

AGENDA

CITY OF NEWTON



December 6, 2016

AGENDA
CITY OF NEWTON
NEWTON CITY COUNCIL - REGULAR MEETING

December 6, 2016

7:00 p.m.

- | | | |
|------|----|---|
| Page | 1. | <u>Call to Order – Mayor Anne P. Stedman</u> |
| | 2. | <u>Opening – Council Member Wes Weaver</u> |
| 1 | 3. | <u>Approval of Minutes from the November 15, 2016 Regular Meeting</u> |
| | 4. | <u>Consideration of Consent Agenda Items</u> |
| 5 | A. | Sewer Adjustments |
| 6 | B. | Consideration of Annual Fire Department Membership Roster |
| 9 | C. | Consideration of Budget Ordinance Amendment – Disc Golf Course |
| 12 | D. | Consideration of Budget Ordinance Amendment – Generators |
| 14 | E. | Consideration of the 2017 Regular City Meetings Schedule, Workshop Schedules |
| | 5. | <u>Comments from the Public: (PERSONS WANTING TO MAKE A PUBLIC COMMENT ON NON-AGENDA ITEMS ARE REQUESTED TO SIGN IN WITH THE CITY CLERK PRIOR TO THE MEETING):</u> |
| | 6. | <u>Public Hearing</u> |
| | A. | To Consider an Installment Financing Agreement for Financing |
| | 7. | <u>Presentations</u> |
| | A. | Fiscal Year 2016 Audit |
| | B. | K64 Education Initiative Presentation |
| | C. | Pedestrian Plan Overview |
| | D. | Parks and Recreation |
| | E. | DNDA Folk Art Festival Report |
| | 8. | <u>Old Business</u> |
| 15 | A. | Consideration of Resolution Accepting Financing Terms for Vehicles and Equipment |
| 18 | B. | Westside Drive Wastewater Rehabilitation Project |
| | 1. | Consideration of Capital Project Ordinance Amendment |
| | 2. | Consideration of Contract Award |
| 24 | C. | Consideration of |
| | 1. | Resolution to Proceed on Behalf of the City by Filing an Application Regarding Financing to the North Carolina Local Government Commission (LGC) |
| | 2. | Resolution Calling for a Public Hearing |
| | 9. | <u>New Business</u> |
| 32 | A. | Consideration to Approve request to apply for Brownfield Coalition Grant with the City of Hickory and the Town of Long View |

10. City Manager's Report

11. Questions and Comments From Mayor and Council

- A. Reports from Appointed Representatives on Outside Boards – Mayor Pro Tem John Stiver

12. Closed Session to Consult with City Attorney – G.S. 143-318-11(3), G.S. 143-318-11(5)

13. 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 Teresa Laffon, ADA Coordinator, at least 48 hours prior to the scheduled meeting.

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

November 15, 2016 – 7 p.m.

The regular meeting of the Newton City Council was held at 7 p.m. Tuesday, November 15, 2016 at Newton City Hall.

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

ABSENT: Council Members Wes Weaver and Robert C. Abernethy, Jr.

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

That the Regular Minutes of the November 1, 2016 City Council meeting be –
APPROVED

ITEM 4: CONSIDERATION OF CONSENT AGENDA ITEMS

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

That the Consent Agenda be – APPROVED

- A. Tax Releases
- B. Sewer Adjustments
- C. Consideration of Grant Project Ordinance to Recognize Building Reuse Grant Funds

(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.

John Sigmon stated that he owns a golf cart that he would like to have permitted, but it has four rows and the ordinance states that golf carts must only have three. Mr. Sigmon asked if he could receive a waiver or exemption from City Council, and have his golf cart permitted.

Mayor Stedman asked if the golf cart passed all other safety inspections. Mr. Sigmon said that it did. Mayor Stedman stated that the City Council would not take action at this meeting, but would take Mr. Sigmon's request in to consideration. Council Member Jerry Hodge asked Mr. Sigmon if the golf cart was compliant in all other areas. Mr. Sigmon said that it is.

Jennifer Stiver, Business Advisory Committee Chair spoke briefly about commercial development and the possibility of future purchase of property on the Hwy 16 bypass. Ms. Stiver stated that the city could then control how the corridor is developed. She stated that if it is mixed use then multiple businesses would increase the tax base. Mayor Stedman stated that the Business Advisory Committee is committed to increasing business opportunities, and thanked Ms. Stiver for her comments.

ITEM 6: Presentation – Parks and Recreation

Assistant Manager Sean Hovis made a presentation to City Council concerning Parks and Recreation.

He talked about the disc golf course that is being built at Jacob Fork Park, and estimates for a new soccer field. He said that with lights, fencing and irrigation the city had received an estimate for \$350,000 for the new field. Mr. Hovis stated that he believes this is high and is looking for other estimates at this time.

