When the other officers arrived, the suspect continued to resist, but was subsequently taken into custody and charged with numerous charges to include assault on a LEO, simple assault and possession of a firearm by a convicted felon.

Chief Sipe stated that the actions of Mr. Jeffrey Todd Tester will forever be remembered by Lieutenant Sigmon, the officers of the Newton Police Department and the City of Newton. Chief Sipe told Mr. Tester that his actions speak highly of his character and willingness to help others in times of need. Chief Sipe and the men and women of the Newton Police Department thanked Mr. Tester and reminded all of our citizens how much they are appreciated for the support that they show toward police officers in our city and around the nation.

Mayor Anne Jordan also thanked Mr. Tester on behalf of the city and the City Council, and presented him with a Certificate of Appreciation.

B. Presentation of the Comprehensive Annual Financial Report (CAFR) Award

City Manager Todd Clark presented Finance Director Vickie Thomas and the finance staff the Comprehensive Annual Financial Report (CAFR) award. Mr. Clark congratulated Ms. Thomas and her staff.

Mayor Stedman, on behalf of the City Council thanked Ms. Thomas and her staff on a job well done.

ITEM 7: New Business

A. Consideration of W 8th Street Sewer Manhole Replacement Bid Award and Budget Amendment

Public Works and Utilities Director Dusty Wentz stated that several months ago, a deep sinkhole opened up next to a manhole that is located at the intersection of West 8th Street and North Gabriel Ave. City staff investigated this sink hole and determined that a brick manhole that is failing. Specifically, the bottom of this manhole has collapsed along and we have a partial collapse of an 8” sewer main that is tied into the manhole.

Mr. Wentz explained that replacing this manhole will require removing and replacing one section of a water main, one section of a storm water pipe, one storm water catch basin, and replacing the disturbed asphalt. Due to the depth of the manhole (16 feet deep), the reconstruction of the sewer line and manhole will require large pieces of earth
moving equipment, large safety boxes, multiple pumps, and staff that can continuously on the project until work is complete. As a result, the City staff recommends the use of a contractor for this project.

Mr. Wentz stated that the City solicited bids from eight contractors on July 25, 2019. Bid opening was on August 15, 2019 and the City received three bids. Two of the three sent a no bid response.

<table>
<thead>
<tr>
<th>Utility Contractor</th>
<th>Bid Price</th>
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<tbody>
<tr>
<td>Dellinger, Inc</td>
<td>No Bid</td>
</tr>
<tr>
<td>Hickory Sand Company, Inc.</td>
<td>No Bid</td>
</tr>
<tr>
<td>Piedmont Utility Group, Inc.</td>
<td>$143,469.64</td>
</tr>
</tbody>
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Mr. Wentz stated that City Staff has reviewed the bid and determined that Piedmont Utility Group, Inc. is the lowest qualified and most responsive bidder. Staff recommends that a 10% contingency of $14,300.00 be allocated for the construction project. The project cost including the base bid with 10% contingency, will bring this construction cost to a total of $157,769.64.

Mr. Wentz stated that City Council is advised that traffic for some residents in the neighborhood will have to be re-routed. Staff has already spoken to the affected property owners and will keep them up to date on the progress of this project. Mr. Wentz stated that it is recommended that the City Council award the bid for this replacement of One (1) Manhole at the Intersection of West 8th Street and North Gabriel Ave. to Piedmont Utility Group Inc. Staff also recommends adoption of the attached Budget Amendment.

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

That the Bid for Replacement of One (1) Manhole at the Intersection of West 8th Street and North Gabriel Ave. to Piedmont Utility Group Inc be – AWARDED

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

That the Budget Ordinance Amendment be – ADOPTED

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

ITEM 8: City Manager’s Report

Meetings & Events

- Sept. 19th – Catawba County United Way 75th Anniversary Celebration, 12:00 p.m. – Crowne Plaza
- Sept. 19th – Bright Future Concert, 5:30 p.m. – 8:30 p.m. at Frank and Sue Jones Amphitheatre
- Oct. 5th – Foothills Folk Art Festival, 10:00 a.m. – 4:00 p.m.
- Oct. 10th – East-Side Community Meeting, 6:00 p.m. at St. Paul UMC
- Thursdays, Sept. 12-Oct. 24 – Newton 101, various locations at 6:30 p.m. (note the Sept. 19 session begins at 6 p.m.) – Please see full Schedule
ITEM 9:  Questions and Comments from Mayor and Council

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

Council Member Anne Wepner gave reports on the Newton-Conover Auditorium.

ITEM 10:  Closed Session - Per North Carolina General Statutes 143-318.11(a)(4) and 143-318.11(a)(6)

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

That City Council enter CLOSED SESSION per General Statute 143-318.11(a)(4) and 143-318.11(a)(6)

No Action was taken.

Motion was then made by Council Member Ed Sain, seconded by Mayor Pro tem John Stiver 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. Jordan, Mayor

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Amy S. Falowski, City Clerk