The regular meeting of the Newton City Council was held at 7 p.m. Tuesday, September 18, 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 Anne Wepner provided the invocation and Pledge of Allegiance.

ITEM 3: APPROVAL OF MINUTES

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

That the Regular Minutes of the September 4, 2018 City Council meeting be – APPROVED

ITEM 4: CONSIDERATION OF CONSENT AGENDA ITEMS

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

That the Consent Agenda be – APPROVED

A. Tax Releases
B. Sewer Adjustments
C. Consideration of Budget Ordinance Amendment – Marketing and Branding
D. Consideration of Budget Ordinance Amendment – Data Processing Equipment
E. Consideration of Budget Ordinance Amendment – Water/Wastewater Fund Equipment
F. Consideration of Resolution for Uniform Guidance Procurement Standards Policy Amendment
G. Consideration of Resolution for Appointment of Deputy Finance Director
H. Consideration of Resolutions to Recognize Planning Commission Members

(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 6: Public Hearing

A. Consideration Rezoning by James River Equipment

Planning Assistant Alex Fulbright stated that Clyde Phillips representing James River Equipment has requested to rezone property located at 2612 & 2616 Northwest Blvd from R-20 Single Family Residential to B-4 General Business. The subject site includes 2 parcels, which consist of a 5.7 acre tract identified as Catawba County Pin 3731-16-83-1458 and a 2.61 acres tract identified as 3731-16-83-4417. 2612 Northwest Blvd is owned by Mark and Melissa McCloud and 2616 Northwest Blvd is owned by Rowe and Anita Bollinger. Mr. Fulbright stated that if approved, James River Equipment will purchase the property and use for the sales, service, and repair of equipment and tractors.

Surrounding Zoning and Land Use:

<table>
<thead>
<tr>
<th>Subject(s)</th>
<th>ZONING</th>
<th>LANDUSE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>B-4 General Business</td>
<td>Single family homes and the former site of Slimline truck covers.</td>
</tr>
<tr>
<td></td>
<td>R-20 Single Family Residential</td>
<td></td>
</tr>
<tr>
<td>North</td>
<td>R-20 Single Family Residential</td>
<td>vacant</td>
</tr>
<tr>
<td></td>
<td>B-4 General Business</td>
<td></td>
</tr>
<tr>
<td>South</td>
<td>R-20 Single Family Residential</td>
<td>vacant</td>
</tr>
<tr>
<td>East</td>
<td>M-1 General Manufacturing</td>
<td>Distillery and consignment market</td>
</tr>
<tr>
<td></td>
<td>B-4 General Business</td>
<td></td>
</tr>
<tr>
<td>West</td>
<td>R-20 Single Family Residential</td>
<td>Vacant</td>
</tr>
</tbody>
</table>

Zoning History:

Mr. Fulbright stated that the area requested to be rezoned is currently zoned R-20. According to the current, 1982, and 1966 Zoning Map the area has been zoned R-20 and before that it was zoned R-15, the predecessor to the R-20 district. The portions of the property that is currently zoned B-4 General Business was zoned that way on both the 1966 and 1982 zoning map.

Transportation:

Mr. Fulbright explained that the property has access off of Northwest Blvd, which is a four-lane road with a turn lane and an unopened right of way on the south side. The most recent ADT on Northwest Blvd is 22,000. There are no proposed projects that will have an immediate impact on the subject.

Utilities:

Mr. Fulbright stated that city water and sewer are available.

Consistency and Conclusion:

Mr. Fulbright stated that the 1988 Land Development Plan Map shows the area being zoned commercial. The plan mentions that the city should avoid sprawling strip development and to encourage development.
at intersection of major thoroughfares and arterials or collector streets; however this is an expansion of existing commercial zoned area. The request is consistent with the 1988 Land Development Plan.

Public Notice:

Public notice for this rezoning case has been performed as follows:

Newspaper: published on September 6 & 13, 2018.  
Posted on-site: posted August 17, 2018 
Mailed notices: sent notice to the owner of the site, owners of adjacent property, and the owners of property within 100 feet of the property adjacent to the subject site. 18 letters were sent on September 7, 2018.

Mr. Fulbright stated that the Planning Commission unanimously recommended that the City Council approve this rezoning request. 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 areas. He stated that the Southeast Area Plan is recommended to be amended to reflect the proposed land use.

Mayor Stedman asked if anyone present would like to speak. No one appeared.

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

That Public Hearing be – CLOSED

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

That the Rezoning Request by James River Equipment - Property Located at 2612 & 2616 Northwest Blvd from R-20 Single Family Residential to B-4 General Business be – APPROVED.

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

ITEM 7: Old Business

A. Consideration of Ordinance Change – Golf Carts

Police Chief Don Brown stated that during the September 4, 2018 Council meeting, a request was made by Council to review the current Golf Cart ordinance as it relates to limits on rows of seating. The request specifically deals with reviewing Section 54-275 Registration and Permit Requirements (d) (7) which currently states: Must be limited to a maximum of three (3) rows of seats.