Mayor Stedman asked about baseball fields and lights. Mr. Hovis stated that it is up to Council, but that there is lots of potential for soccer, lacrosse and football as well. Council Member Robert C. Abernethy stated that he coaches soccer and that there are two seasons for the sport. Parks and Recreation Director Sandra Waters stated that soccer is being played on baseball fields right now.

Mr. Hovis stated that other projects would be brought to Council, but the disc golf course could be finished for around \$34,000. Mr. Abernethy asked how much interest is in the Sue Jones account. Finance Director Serina Hinson stated that she needs to double check, but she believes there is about \$31,227. Mr. Abernethy stated that would only leave around \$3,000 to complete the disc golf course. Council Member Jody Dixon asked if the city could light Jacob Fork Park and put several soccer fields and lights all at once. Mr. Abernethy said yes, that it depends on the money that it would save per fixture. Mr. Abernethy asked if there is leased to own lighting, Ms. Waters stated there is and Mr. Abernethy said that could be something to look in to. Council Member Jerry Hodge asked if there is lighting that could rotate from one field to another. Ms. Waters said no, she didn't think so. Mayor Pro Tem John Stiver stated that it would only take a couple of months to finish the disc golf course, and asked if Council should use the interest for that. Mr. Abernethy stated that the Council needs to start acting, and it's right here in front of us. Mr. Abernethy asked if the Recreation Dept. has knocked on doors for donations. Carol Stiles said that she has and that she has received more than one donation from some people and companies.

Council Member Jody Dixon made a motion that the interest from the Sue Jones Estate be used to finish the Disc Golf Course. The motion was seconded by Mayor Pro Tem John Stiver. All Ayes.

ITEM 7: New Business

- A. Consideration of
 - 1. Resolution to Proceed on Behalf of the City by Filing an Application Regarding the Financing of Vehicles, Equipment and Infrastructure to the North Carolina Local Government Commission (LGC)
 - 2. Resolution Calling for a Public Hearing

Finance Director Serina Hinson stated the City of Newton wishes to finance the acquisition of certain infrastructure improvements, more specifically the Westside Drive Wastewater Rehabilitation Project. She stated that this project was not initially included as part of the Fiscal Year 2016-2017 budget: however, it is included on the 10-Year Capital Improvement Plan in future years. Due to the emergency nature of the project, Council approved to move forward with this project on July 12, 2016. Ms. Hinson stated that the estimated cost of the infrastructure improvements is \$1,100,000 from the

Water/Wastewater Fund.

Ms. Hinson stated that the Finance Department will be soliciting quotes from various financial institutions to borrow the funds, and will provide a recommendation to City Council on awarding the financing on December 6, 2016. A public hearing will also be held on this same date.

Ms. Hinson stated that in addition to this financing, the City will be completing another financing for vehicles and equipment which are part of the 10-Year Capital Improvement Plan and Fiscal Year 2016-2017 Budget. She explained that a recommendation will be provided to Council to award the financing on December 6, 2016. Ms. Hinson stated this financing will not require a public hearing nor will it require Local Government Commission (LGC) approval.

Ms. Hinson stated recommended that City Council:

- 1) Adopt the attached resolution authorizing the City Manager and Finance Director to act on behalf of the City and to authorize the filing of an application with the North Carolina Local Government Commission, and
- 2) Adopt the attached resolution calling for a public hearing on December 6, 2016.

Council Member Robert C. Abernethy, Jr. asked if these vehicles are the same ones that were approved earlier. Ms. Hinson stated that they are except for an excavator that is needed more, and actually costs less.

Council Member Tom Rowe asked if the repaving is part of the project. Ms. Hinson stated that it is. Mr. Abernethy asked if the city looked for grants, Mr. Wentz stated that unless the project is underway in spring, probably won't be eligible for grants.

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

That a resolution authorizing the City Manager and Finance Director to act on behalf of the City and to authorize the filing of an application with the North Carolina Local Government Commission be – ADOPTED

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

That a resolution calling for a public hearing on December 6, 2016 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

- November 26th – Small Business Saturday, Downtown Newton
- November 27th – Light up the Town, 5:00 p.m.
- December 5th and 6th Newton Pedestrian Plan Meetings, 4:30-6:00 p.m., Newton City Hall
- December 6th – Senior Citizen Christmas Luncheon provided by Newton PD, 11:30 a.m., Lower level Newton Recreation Center
- December 8th – Catawba Valley Furniture Academy Ribbon Cutting, 973 Locust Street, 10:00 a.m.

