MINUTES
REGULAR MEETING OF THE NEWTON CITY COUNCIL

October 2, 2018 – 7 p.m.

The regular meeting of the Newton City Council was held at 7 p.m. Tuesday, October 2, 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 Ed Sain, along with Boy Scout Troop 903 provided the invocation and Pledge of Allegiance. Also, Ms. Rachel Wilson sang the National Anthem.

ITEM 3: APPROVAL OF MINUTES

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

That the Regular Minutes of the September 18, 2018 City Council meeting be – APPROVED

ITEM 4: CONSIDERATION OF CONSENT AGENDA ITEMS

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

That the Consent Agenda be – APPROVED

A. Sewer Adjustments
B. Consideration of change in Fee Schedule for Blue Parking Lot Rent
C. Proclamation – Fire Prevention Week, October 7-13, 2018
D. Resolution Promoting Public Power Week, October 7-13, 2018

(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. Robert Abernethy, of 1417 Brentwood Drive, stated that he had some concerns about water leaks at his home and business. He asked council to determine whether he was notified of the leaks in an expeditious manner.
ITEM 6: Old Business

A. Consideration of Proposed State Park

City Manager Todd Clark 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. Mr. Clark explained that if successful, this would be the first and only state park located within Catawba County.

Mr. Clark stated that at the present 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. Consequently, the intended outcome would be to improve the area’s quality of life through land conservation, education, and the creation of additional recreational activities. Mr. Clark stated that 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.

Mr. Clark stated that a resolution of support was provided to City Council at the September 18, 2018 meeting for consideration. At that time City Council had a variety of questions concerning the request and no action was taken. Mr. Clark stated that he reached out to the Senator after the last council meeting with a list of questions. Although a written response was not provided, Senator Wells offered to speak with each Council Member separately to address any concerns.

Upon motion duly made by Council Member Jerry Hodge, seconded by Council Member Tom Rowe, it was unanimously RESLOVED:

That Resolution of Support for a New State Park Along the Henry fork and Jacobs Fork Rivers be – ADOPTED.

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

B. Consideration of Final Adjusting Change Order for 2018 Annual Paving Project

Public Works and Utility Director Dusty Wentz stated that this year, N. Forney, S. Ceder, E. 14th, E. 16th, E. 1st, E. F St, Overlook, Chelsea Ln, Counselor Dr., W. 4th and N. Ashe had segments addressed and that Council awarded the original contract in the amount of $406,648.45 in March and approved a change order adding $85,370.52 in July, for a total project cost of $492,018.97.

Mr. Wentz stated that all work is complete. The final cost, all based on unit bid prices is $498,731.58, a $6,712.61 (1.364%) overage. The cost overage was caused by a difference in estimated material quantities in the contract and actual quantities used in the field. Mr. Wentz stated that the contractor has submitted all material quantity tickets from the mill and quarry.

Mr. Wentz stated that a contingency in the amount of $61,000, or 15%, was held for this project.

Mr. Wentz requested that council authorize use of $6,712.61 out of the project contingency to address the final change order and close out the 2018 Paving Project.
Upon motion duly made by Council Member Tom Rowe, seconded by Council Member Ed Sain, it was unanimously RESOLVED:

That Final Adjusting Change Order for 2018 Annual Paving Project be – APPROVED.

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

ITEM 7: New Business

A. Consideration of East 2nd Street Sewer Realignment Budget Ordinance Amendment and Intent to Reimburse and Approval of Resolution to apply for SRF Funding

Public Works and Utility Director Dusty Wentz stated that there are two separate sewer mains that run under Carolina Specialty Fabrics, a 12 inch clay and 18 inch clay. There is a 48 inch sanitary storm water pipe that runs parallel with both sewer mains. Roughly a year ago Staff noticed that there was high sewer flow during rains and the possibility sewer interring the water of the State on normal dry days. Starting on E. 2nd Street and ending just south of East A. Street, City staff inspected both mains using smoke testing and closed circuit television camera (CCTV).

Mr. Wentz stated that the inspection indicates that both gravity sewer mains have major failures under 28 N. Caldwell Ave. (Carolina Specialty Fabrics). Some of the major findings are: sections of clay pipe with
whole top missing, water coming in from the storm water pipe on a non-rain day, large voids in the sewer main, high probability of building support beams setting on top of the sewer mains causing structural failure.

