AGENDA
CITY OF NEWTON
NEWTON CITY COUNCIL - REGULAR MEETING
September 19, 2017
7:00 p.m.

1. Call to Order – Mayor Anne P. Stedman

2. Opening – Mayor Pro Tem John Stiver

3. Approval of Minutes from the September 5, 2017, Regular Meeting

4. Consideration of Consent Agenda Items
   A. Tax Releases
   B. Consideration of Budget Ordinance Amendment – Totaled Police Vehicle
   C. Consideration of Budget Ordinance Amendment to Recognize Contributions and Authorize Expenditures for Carbon Monoxide Detectors
   D. Consideration of Commission/Committee Membership Appointment: Roberta Coulter to Planning Commission
   E. Proclamation – Fire Prevention Week

5. Comments from the Public: (PERSONS WANTING TO MAKE A PUBLIC COMMENT ON NON-AGENDA ITEMS ARE ASKED TO SIGN IN WITH THE CITY CLERK PRIOR TO THE MEETING):

6. New Business
   A. Consideration of Budget Ordinance Amendment for System Betterment Project Grant
   B. Consideration of Resolution for 2017 Clean Water State Revolving Fund

7. City Manager’s Report

8. Questions and Comments From Mayor and Council
   A. Reports from Appointed Representatives on Outside Boards – Council Member Robert C. Abernethy, Jr.

9. Closed Session - Per North Carolina General Statutes 143-318.11(a)(4) and 143-318.11(a)(5)

10. Adjournment

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 City of Newton does not discriminate on the basis of disability in the provision of its services as charged by the City Council of the City of Newton. All meetings are held in accessible facilities. Any person with a disability needing special accommodations should contact Sean Hovis, ADA Coordinator, at least 48 hours prior to the scheduled meeting.
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 Splash, 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) |          |          |          |          |          |
| 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>
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</thead>
<tbody>
<tr>
<td>Subject</td>
<td>EM-1 Exclusive Manufacturing, R-20 Single Family Residential</td>
</tr>
<tr>
<td>North</td>
<td>R-20 Single Family Residential, EM-1 Exclusive Manufacturing</td>
</tr>
<tr>
<td>South</td>
<td>EM-1 Exclusive Manufacturing</td>
</tr>
<tr>
<td>East</td>
<td>EM-1 Exclusive Manufacturing</td>
</tr>
<tr>
<td>West</td>
<td>EM-1 Exclusive Manufacturing</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

- 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.
- 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.
- 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.
- 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.
- 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.
- Session 6 (Oct. 12): Newton Parks and Recreation and Planning at the Newton Recreation Center. Participants will learn about the many activities and resources offered at the Newton Recreation Center.
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

________________________________
Ans P. Stedman, Mayor

_________________________________
Amy S. Falowski, City Clerk
The following tax releases have been received from the Catawba County Tax Collector. The reason for each release is annotated beside the name.

<table>
<thead>
<tr>
<th>Tax Year</th>
<th>Tax Release Number</th>
<th>Name</th>
<th>Reason</th>
<th>Amount of Release</th>
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</thead>
<tbody>
<tr>
<td>2017</td>
<td>1</td>
<td>Arndt, Larry R</td>
<td>Small underpayment</td>
<td>$0.03</td>
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<tr>
<td>2017</td>
<td>2</td>
<td>Atlantic Propane LLC</td>
<td>Bill less than minimum amount</td>
<td>$0.14</td>
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<tr>
<td>2017</td>
<td>3</td>
<td>Bumgarner, Michael F</td>
<td>Situs error</td>
<td>$1.97</td>
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<tr>
<td>2016</td>
<td>4</td>
<td>Catawba Valley Finishing LLC</td>
<td>Business closed</td>
<td>$2,089.81</td>
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<tr>
<td>2016</td>
<td>5</td>
<td>Farley, Johnny N</td>
<td>Small underpayment</td>
<td>$0.05</td>
</tr>
<tr>
<td>2013</td>
<td>6</td>
<td>Gunter, Ronald W</td>
<td>Small underpayment</td>
<td>$0.10</td>
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<tr>
<td>2017</td>
<td>7</td>
<td>Hallmark Marketing Co LLC</td>
<td>Bill less than minimum amount</td>
<td>$0.10</td>
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<tr>
<td>2017</td>
<td>8</td>
<td>MB Financial Bank NA</td>
<td>Bill less than minimum amount</td>
<td>$0.18</td>
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<tr>
<td>2017</td>
<td>9</td>
<td>Newton Depot Authority</td>
<td>Exempt Property</td>
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<tr>
<td>2017</td>
<td>10</td>
<td>Newton Family Physicians PA</td>
<td>Taxpayer submitted an amended return (correction from previous listing)</td>
<td>$2,572.46</td>
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<td>Propst, Jerry A</td>
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<td>Property Listed in Error</td>
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</tr>
<tr>
<td>2017</td>
<td>12</td>
<td>Yount, David A</td>
<td>Property listed in error</td>
<td>$2.65</td>
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<tr>
<td>2017</td>
<td>13</td>
<td>Yount, David A</td>
<td>Property listed in error</td>
<td>$5.56</td>
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Should you have any questions or need clarification, please notify. Releases are submitted as required by NCGS § 105-381(b).
DATE: September 15, 2017