City of Newton Projects

- Pedestrian Plan Project Survey - There is a link on the city's website about the plan and has a link to a survey

- Marketing and Branding Project
- Streetscape Engineering
- Water and Sewer Extensions
- Catawba County Strategic Plan
- Pedestrian Planning Grant
- LAPP Grant
- Marketing and Branding Project
- Stormwater Enterprise Fund
- Westside Drive Sewer Project
- Danner Industrial Park – Signage
- Asset Inventory and Assessment Grant
- Parks and Recreation Master Plan
- Business Advisory Committee Work Plan – Initiatives
- Electric Cost of Service Study

ITEM 9: Questions and Comments from Mayor and Council

Mayor Anne P. Stedman asked if any Council Members would like to make any comments.

Mayor Stedman gave a brief report on the DNDA including upcoming events such as “Light up the Town” and a training session for DNDA Board Members. She talked about the Folk Art festival and its success and things that can be improved on for next year. Mayor Stedman also mentioned the success of “Spooktacular”.

ITEM 10: Closed Session to Consult with City Attorney – G.S. 143-318-11(a)(3)

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

That the City Council enter CLOSED SESSION per G.S. 143-318-11(a)(3)

Council Member Robert C. Abernethy, Jr. made the motion to go back into open session, which was seconded by Council Member Jerry Hodge. All Ayes.

ITEM 11: 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

CITY OF NEWTON

Sewer Adjustments

TO: E. Todd Clark, City Manager **DATE:** November 30, 2016

RE: Sewer Adjustments – December 6, 2016

FROM: Serina Hinson, Finance Director

The following sewer adjustment is recommended for approval. The adjustment is recommended as a result of a water leak at the service address or a pool fill up.

Account Number	Name	Service Address	Adjustment Period	Amount of Adjustment
32000740-014	Francie B. Melcher	1520 N Deal Ave.	Aug - Oct	\$ 185.96
19000415-001	Johnny C. Miller	2688 Touchstone Cir.	Nov (Pool)	\$ 87.60

Backup documentation to support each adjustment is on file in the Finance Department. Should you have questions or require further clarification, please notify.

CITY OF NEWTON REQUEST FOR COUNCIL ACTION

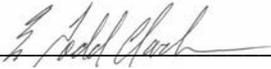
DATE: November 30, 2016

TO: E. Todd Clark, City Manager

FROM: Kevin Yoder, Fire Chief

CONSIDERATION OF: Approval of Annual Fire Department Membership Roster and Department Certification for the year 2017.

Approved for Council Consideration



1. The North Carolina State Firemen's Association requires that a roster of all active and retired members of the Fire Department be submitted annually.
2. Inclusion of Active Fire Firefighters on the Annual Fire Department "Membership Roster" qualifies members for State benefits.
4. Inclusion of Retired Fire Fighters on the Annual Fire Department "Membership Roster" qualifies members for N.C. State Firemen's Association Fraternal Insurance Fund benefits.
5. Members that have left the Department during the current year have been removed from the "Membership Roster". In addition, members that have joined the Department during the current year have been added to the "Membership Roster".
6. The Annual Fire Department "Membership Roster" must be certified by the Governing Body and submitted by January 15th of each year.

ACTION SUGGESTED:

I request that the City Council approve the Annual Fire Department Membership Roster and Department Certification for the year 2017.

2017 City of Newton Fire Department Roster

	Name	P/V/R	Cert
1	Reginald J. Atkinson	RETIRED	N
2	Hunter Baker	PAID	Y
3	William R. Barlow	PAID	Y
4	Joshua Boyd	PAID	Y
5	Luke Brown	PAID	Y
6	Kasi Browning	PAID	Y
7	Darren N. Buff	PAID	Y
8	Cynthia D. Canipe	RETIRED	N
9	Walter Kevin Carpenter	PAID	Y
10	Eddie Chapman	PAID	Y
11	Dale H. Coffey	RETIRED	N
12	Charles Richard Crater	RETIRED	N
13	Melvin Tony Davis	RETIRED	N
14	Robert Wayne Dellinger	PAID	Y
15	Charles Doty	RETIRED	N
16	Brandon Drum	PAID	Y
17	Alan Dale Fox	PAID	Y
18	Zackery Hansley	PAID	Y
19	Brian S. Hardy	PAID	Y
20	Wesley Harrington	PAID	Y
21	Kenneth C. Hartman	RETIRED	N
22	Harrell Hartsoe, Jr.	RETIRED	N
23	Thurmond "Nink" Harvell	RETIRED	N
24	Jason Hatfield	PAID	Y
25	Matthew Hefner	PAID	Y
26	Scotty Helms	RETIRED	N
27	Cade Huffman	RETIRED	N
28	Kenneth R. Huffman Jr.	PAID	Y
29	Dylan Jolly	PAID	Y
30	Tyler Keener	PAID	Y
31	Jackie Lail	PAID	Y
32	Stephen Chadwick Landis	PAID	Y
33	George Lutz	PAID	Y
34	Steven A. Marlowe	RETIRED	N
35	Timothy G. Martin	PAID	Y
36	Gene Mauser	RETIRED	N
37	Kevin McMahan	PAID	Y
38	Scott Mecimore	PAID	Y
39	Brock Messick	PAID	Y
40	Robert W. Moose	RETIRED	N
41	Grant Newton	PAID	Y
42	Matthew Clifford Norris	PAID	Y
43	Dustin Norwood	PAID	Y
44	Christopher Perez	PAID	Y