Chief Brown stated that if Council chooses to remove this restriction, line (7) of section (d) would be stricken from the current Ordinance.

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

That Ordinance Change (removal of line (7) of section (d)) - Golf Carts, Section 54-275 Registration and Permit Requirements (d) (7) be – ADOPTED.
ITEM 8: New Business

A. Consideration of Resolution in Support of State Park

City Manager Todd Clark stated that this item is an introduction to City Council of the following information. He stated that the City of Newton has been asked to consider supporting a cooperative effort to create a new state park along the Henry Fork River and Jacobs Fork River. State Senator Andy Wells has been working for several months to facilitate discussions with the City of Hickory, Town of Long View, Catawba County and the City of Newton on the benefits of a partnership with the State of North Carolina. If successful, this would be the first and only state park located within Catawba County.

Mr. Clark stated that at this time, the cities of Hickory and Newton operate municipal parks along each of the rivers. The creation of a state park that incorporates each of these parks, along with potential property acquisitions, would garner significantly more use if added to the state park system. Mr. Clark stated that the intended outcome would be to improve the area’s quality of life through land conservation, education, and the creation of additional recreational activities. Additionally, it would have a significant impact on the economic viability of our region through increased levels of tourism, enhanced property values, added jobs, as well as an enhanced ability to attract and retain businesses to the region.

A resolution of support has been provided to City Council and Mr. Clark said that he would present any questions that Council may have to Senator Wells.

B. Consideration of Amendment of FY 2019 Fees and Charges - Sanitation

Finance Director Serina Hinson stated that Catawba County has historically accepted, managed, and disposed of solid waste collected with Newton’s municipal jurisdiction. On June 8, 2018 the City renewed the contract with Catawba County to continue this service. Ms. Hinson stated that Tipping Fees assessed by the County have not changed since July 2008, and prior to that, the previous rate was remained unchanged back to 1995. Ms. Hinson stated that previous contracts with the County allowed for annual CPI increases; however, the County never imposed an increase in all those years.

Ms. Hinson stated that the city’s FY 2019 Fees and Charges should be amended to coincide with the contract. Those changes are as follows:

<table>
<thead>
<tr>
<th>Landfill Fees:</th>
<th>from $33 to $35 per ton</th>
<th>Minimum $16 plus tax</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mixed Trash</td>
<td>from $23 to $25 per ton</td>
<td>Minimum $11 plus tax</td>
</tr>
<tr>
<td>Construction and Demolition</td>
<td>from $15 to $17 per ton</td>
<td></td>
</tr>
<tr>
<td>Grindable Brush</td>
<td>from $23 to $25 per ton</td>
<td></td>
</tr>
<tr>
<td>Non-grindable Brush</td>
<td></td>
<td></td>
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</tbody>
</table>

Ms. Hinson recommended that the City Council approve the amendment to the FY 2019 Sanitation Fees and Charges.
Upon motion duly made by Mayor Pro Tem John Stiver, seconded by Council Member Anne Wepner, it was unanimously RESOLVED:

That the Amendment to the FY 2019 Sanitation Fees and Charges 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**

- Sept 20th – NCLM Host City Event Concert, Rock the Block, at Sails on Union Square, Hickory – 7:30 – 9:30 p.m.
- September 25th – NCMPA1 Board of Commissioners Mtg
- Sept 26th, Water Treatment Plant Dinner and Tour with Energy United, Town of Taylorsville and Town of Troutman, 5:30 p.m. – 8:00 p.m.
- Sept 28th – Lane Venture Ribbon Cutting, 2309 North College Ave. – 10:00 a.m.
- Oct 4th – Hallmark Ribbon Cutting, 2 Pink Magnolias – 1:00 p.m.
- Oct 6th – Foothills Folk Art Festival, 10:00 a.m. – 4:00 p.m.
- Oct 25th – WPCOG Policy Board Meeting, Maiden – 6:00 p.m.
- Oct 27th – Spooktacular, 5:00 – 8:00 p.m.
- Nov 17th – Light up the Town, 4:00 – 7:00 p.m.

**Other Projects**

- Hurricane Florence Update
- Streetscape Update
- Buffalo Shoals Road Waterline
- Gateway Entry Signs
- Water/Sewer Rate Study
- Request to Close N Ashe Ave
- Public Art
- Lighting at Jacob Fork Update
- Splash Pad Update

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

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

Mayor Anne Stedman gave a report on the Public Art Commission and the DNDA.

**ITEM 11: Closed Session – Per North Carolina General Statute 143-318.11(a)(6)**

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

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

Motion was then made by Council Member Jody Dixon, seconded by Mayor Pro Tem John Stiver to return to open session.

All ayes.
ITEM 12:  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

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Amy S. Falowski, City Clerk