Mr. Wentz stated the project consists of survey, design engineering, relocating sewer flows around Carolina Specialty Fabrics with the use of sewer lift station and force main, replacing and/or relocating 800 feet of sewer main, and replacement of the 48” storm water pipe under East 2nd Street only.

Mr. Wentz stated that staff released an RFQ in July 2018, and has selected The Wooten Company as the most qualified firm from the respondents. The proposal from Wooten includes survey, design engineering, permitting, bidding and construction phase services, as well as application to the North Carolina State Revolving Fund for possible grant or low interest loan. If a grant or loan is obtained, the project will not be included in the borrowing package that will be completed this winter.

Mr. Wentz stated that the following actions are requested.

- First, staff requests that council approve the attached budget ordinance amendment to fund the engineering proposal in the amount $234,400 and create a capital project.
- Second, staff requests that council approve the attached Intent to Reimburse from borrowing for the full amount of the project, estimated at $1,900,000.
- Third, staff request council approved the attached Resolution for the SRF Application.

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

That Budget Ordinance Amendment to Fund the Engineering Proposal in the Amount of $234,400 and Create a Capital Project be – APPROVED.

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

That Intent to Reimburse from Borrowing for the Full Amount of the Project - $1,900,000 be – APPROVED.

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

That Resolution for the SRF Application be – APPROVED.

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

Planning Director Randy Williams stated that the Downtown Streetscape project includes several facets of work including those funded by the State Revolving Fund (SRF) low interest loans and those funded by local funds. As part of the project, sanitary sewer and water rehabilitation / improvements are proposed.

Mr. Williams explained that the four phases of the Downtown Streetscape Project were initially self-funded with engineering reporting and bidding services programmed to be completed at the time of each phase. Since then City has been awarded a low interest loan from the state for water and sewer improvements in the three remaining phases. This being the case, the City must complete the requirements of the program for the remaining phases (phases 2, 3 & 4) at this time in order to meet the state timelines.
Mr. Williams stated that McGill Associates is contracted with the City to complete the engineering, design services and construction administration for the Downtown Streetscape project. This agreement contracts McGill to complete the engineering reporting and bidding services, which are required for the SRF loan.

Mr. Williams stated that Public Works, Finance and Planning departments are requesting this budget amendment for the engineering reporting, bidding services and funding administration for water and sewer improvements on Phases 2, 3, & 4 of the Downtown Streetscape project.

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

That the Budget Ordinance Amendment be – ADOPTED.

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

That Funding for the Water and Sewer Improvements 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

- 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 20th – Maggie Daniels Run, Newton Rec Center – 8:00 a.m.
- Oct 20th – Night Crawl 5K, Newton Rec Center – 7:30 p.m. – 8:45 p.m.
- Oct 25th – WPCOG Policy Board Meeting, Maiden – 6:00 p.m.
- Oct 27th – Spooktacular, 5:00 – 8:00 p.m.
- Oct 29th – Student Senior Project Presentation – Anna Wike, Council Chamber – 4:00 p.m.
- Nov 17th – Light up the Town, 4:00 – 7:00 p.m.
- Nov 29th – Police Chief Retirement, Save the Date
- Dec 7th – Annual Employee Appreciation Luncheon

Other Projects

- Leaf Collection begins October 15th
- Streetscape Update
- Buffalo Shoals Road Waterline
- Balls Creek Road Waterline Project
- North Shipp Ave Waterline Project
- 15th Street Sewer Line Repair Project
- Greenway Sewer Line Repair Project
- Water/Sewer Rate Study
- Lighting at Jacob Fork Update
- Splash Pad Update
- Finance Department Updates
**ITEM 9:** Questions and Comments from Mayor and Council

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

Mayor Pro Tem John Stiver gave a report on the Tree Board and ElectriCities.

**ITEM 11:** Closed Session – Per North Carolina General Statute 143-318.11(a)(3), 143-318.11(a)(5), 143-318.11(a)(6)

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

That City Council enter CLOSED SESSION

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

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Anne P. Stedman, Mayor

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Amy S. Falowski, City Clerk