TO: E. Todd Clark, City Manager

FROM: Donald G. Brown II, Chief of Police


Approved for Council Consideration

Background:

On August 29th the police department had a frontline patrol vehicle badly damaged in an officer “not at fault” accident at N. College Ave & E. 4th Street. The vehicle in question is a 2011 Chevrolet Caprice with over 69,000 miles. On September 13th the police department was notified by Susan L Dunmire, Field Claims Spec III, from Nationwide General Insurance Company that the patrol vehicle in question had been declared a total loss.

Therefore, this “Budget Reimbursement Action” is for (1) additional patrol vehicle added to the (7) vehicles that were budgeted and approved for the 2017-2018 budget. The total requested amount for the replacement of this one patrol vehicle is $55,900. This amount will be offset by the final settlement amount received from Nationwide General Insurance Company.

Summary:

Use a “Budget Reimbursement Action” to move forward with the purchase of (1) patrol vehicle including equipment and installation necessary for up-fitting.

Requested Action:

Motion to adopt the attached “Budget Reimbursement Action” resolution authorizing the Newton Police Department to purchase (1) replacement patrol vehicle and equipment to include installation and complete up-fitting.
AN ORDINANCE TO AMEND REVENUES AND EXPENDITURES FOR FISCAL YEAR 2017-2018 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, 2017, and ending June 30, 2018, in accordance with the General Statutes of the State of North Carolina; and

WHEREAS, the City of Newton City Council desires to approve the purchase of a new patrol vehicle to replace a 2011 Chevrolet Caprice that was totaled on August 29. Nationwide General Insurance Company has declared this vehicle a total loss. The total replacement amount that is anticipated is $55,900 which includes the related equipment on the vehicle. However, this amount will be reduced by the final settlement amount received by Nationwide General Insurance Company; and,

WHEREAS, the City of Newton City Council desires to approve utilization of fund balance and the related expenditure for the purchase of a patrol vehicle; and

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></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Fund Balance Appropriation</td>
<td>11-0000.3990</td>
<td>$ 55,900</td>
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<tr>
<th>General Fund Appropriations</th>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital Outlay – Motor Vehicles</td>
<td>11-4310.8400</td>
<td>$ 55,900</td>
</tr>
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</table>

Adopted this 19th day of September, 2017.

Anne P. Stedman, Mayor

Attest:

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

DATE:  September 14, 2017  

TO:  E. Todd Clark, City Manager  

FROM:  Kevin Yoder, Fire Chief  

CONSIDERATION OF: Amend current budget ordinance to recognize a contribution and authorize expenditures.

Approved for Council Consideration

Background:  
1. The City of Newton Fire Department has an ongoing “Smoke Detector Program” The program provides smoke detectors, carbon monoxide detectors and batteries free of charge to anyone within our area in need of detectors.  
2. The Fire Department has recently received a contribution from International Paper. The Fire Department would like to use the contribution for the purchase of carbon monoxide detectors.  
3. The Smoke Detector Program relies on contributions from local businesses.  
4. The contribution is $500.00.  
5. There are no city funds required under this grant. It is 100% funded.  
6. A budget amendment is attached for funding in the current fiscal year to recognize revenues and authorize expenditures for this grant funding.  

