

**MINUTES
REGULAR MEETING OF THE NEWTON CITY COUNCIL**

September 20, 2016 – 7 p.m.

The regular meeting of the Newton City Council was held at 7 p.m. Tuesday, September 20, 2016 at Newton City Hall.

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

ABSENT: Council Member Wes Weaver

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

Council Member Jerry Hodge stated that he would like the following added to the minutes of the September 6th meeting:

To Item 8A – Presentation – Business Advisory Report, Mr. Hodge would like to add that the Business Advisory Council made four recommendations:

1. Plan for NC Hwy 16
2. Development of a Senior Center
3. Public Art Center
4. Welcome Center

Also, Mr. Hodge stated that he would like to change Item 8C, paragraph 5 to read “Council Member Jerry Hodge stated that he would like to err on the side of safety and he would like to see the turn signals and seatbelts”.

Upon motion duly made by Council Member Robert C. Abernethy, Jr., seconded by Council Member Tom Rowe, it was unanimously **RESOLVED**:

That the Regular Minutes of the September 6, 2016 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 Tom Rowe, it was **RESOLVED**:

That the Consent Agenda, with Item 4F being removed and added to New Business be –
APPROVED

- A. Sewer Adjustments

- B. Proclamation – National Surgical Technologist Week Proclamation
- C. Consideration of Amended Audit Contract for Fiscal Year 2016
- D. Consideration to Designate Council Member Jerry Hodge as Voting Delegate, and Mayor Anne Stedman as the Alternate Voting Delegate at the NCLM Annual Conference October 23-25, 2016
- E. Consideration of Commission/Committee Membership Appointment: Jody Dixon – Newton Depot Authority

(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: Presentations

- A. Comprehensive Economic Development Strategy (CEDS)

Western Piedmont Council of Government Executive Director Anthony Starr gave a presentation on the Comprehensive Economic Development Strategy (CEDS). Mr. Starr stated that the WPCOG serves as the region’s U.S. Economic Development Administration’s designated Economic Development District, and must create and maintain a Comprehensive Economic Strategy with updates every 5 years. He explained that the CEDS provides a regional framework to identify economic opportunities, challenges and goals. The current CEDS was approved in 2012 and the update must be completed by 2017.

After the presentation Mr. Starr asked for questions.

Council Member Jerry Hodge stated that Mr. Starr mentioned population growth driven by Catawba County; he asked if the education attainment is affected by other counties. Mr. Starr stated that they are all contributing well. Council Member John Stiver stated that a high percentage of people graduated in 5 years and that would make the area look better. Mayor Stedman stated that they are all contributing well. Mr. Starr stated that we still have work to do.

- B. Catawba County Strategic Planning Presentation

Catawba County Manager Mick Berry made a presentation concerning Economic Development and Demographic Trends and Vision/Strategic Planning for the county. The presentation contained the Board of Commissioners Vision and Goals Survey which was conducted during their October 2015 Retreat. Mr. Berry stated that these results were prioritized under topics such as community strengths, weaknesses, opportunities and challenges.

After the presentation Mr. Berry asked for questions.

Council Member Robert C. Abernethy, Jr. stated that first of all he would like to thank Mr. Berry for coming to visit with the City of Newton City Council. He stated that he really appreciates the interaction and sharing and the willingness of the county to work with the city. Mr. Berry stated that he is confident the two will work well together. City Manager Todd Clark also thanked Mr. Berry, Asst. County

Manager Mary Furtado, and Asst. County Manager Dewey Harris, along with Western Piedmont Council of Governments Executive Director Anthony Starr for coming and sharing this information tonight.

ITEM 7: **Public Hearing**

A. Text Amendment 2016-05 – Proposed Amendment to the Zoning Ordinance
– B3 Sign Regulations

Mayor Stedman opened the Public Hearing.

Planning Director Randy Williams stated that earlier this year, the City and DNDA sponsored a workshop for downtown merchants depicting easy design and marketing options. The workshop included a presentation by Buzz Bizzell in which he made several suggestions for visual appearance, signage, and storefront design. Mr. Williams stated that after the presentation, a merchant asked if they could implement a couple of Mr. Bizzell's ideas for their store. Mr. Williams explained that because of the city's existing ordinance, it was not permitted. Mr. Williams stated that after discussing the options that are available to the downtown merchants, a revision of the zoning regulations was suggested.