2017 City of Newton Fire Department Roster

	Name	P/V/R	Cert
45	Dustin Reeves	PAID	Y
46	Clarence Jerry Reinhardt, Jr.	RETIRED	N
47	Keith D. Richard	PAID	Y
48	Matthew Ross	PAID	Y
49	H. Thompson Rowe	RETIRED	N
50	Robert Darren Saunders	RETIRED	N
51	William Troy Scott	PAID	Y
52	Terry Scronce	RETIRED	N
53	Larry Dean Self	RETIRED	N
54	Luke Shoffner	PAID	Y
55	Stephen Taylor	PAID	Y
56	Jerry Wayne Travis	RETIRED	N
57	Randolph Walker	PAID	Y
58	William C. Warren	PAID	Y
59	David K. Watson	RETIRED	N
60	Brian K. Whitener	PAID	Y
61	Nicholas Wilkinson	PAID	Y
62	Kevin Lee Yoder	PAID	Y
63	Andrew Yount	PAID	Y

CITY OF NEWTON REQUEST FOR COUNCIL ACTION

DATE: December 1, 2016

TO: E. Todd Clark, City Manager

FROM: Sandra Waters, Parks and Recreation Director

CONSIDERATION OF: Budget Ordinance Amendment for the Jacob Fork Disc Golf Course Project.

Approved for Council Consideration



We would like to recognize the generous contributions for the Jacob Fork Disc Golf Course Project. This project has resulted in numerous contributions from local businesses and individuals, some of which have made multiple contributions for a total of \$21,350 (\$2,800 thus far for FY 2017 and \$18,550 for FY 2016). There was a balance of \$7,500 which was unspent and reverted to fund balance at year end.

On November 15, 2016 City Council approved the utilization of interest earnings from the Frank and Sue Jones Recreation Funds for the Jacob Fork Disc Golf Project. As of October 31, 2016, approximately \$31,200 has been earned.

We have estimated that it will cost approximately \$43,500 to complete the project.

Funds available are as follows:

\$ 2,800	FY 2017 Contributions
7,500	FY 2016 Contributions which reverted to Fund Balance
31,200	Frank and Sue Jones Interest Earnings
<u>2,000</u>	Fund Balance Appropriation
\$ 43,500	

We are anticipating additional contributions. In the event that we do realize those additional contributions, we would not need to utilize the \$2,000 Fund Balance Appropriation or a portion of it.

The Jacob Fork Disc Golf Course will be a championship disc golf course once fully complete. The “championship” designation will enable the City to hold disc golf tournaments. The course will encompass approximately 20 acres of the interior portion of the Jacob Fork Park, and it will be configured to serve not only beginners but players with advanced skills.

ACTION SUGGESTED:

Motion to approve the attached Budget Ordinance Amendment to complete the Jacob Fork Disc Golf Course.

ORDINANCE # 2016-31

**AN ORDINANCE TO AMEND REVENUES AND EXPENDITURES
FOR FISCAL YEAR 2016-2017 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, 2016, and ending June 30, 2017, in accordance with the General Statutes of the State of North Carolina; and

WHEREAS, the Jacob Fork Disc Golf Project will be a championship disc golf course once fully complete. The “championship” designation will enable the City to hold disc golf tournaments. The course will encompass approximately 20 acres of the interior portion of the Jacob Fork Park, and it will be configured to serve not only beginners but players with advanced skills; and,

WHEREAS, City Council would like to recognize the generous contributions for the Jacob Fork Disc Golf Project. This project has resulted in numerous contributions from local businesses and individuals, some of which have made multiple contributions for a total of \$21,350 to date (\$2,800 thus far for FY 2017 and \$18,550 for FY 2016). There was a balance of \$7,487 which was unspent and reverted to fund balance at June 30, 2016; and,

WHEREAS, on November 15, 2016 City Council approved the utilization of interest earnings from the Frank and Sue Jones Recreation Funds for the Jacob Fork Disc Golf Project. As of October 31, 2016, approximately \$31,200 has been earned; and,

WHEREAS, the City Council desires to recognize the contributions, utilize the interest earnings from the Frank and Sue Jones Recreation Funds, utilize fund balance of \$2,000 for the difference and to authorize the related expenditure appropriation to complete the project.