Action Suggested:  
That City Council accept the contribution and approve the attached budget amendment for the revenues and appropriations associated therewith.
ORDINANCE # 2017-36

AN ORDINANCE TO AMEND REVENUES AND EXPENDITURES FOR FISCAL YEAR 2017-2018 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, 2017, and ending June 30, 2018, in accordance with the General Statutes of the State of North Carolina; and

WHEREAS, the City of Newton City Council desires to accept the contribution from International Paper in the amount of $500. The contribution will be utilized for carbon monoxide detectors. The Fire Department has an ongoing Smoke Detector Program which provides smoke detectors, carbon monoxide detectors and batteries free of charge to anyone within our area in need of detectors; and,

WHEREAS, the City of Newton City Council desires to recognize the contribution and the related expenditure for the purchase of carbon monoxide detectors; and

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>Special Project Cont/Other Grants</th>
<th>11-0000.3845</th>
<th>$ 500</th>
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<tr>
<td>General Fund Appropriations</td>
<td>Fire Prevention Supplies</td>
<td>11-4340.5660</td>
<td>$ 500</td>
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</tbody>
</table>

Adopted this 19th day of September, 2017.

Attest:

Anne P. Stedman, Mayor

Amy S. Falowski, City Clerk
PROCLAMATION

Fire Prevention Week

WHEREAS, the City of Newton is committed to ensuring the safety and security of all those living in and visiting our city; and

WHEREAS, fire is a serious public safety concern both locally and nationally, and homes are where people are at greatest risk to fire; and

WHEREAS, nearly 3,000 people die each year as a result of home fires; and

WHEREAS, roughly two-thirds of home fire deaths resulted from home fires in which no smoke alarms or no working smoke alarms were present; and

WHEREAS, working smoke alarms cut the chance of dying in a reported fire in half; and

WHEREAS, the National Fire Protection Association recommends at least one smoke alarm on every level of the home (including the basement) outside all sleeping areas, and in all bedrooms; and

WHEREAS, informing the public about the importance of smoke alarm installation and maintenance serves as an essential step toward increasing the public’s safety from home fires; and

WHEREAS, the City of Newton Fire Department is dedicated to reducing the occurrence of home fires and home fire deaths and injuries through prevention and proper education; and

WHEREAS, the City of Newton’s residents are responsive to public education measures and are able to take personal responsibility to increase their safety from fire, especially in their homes; and

WHEREAS, the Fire Prevention Week 2017, October 8-14 theme, “Every Second Counts, Plan 2 Ways Out” actively works to motivate the City of Newton’s residents to make sure they have a written home fire safety plan and practice a monthly home fire drill;

NOW THEREFORE, BE IT RESOLVED that I, Anne P. Stedman, Mayor of the City of Newton, do hereby proclaim October 8-14, 2017 as Fire Prevention Week throughout this City, and I urge all people of Newton to protect their homes and families by heeding the potentially life-saving messages of Fire Prevention Week 2017, and to support the many activities and efforts of the City of Newton’s fire and emergency services.

This 19th day of September, 2017

________________________________________
Anne P. Stedman, Mayor
CITY OF NEWTON
REQUEST FOR COUNCIL ACTION

DATE: September 14, 2017

TO: E. Todd Clark, City Manager

FROM: Doug Wesson

CONSIDERATION OF: Recognize Funds from Electricities for System Betterment Program.

Approved for Council Consideration

Background:

The city has budgeted $60,000 in the FY 2018 budget for an electric system distribution study to be completed this fiscal year. The staff also learned that Electricities has budgeted funds for NCMPA1 participants in the amount of $5,000 for System Betterment Projects such as: Distribution Improvements, Distribution Audit, Smart Grid, Load Management, Cyber Security, Rates, Cost of Service, Billing, Energy Efficiency and others.

An application for these funds was filed on June 23, 2017 for expenses related to a Distribution Audit. On June 26, 2017 the City was awarded $5,000 for this project. This grant award will allow the city to complete the distribution audit which was not included in the original project scope. The total amount of money including the grant award for our project will be $65,000. The only criteria for the grant is that funds have to be spent in calendar year of 2017 and on the project described in the reimbursement form.