Mr. Williams stated that he reviewed the sign regulations, and that presently merchants in the B-3 zoning district are allowed one (1) sign per façade that faces a public street. He stated that the area of the sign (or square footage) is determined based on the building frontage. One of the suggestions Mr. Bizzell recommended is to allow multiple signs, carrying specific messages about the store, but limit the overall square footage. Mr. Williams stated that if a merchant is allowed 50 square feet of sign area, then maybe it would be possible not to restrict all 50 square feet to one sign.

Mr. Williams stated that there are a few instances where it can be advantageous including multiple tenants in a building. However, there are also cases where existing (historical) signage is presently in place where it could not be replaced if damaged or taken down for repair since they are nonconforming signs. Mr. Williams stated that in looking at other downtowns, multiple signs fit into the architecture and the use of the building rather than a single sign. This idea also allows flexibility in design. Additionally, signage in downtown serves a dual purpose for vehicles and pedestrian, which require different placement and visibility.

Mr. Williams stated that the Planning Commission, in its review of the proposed ordinance discussed various options but ultimately decided this to be the better approach. The Commission also indicated that a comprehensive rewrite/update of the entire code should be done, however that is not a viable option at this time.

Mr. Williams explained that the adoption of the ordinance should be viewed to assist the City's existing and future downtown operations and provide an opportunity for recruitment. He said the goal should be to preserve, enhance, strengthen and enliven the city's valuable resource; the downtown core. Newton's downtown is unique from those in surrounding cities and there is a need to reinforce its character.

Mr. Williams stated that the Planning Commission voted 5-1 to recommend the proposed ordinance revision as presented to the City Council.

Council Member John Stiver asked if this is just for downtown. Mr. Williams stated that it is B-3 Zoning.

Council Member Abernethy asked if this would solve other signage problems. Mr. Williams stated that it would not, and that would take 6 months to a year, and Mr. Abernethy stated that this is a step in the right direction.

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

That Public Hearing be – CLOSED.

Council Member Jerry Hodge asked if it would affect the city's Historical District Status. Mr. Williams stated that it would not. Mr. Hodge asked if the corner buildings get 2-4 signs. Mr. Williams stated it would be one sign per frontage. Mr. Hodge asked if murals would count as signs. Mr. Williams explained only if the mural advertises the merchant. Mr. Hodge asked about flags. Mr. Williams stated that flags were not addressed, but temporary signs are allowed for a short period.

Mayor Pro Tem John Stiver stated that this is a good rewrite and that it falls in with streetscape. Council Member Abernethy stated he finds less restriction appealing.

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

That Text Amendment 2016-05 – Proposed Amendment to the Zoning Ordinance – B3 Sign Regulations be – APPROVED.

(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

- September 30th – Foothills Folk Art Festival Preview Night at Newton-Conover Auditorium at 6:00 p.m. Tickets are \$30 and are available from the auditorium
- October 1st – Folk Art Festival
- October 4th – Water/Sewer Rate Study Workshop, 6:00 p.m.
- October 12-19th – Streetscape Project Demonstration update
- October 19th – BAC Annual Meeting
- October 23-25th NCLM Annual Conference, Raleigh

Pedestrian Planning Grant – A grant in the amount of \$34,700 was awarded to the City of Newton to complete a city-wide pedestrian plan. The City's match is \$14,800 bringing the total project cost to \$49,500. A steering committee including Councilman Rowe has been assembled to assist Alta Planning & Design complete the pedestrian plan.

LAPP Grant – The City has applied for a \$1.9M Locally Administered Projects Program grant to assist in financing improvements to the West A Street corridor and facilitating the first phase of the City's streetscape project. An announcement of awards is expected in October 2016

Marketing and Branding Project – The City received 38 bids for the completion of the City's marketing and branding project. A steering committee including Councilman Dixon has been assembled to review the bids and select a firm. A larger stake holder steering committee including Councilmembers Dixon and Weaver has been assembled to help provide guidance through the process. The project is expected to be completed within 7-9 months.