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:

General Fund Revenues		
Spec Proj. Contrib/Other Grant	11-0000.3845	\$ 2,800
Fund Balance Appropriated	11-0000.3990	\$40,700
General Fund Appropriations		
Capital Outlay - Other	11-6122.8990	\$43,500

Adopted this 6th day of December, 2016.

Attest:

Anne P. Stedman, Mayor

Amy S. Falowski, City Clerk



**CITY OF NEWTON
REQUEST FOR COUNCIL ACTION**

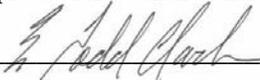
DATE: November 29, 2016

TO: E. Todd Clark, City Manager

FROM: Doug Wesson

CONSIDERATION OF: Budget Amendment

Approved for Council Consideration



Background:

City staff has determined that the City has a year model 1999 3516 Cat diesel peak shaving generator located at 1025 St James Church Rd that is in need of repair. The utility and the generator Square D drawout breakers are obsolete and will need to be replaced before failure occurs. Schneider Electric Service will perform a scope of work through Carolina Engine due to the design and manufacture of the switchgear and a quote has been obtained in the amount of \$49,375.00. Due to the nature of the problem and emergency purchase order since lead times are four to six weeks out.

This year's budget contains \$256,050 for generator repair and maintenance. So far, \$140,650.12 has been spent, with roughly another \$80,000 upcoming for extended warranties and switch gear testing. Accounting for those expenses leaves \$60,650.12 for the remaining seven months, not including the repair to the breakers.

Staff requests an appropriation from Electric Fund Balance for \$49,375.00 to the Electric Fund Operation Budget to pay for the incurred expenditures for generator repair and ensure adequate funding remains in the budget for repairs this year.

Action Suggested:

Appropriate from Electric Fund Balance \$49,375.00 to Electric Fund Operation Budget.

ORDINANCE # 2016-32

AN ORDINANCE TO AMEND REVENUES AND EXPENDITURES FOR FISCAL YEAR 2016-2017 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, 2016, and ending June 30, 2017, in accordance with the General Statutes of the State of North Carolina; and

WHEREAS, the City Council desires to approve \$49,400 for emergency repairs of the peak shaving generator located at 1025 St. James Church Road. An emergency purchase order has been issued to complete repairs as quickly as possible to prevent complete failure; and,

WHEREAS, the City Council desires to utilize fund equity and to authorize the related expenditure appropriation within the Electric operating budget.

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.

Electric Fund Revenues		
Fund Equity Appropriated	63-0000.3995	\$49,400
Electric Fund Appropriations		
Generator Repair/Maintenance	63-7201.6560	\$49,400

Adopted this 6th day of December, 2016.

Anne P. Stedman, Mayor

Attest:

Amy S. Falowski, City Clerk



2017 CITY COUNCIL MEETING SCHEDULE

January 10th and January 24th

February 7th and February 21st

March 7th and March 21st

April 4th and 18th

May 2nd and 16th

June 6th and 20th

July 11th

August 1st

September 5th and 19th

October 3rd and 17th

November 7th and 21st

December 5th

CITY OF NEWTON REQUEST FOR COUNCIL ACTION

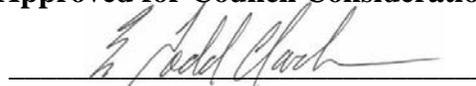
DATE: November 29, 2016

TO: E. Todd Clark, City Manager

FROM: Serina Hinson, Finance Director

CONSIDERATION OF: Award financing bid and adopt resolution approving financing terms.

Approved for Council Consideration



On November 3, 2016, bids were solicited for funding of vehicles and equipment. These capital items were approved as part of the FY 2016-2017 budget ordinance. Seven RFP's were submitted to the following financial institutions: BB&T Governmental Finance, Wells Fargo, SunTrust Equipment Finance & Leasing Corp. (SunTrust), First Tennessee Commercial Banking, First Citizens Bank, Peoples Bank, and Regions Bank.

Of the seven financial institutions solicited, four of these institutions provided a quote: BB&T Governmental Finance, First Citizens Bank, Peoples Bank and SunTrust Equipment Finance & Leasing Corp.

The bids were as follows:

<u>Financial Institution</u>	<u>Interest Rate</u>
59 month Amortization (\$472,800):	
BB&T Governmental Finance	1.64%
First Citizens Bank	1.69%
Peoples Bank	2.30%
SunTrust	2.08%

BB&T Governmental Finance, First Citizens Bank, Peoples Bank and Sun Trust Equipment Finance & Leasing Corp. provided very attractive and competitive bids. **BB&T Governmental Finance** provided the lowest bid.