Action Suggested:

City staff recommends recognizing funds from Electricities to the 2017-2018 Electric Fund Revenues and amending the 2017-2018 Electric Budget Operation Expenditures under Engineering to appropriate $5,000.
ORDINANCE # 2017-35

AN ORDINANCE TO AMEND REVENUES AND EXPENDITURES FOR FISCAL YEAR 2017-2018 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, 2017, and ending June 30, 2018, in accordance with the General Statutes of the State of North Carolina; and

WHEREAS, the City of Newton City Council desires to accept the System Betterment Grant from ElectriCities in the amount of $5,000. The grant is targeted to assist planning and/or implementing programs that will enhance the operations of the City’s electric system; and,

WHEREAS, the City plans on utilizing the grant for an electric system study. This study will determine circuit load and determine whether a new substation is necessary and the location of said substation; and,

WHEREAS, the City of Newton City Council desires to recognize the grant funds and the related expenditure for the electric system study; and

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>Electric Fund Revenues</th>
<th>63-0000.3845</th>
<th>$ 5,000</th>
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</thead>
<tbody>
<tr>
<td>Special Project Cont/Other Grants</td>
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<table>
<thead>
<tr>
<th>Electric Fund Appropriations</th>
<th>63-7201.4940</th>
<th>$ 5,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Professional Services-Engineering</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Adopted this 19th day of September, 2017.

Anne P. Stedman, Mayor

Attest:

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

DATE: September 14, 2017

TO: E. Todd Clark, City Manager

FROM: Dusty Wentz, PWU Director

CONSIDERATION OF: Consideration of Resolution to Facilitate a Grant Application for North Carolina Clean Water State Revolving Funds

Background:

The City has contracted with WR-Martin, an engineering consultant, to prepare an application for the Clean Water State Revolving Fund (CWSRF) grant and loan cycle this fall. Approximately 2,515 feet of 8” clay sewer and 11 manholes along and adjacent to W. A St. between N. Ashe and N. Spring are in extremely poor condition. This section of gravity sewer is part of the W. A St rehabilitation project that also includes the water system, electric system, streets, and sidewalk rehabilitation. Funds from the NCDOT are only applicable to water system, streets and sidewalks rehabilitation. A grant from the CWSRF would fund the sewer system rehabilitation.

WR-Martin will only prepare and submit the application, the preliminary engineering report (PER) and other design / engineering work will be completed by Alta, the consultant contracted for the West A. St. Project. The application deadline is September 28th, and staff does not expect to have the contract with Alta executed by the deadline.

Mr. Dennie Martin, consultant at WR-Martin, has reviewed information collected by staff and feels that the section of gravity sewer along and adjacent to W. A St. is the most eligible for principle forgiveness (grant eligible) of all the gravity sewer system in the Streetscape Project corridor. The percentage of the grant and participation by the City will be determined during the application review process and dependent upon State funds available and other qualified applications.

At this time, a preliminary cost estimate is not available. A cost estimate will be developed along with the PER. The Resolution (required to submit the application) does not require a cost estimate to be included.

A map of the project location is included.

Action Suggested:

Staff requested the City Council approve the attached resolution and seek financial assistance through the North Carolina Clean Water Management Trust Fund for the Gravity Sewer Replacement portion of the W. A St Rehabilitation Project.
Resolution by
Newton City Council

WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of wastewater collection systems, and

WHEREAS, The City of Newton has need for and intends to construct a wastewater collection system project described as West A Street Sewer Project which includes replacement of 2515 feet of 8” clay sewer and 11 manholes, and

WHEREAS, The City of Newton intends to request state loan and grant assistance for the project,

NOW THEREFORE BE IT RESOLVED, BY THE NEWTON CITY COUNCIL:

That the City of Newton, the Applicant, will arrange financing for all remaining costs of the project, if approved for a State loan or grant award.

That the Applicant will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the Applicant agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the City of Newton to make scheduled repayment of the loan, to withhold from the City of Newton any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That the Applicant will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Todd Clark, City Manager, and Anne P. Stedman, Mayor, the Authorized Officials, and successors so titled, are hereby authorized to execute and file an application on behalf of the Applicant with the State of North Carolina for a loan or grant to aid in the construction of the project described above.

That the Authorized Officials, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the Applicant has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.
Adopted this 19th of September, 2017, Newton, North Carolina

Anne P. Stedman, Mayor

CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting City Clerk of the City of Newton does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the City of Newton City Council duly held on the 19th day of September, 2017; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this _______ day of ______________, 20____.

__________________________
Amy S. Falowski, City Clerk
Manholes
Collection Lines - Diameter
Unknown
4"
6"
8"
10"
12"
15"

August 23, 2017

REPLACE 2515 Feet of 8" Clay Sewer