Stormwater Enterprise Fund – The City Council authorized the staff to move forward in the selection of an engineer to complete a storm water enterprise study. The results of the study will be provided to City Council once complete and will aid the Council in determining whether or not to proceed with the implementation of a storm water fee administered city-wide.

Westside Drive Sewer Project – McGill Engineers have been retained to complete engineering on this project. The staff anticipates McGill will submit the plans to the State of North Carolina under a "fast track" permitting process to expedite the project. McGill and Associates has also been instructed to apply for any available grant funding available, including any funds appropriated as part of the most recent state-wide bond referendum.

Danner Industrial Park – Grading and Grubbing Bids have been received. Scott Millar to present at Oct. 4th City Council meeting in Executive Session

Streetscape Engineering – City staff are working to finalize contracts with two engineering firms for the completion of engineering designs and specifications for this multi-phase project. One firm will be responsible for civil engineering and the other firm will be responsible for electrical engineering.

Asset Inventory and Assessment Grant – The City has received notification of a grant award of up to \$150K for this project. The final grant award will be determined by the State of North Carolina (Department of Environmental Quality) and the City staff based upon a mutually agreed project scope. The State of NC met with City staff last week and have determined the scope of the project, but have yet to make a final approval for the grant award. Once the State has determined the exact amount of the grant, the City Council will be asked to consider accepting the grant and selecting Wooten engineering for completion of the project.

Parks and Recreation Master Plan – A presentation was made to City Council at the September 6th meeting. The City Council will need to determine next steps.

Streetscape Demonstration Project – The City of Newton received a \$4K grant from Electricities to implement a streetscape demonstration project on College Avenue between East 1st Street and East A Street on the dates of October 12th-19th. The staff was required to complete a study for NCDOT outlining the project at a cost of \$5K. The project will be publicized in a variety of different ways to the public so that citizens will have the opportunity to get a feeling of what the finished streetscape project will look like. The demonstration project includes temporary street trees, simulated parking, simulated bike lanes, and street improvements.

Water and Sewer Rate Study – A water and sewer rate study has been completed by Martin-McGill & Associates and a presentation will be made to City Council during a workshop scheduled for 6:00 p.m. on October 4th, just prior to our regular City Council meeting.

Shuttle Service For The County Office Complex – City staff have obtained costs from the Western Piedmont Regional Transit Authority for transportation services between the County Government Center and Downtown Newton. The city staff plans to engage the County Manager to gauge his interest in providing these services. The WPRTA has agreed to run a 2-3 month trial service if there is enough interest to move forward.

Real Estate Purchases – The City staff has presented several properties to City Council for consideration of purchase for the purpose of creating new municipal parking spaces. The staff awaits direction, if any, from members of City Council.

Business Advisory Committee Work Plan – The Business Advisory Committee recently adopted a work plan with multiple areas of different focus and interest. The BAC will be working with city staff to fully evaluate each area of focus and interest with possible strategic recommendations coming to City Council at a future date. The BAC did make four recommendations to City Council at the September 4th City Council meeting.

Business Advisory Committee – The BAC will be hosting a Business Recognition Event on October 19th at the Old Post Office Playhouse. The event will start at 5:30 p.m. with a social and a short recognition program lasting 30-45 minutes will start at 7:00 p.m. Members of City Council are invited to attend as well as all members of our business community.

Electric Cost of Service Study – The City of Newton has retained Tucker Consulting to perform an electric cost of service study. The objective of the study is to evaluate our electric rate structures with specific focus on costs associated with operational and maintenance expenses related to the distribution of energy. The study will also evaluate how we operate our utility, consider alternatives to satisfying our debt with Electricities, and consider other sources of generation. The study is expected to be complete within 6 months.

City Council Goals 2016 Workshop

1. **Fund engineering for the downtown Streetscape Plan in the 2016-17 budget. The City Council allocated \$281,850 of funding in the FY 2016-17 budget for streetscape engineering.**
2. **Research how to pay for projects within our CIP. The Finance Director, City Manager and Department Heads continue to look for low interest State funded loans and grant**

opportunities. Additionally, the Mayor and members of City Council have met with our Congressman, Patrick McHenry and Senator Thom Tillis' staff to seek funding for streetscape projects. The staff has also made a presentation to City Council on the creation of a Storm Water Enterprise Fund to generate new revenue for related projects.