It is staff's recommendation that City Council award BB&T Governmental Finance the bid.

Action Suggested:

- 1) Award the bid to provide financing to BB&T Governmental Finance for an amount not to exceed \$472,800 at stated interest rate of 1.64% for 59 months.
- 2) Adopt the Resolution Approving Financing Terms based on a 59 month amortization.

Resolution 19-2016
Resolution Approving Financing Terms

WHEREAS: The City of Newton, North Carolina ("City") has previously determined to undertake a project for the financing of vehicles and equipment (the "Project"), and the Finance Director has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The City hereby determines to finance the Project through Branch Banking and Trust Company ("BB&T"), in accordance with the proposal dated November 18, 2016. The amount financed shall not exceed \$472,800, the annual interest rate (in the absence of default or change in tax status) shall not exceed 1.64%, and the financing term shall not exceed fifty-nine (59) months from closing.

2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the City are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.

3. The Finance Director is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Director is authorized to approve changes to any Financing Documents previously signed by City officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Director shall approve, with the Finance Director's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

4. The City shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The City hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).

5. The City intends that the adoption of this resolution will be a declaration of the City's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the BB&T financing described above. The City intends that funds that have been advanced, or that may be advanced, from the City's general fund, or any other City fund related to the project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of City officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this 6th day of December, 2016.

Amy S. Falowski, City Clerk

Anne P. Stedman, Mayor



**CITY OF NEWTON
Attachment A**

	<u>Financing Amount</u>
Contract A---	
Financing Term - 59 months:	
Public Safety - Police:	
1 Admin Vehicle/5 Patrol Vehicles Fully Equipped	315,300
Water/Wastewater Operations:	
Ford F-550 Diesel with Lift/Utility Bed	104,600
Electric Operations:	
Excavator	52,900
Total 59 Month Financing	<u>472,800</u>

CITY OF NEWTON
REQUEST FOR COUNCIL ACTION

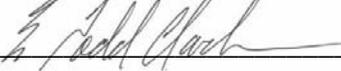
DATE: December 1, 2016

TO: Todd Clark, City Manager

FROM: Dusty Wentz, Director of PWU

CONSIDERATION OF: Budget Ordinance to Amend a Capital Project Fund for the Westside Dr. Sewer Rehabilitation project and Award of Construction Contract.

Approved for Council Consideration



Background:

In July of 2016, council approved intent to reimburse the Water and Sewer Fund for expenditures related to the Westside Dr. Gravity Sewer Replacement Project. Briefly, \$1,100,000 was appropriated to fund engineering, survey, bidding, permits, and construction for replacement of the 3,000 LF of gravity sewer line currently failing adjacent to Westside Dr.

Design engineering has been completed at a cost of \$55,000, and \$45,000 is budgeted for construction engineering observation and administration.

The project has been released for bid, and bids received on November 22nd, 2016 are as follows:

Contractor	Base Bid	Alternate 1
Buckeye Bridge, LLC	\$1,228,018	\$61,143
Dellinger, Inc.	\$1,140,971.50	\$24,000
Hickory Sand Company, Inc.	\$1,319,385	\$34,940
State Utility Contractors, Inc.	\$1,741,880	\$70,000

Note that the bids do not include contingency.

The bid price includes a complete asphalt overlay on Westside Drive once the sewer line has been constructed. The staff also proposes to replace the entire storm culvert system as part of this project due to the engineer's evaluation of existing conditions and the likely collapse due to the sewer line construction project. In consideration of the very advantageous bid price for culvert replacement, staff recommends that Alternate 1 for storm culvert replacement be awarded.

Dellinger, Inc. is the lowest bidder in the amount of \$1,164,971.50. The engineer has recommended a construction contingency in the amount of \$58,250 (5%), but the Finance Director has recommended a contingency of \$135,028.50.

Total project costs are as follows:

Design Engineering:	\$ 55,000
CO/CA Engineering:	\$ 45,000
Construction (Base)	\$1,140,971.50
Construction (Alt 1)	\$ 24,000
Contingency (5%)	\$ 135,028.50
Total	\$1,400,000
July Budget Amendment	\$1,100,000
Additional Funds Needed	\$ 300,000

The lowest qualified bid received on this project is 18% higher than originally estimated. If council moves forward with this project, an additional \$300,000 is needed.

Attached please find the Budget Ordinance Amendment, Engineer's Award Recommendation letter, and the Certified Bid Tab.

Action Suggested:

The staff recommends that City Council entertain separate motions for the attached Budget Ordinance Amendment for the Westside Dr. Sewer replacement project (attached), and award of the construction contract to Dellinger, Inc. in the amount of \$1,164,971.50.

ORDINANCE # 2016-33

**AN ORDINANCE TO ESTABLISH CAPITAL PROJECT FUND
FOR WESTSIDE DRIVE WASTEWATER REHABILITATION PROJECT**

WHEREAS, the City Council of the City of Newton have adopted a Budget Ordinance for fiscal year beginning July 1, 2016, and ending June 30, 2017, in accordance with the General Statutes of the State of North Carolina; and

WHEREAS, the City of Newton periodically establishes capital project ordinances for endeavors that involve infrastructure/construction activities in which the duration of the project will extend from one fiscal year into another; and,

WHEREAS, the City’s 10-Year Capital Improvement Plan reflects the Westside Drive to Main Avenue Wastewater Rehabilitation Project in Fiscal Year 20224; however, inspection of the 12’ line revealed a failure in June/July 2016 of this line. At that time, the wastewater line progressed to an emergency replacement due to the condition of the line. Resolution 12-2016 was approved on July 12, 2016 Declaring Official Intent to Reimburse Expenditures for this project and to move forward with the engineering; and,

WHEREAS, the City initially estimated the project cost to be \$1.1 million; and,

WHEREAS, the bids came in higher than anticipated at a total project cost of \$1,323,250 which includes engineering, contingency and an alternate bid for the replacement of all storm water pipe.

WHEREAS, the City Council desires to amend the Capital Project Fund for the Westside Dr. Sewer Rehabilitation Project; and,

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEWTON, NORTH CAROLINA, THAT:

THE FOLLOWING SOURCE OF REVENUES AND APPROPRIATIONS ARE HEREBY APPROVED.

<u>Water/Wastewater Capital Project Fund</u>				
		<u>Original Project</u>	<u>Project Amendment</u>	<u>Total Amended Project</u>
<u>Revenues</u>				
Proceeds from Borrowing	47-7100.3900	\$1,100,000	\$300,000	\$1,400,000
<u>Appropriations</u>				
Sewer Rehabilitation Proj	47-7100.5994 (104)	\$1,100,000	\$300,000	\$1,400,000

Adopted this 6th day of December, 2016.

Attest:

Anne P. Stedman, Mayor

Amy S. Falowski, City Clerk





November 23, 2016

Mr. James Wentz, PE
Public Works and Utilities Director
City of Newton
Post Office Box 550
Newton, North Carolina 28658

RE: Award Recommendation
Westside Drive Sewer Replacement Project
City of Newton, North Carolina

Dear Mr. Wentz:

A total of four (4) bids were received on November 22nd, 2016 for the Westside Drive Sewer Replacement Project. Based on the comparison of bid quantities and unit prices provided by each bidder, Dellinger Inc., of Monroe, North Carolina, submitted the lowest responsive bid with a total base bid amount of \$1,140,971.50. In addition to the base bid costs, an alternate bid cost was received for replacement of three (3) sections of storm drainage along the route of the project. Upon consultation with City staff a combination of the base bid and alternate bid is the most cost effective manner to replace the existing storm drainage. Please note that this is a unit price contract and the final project cost will be based upon the actual quantities installed in the field.

Dellinger, Inc. is appropriately licensed with the North Carolina General Contractor Board, and is qualified to perform this project. Therefore, we recommend award of the Westside Drive Sewer Replacement Project to Dellinger, Inc. for the base bid and alternate bid in a total bid amount of \$1,164,971.50. We also recommend that the City appropriate funds for construction contingency in the amount of \$58,250.00

Enclosed for your use is the certified bid tabulation. If you have any questions or comments, please do not hesitate to contact us at (828) 328-2024.

Sincerely,
McGILL ASSOCIATES, P.A.

A handwritten signature in blue ink that reads "R.J. Mozeley".