3. **Look into the pros/cons and scope of Asset Management (Denny Martin introduced the concept). The staff applied for an Asset Management and Inventory Grant in 2016. A grant of up to \$150,000 has been awarded to the city and the actual funding level will be determined by state personnel during project scoping and defined in cooperation with city staff and Wooten engineering.**
4. **Strategically buy property (i.e. maybe buy property along our proposed water line route to Buffalo Shoals) with the intention of building a sanitary sewer pump station. This strategy would necessitate the extension of electricity to the site which would position to conduct future annexations. The Public Works staff has met with representatives of Electricities for consultative purposes but a recommendation for Council action has not yet been developed.**
5. **Incorporate water and sewer extensions to un-served areas in the CIP. The staff developed cost projections for water and sewer extensions. These costs were considered as part of the FY 2017 fiscal budget. Due to the overwhelming expense of completing all identified projects, the Council appropriated funds to complete engineering on at least one project and moving forward with one extension project.**
6. **Incorporate road and sidewalk construction/repair projects in the CIP. The staff worked with an engineering firm to develop cost estimates for city-wide streets and sidewalk construction projects. The cost was significant and the Council decided that it was not possible to fund all of the projects with the available funding resources. The Council did however, decide to appropriate \$100K from the General Fund specifically for street resurfacing projects in the FY 2017 budget.**
7. **Danner Park - 4 lots. Do we buy a parcel or just renew option. The staff has solicited bids for grubbing and grading and provided City Council with the bids for review and consideration. Scott Millar will attend the October 4th City Council meeting to advise Council on next steps.**
8. **Implement small Streetscape Projects (i.e. improve a parking lot). The city purchased two parking lots in 2016 including a lot at the corner of Main Avenue and 2nd Street and another at the corner of B Street and College Avenue. The City is presently paving the parking lot at the corner of B Street and College Avenue.**
9. **Decide what to do with Sue Jones' money**

A master parks and recreation study has been completed and presented to City Council. A workshop needs to be scheduled for City Council to make decisions regarding the utilization of money from Ms. Jones' estate.

10. **Work toward the possibility of accessing USDA money. The Mayor and members of City Council met with Senator Thom Tillis' Staff on September 7, 2016 to seek the Senator's assistance in obtaining a USDA exemption for water and sewer grant funding. Members of City Council also met with Patrick McHenry on June 29, 2016 to ask him to pursue a USDA exemption for water and sewer grant funding**
11. **Update our Code of Ethics AND create a Code of Behavior. The City Council re-affirmed the City's Code of Ethics in December of 2015 and each member executed signed copies for the Clerk to maintain on file in her office.**
12. **Establish criteria for Special Appropriations. The City Manager and Finance Director developed a Special Appropriations Policy that was adopted by City Council and used for the first time as part of the FY 2017 budget process.**
13. **Develop electric rate strategies. The city staff has engaged Tucker Consulting to complete a Cost of Service Study for the City. The study is expected to be completed by January of 2017.**
14. **Work on zoning and ordinances. The City Manager has met with the County Manager and both agree that city and county staff need to develop a scope of study for the Highway 16 corridor. Once that scope has been defined, recommendations for next steps will be made to City Council and the Board of Commissioners. The County Manager has recommended looking at other communities that have experienced significant urban growth due to the influence of neighboring urban centers and determine the best approach to planning for sudden growth issues.**
15. **Foster community advocacy for change. Members of City Council scheduled 5 Town Hall Meetings in the spring of 2015. The locations included Startown Elementary, Catawba Farms, Central Recreation Center, North Newton Elementary School and Grace Reformed Evangelical Church.**
16. **Address Technology concerns. The staff is working to develop a plan to address these concerns.**

ITEM 9: Questions and Comments from Mayor and Council

Mayor Anne P. Stedman asked if any Council Members would like to make any comments. There were none. Mayor Stedman stated that Mr. Abernethy would give his report on outside boards at a later date.

ITEM 10: Adjournment

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

That the Meeting be – ADJORNED

Amy S. Falowski, City Clerk



Anne P. Stedman, Mayor