R.J. MOZELEY, PE
Project Engineer

:rjm

Enclosure

cc: Mr. Dennis Falder Jr., City of Newton

E n g i n e e r i n g • P l a n n i n g • F i n a n c e

**CERTIFIED BID TABULATION
WESTSIDE DRIVE SEWER REPLACEMENT, CITY OF NEWTON, NORTH CAROLINA**

No	Description	Unit	Estimated Quantity	Buckeye Bridge, LLC.		Dellinger, Inc.		Hickory Sand Company, Inc.		State Utility Contactors, Inc.	
				Bid Unit Price	Bid Price	Bid Unit Price	Bid Price	Bid Unit Price	Bid Price	Bid Unit Price	Bid Price
1	Mobilization	LS	1	\$36,830.00	\$36,830.00	\$33,000.00	\$33,000.00	\$35,000.00	\$35,000.00	\$52,000.00	\$52,000.00
2	12" Class 350 DI Gravity Sewers 0-6 Ft. Cover	LF	280	\$90.50	\$25,340.00	\$82.00	\$22,960.00	\$154.00	\$43,120.00	\$215.00	\$60,200.00
3	12" Class 350 DI Gravity Sewers 6-8 Ft. Cover	LF	180	\$92.70	\$16,686.00	\$96.00	\$17,280.00	\$158.00	\$28,440.00	\$216.00	\$38,880.00
4	12" Class 350 DI Gravity Sewers 8-10 Ft. Cover	LF	650	\$101.10	\$65,715.00	\$105.00	\$68,250.00	\$164.00	\$106,600.00	\$221.00	\$143,650.00
5	12" Class 350 DI Gravity Sewers 10-12 Ft. Cover	LF	250	\$108.60	\$27,150.00	\$120.00	\$30,000.00	\$172.00	\$43,000.00	\$225.00	\$56,250.00
6	12" Class 350 DI Gravity Sewers 12-14 Ft. Cover	LF	620	\$125.10	\$77,562.00	\$145.00	\$89,900.00	\$180.00	\$111,600.00	\$236.00	\$146,320.00
7	12" Class 350 DI Gravity Sewers 14-16 Ft. Cover	LF	565	\$151.60	\$85,654.00	\$180.00	\$101,700.00	\$190.00	\$107,350.00	\$250.00	\$141,250.00
8	12" Class 350 DI Gravity Sewers 16-18 Ft. Cover	LF	110	\$257.30	\$28,303.00	\$215.00	\$23,650.00	\$200.00	\$22,000.00	\$290.00	\$31,900.00
9	12" Class 350 DI Gravity Sewers- Over 18 Ft. Cover	LF	460	\$468.80	\$215,648.00	\$310.00	\$142,600.00	\$225.00	\$103,500.00	\$360.00	\$165,600.00
10	8" Class 350 DI Gravity Sewers, All Depths	LF	640	\$140.10	\$89,664.00	\$55.00	\$35,200.00	\$115.00	\$73,600.00	\$205.00	\$131,200.00
11	24" Steel Encasement Pipe by Bore and Jack, including 12" Diameter DIP Carrier Pipe.	LF	200	\$495.00	\$99,000.00	\$590.00	\$118,000.00	\$360.00	\$72,000.00	\$710.00	\$142,000.00
12	4' Diameter Standard Manhole 0-8 Ft. Depth	EA	3	\$2,370.00	\$7,110.00	\$1,200.00	\$3,600.00	\$3,500.00	\$10,500.00	\$2,700.00	\$8,100.00
13	4' Diameter Standard Manhole 8-10 Ft. Depth	EA	3	\$2,525.00	\$7,575.00	\$1,400.00	\$4,200.00	\$3,775.00	\$11,325.00	\$3,000.00	\$9,000.00
14	4' Diameter Standard Manhole 10-12 Ft. Depth	EA	5	\$2,803.00	\$14,015.00	\$1,700.00	\$8,500.00	\$5,000.00	\$25,000.00	\$7,500.00	\$37,500.00
15	4' Diameter Standard Manhole 12-15 Ft. Depth	EA	3	\$3,280.00	\$9,840.00	\$1,900.00	\$5,700.00	\$5,750.00	\$17,250.00	\$8,000.00	\$24,000.00
16	5' Diameter Standard Manhole 15-20 Ft. Depth	EA	3	\$4,630.00	\$13,890.00	\$2,700.00	\$8,100.00	\$9,500.00	\$28,500.00	\$6,000.00	\$18,000.00
17	6' Diameter Standard Manhole Over 20' Depth	EA	1	\$19,062.00	\$19,062.00	\$3,000.00	\$3,000.00	\$17,500.00	\$17,500.00	\$22,000.00	\$22,000.00
18	4' Diameter Doghouse Manhole	EA	1	\$4,387.00	\$4,387.00	\$1,900.00	\$1,900.00	\$5,500.00	\$5,500.00	\$4,000.00	\$4,000.00
19	6' Diameter Doghouse Manhole	EA	1	\$6,097.00	\$6,097.00	\$2,500.00	\$2,500.00	\$12,500.00	\$12,500.00	\$9,000.00	\$9,000.00
20	Connect Existing 10" VCP Sewer to Proposed Sewer (Including Drop Manhole w/Transition Coupling and DIP Nipple)	EA	6	\$1,621.00	\$9,726.00	\$6,800.00	\$40,800.00	\$3,500.00	\$21,000.00	\$3,000.00	\$18,000.00
21	4-Inch Sewer Service Connection	EA	32	\$1,519.00	\$48,608.00	\$1,075.00	\$34,400.00	\$3,965.00	\$126,880.00	\$2,300.00	\$73,600.00
22	4-Inch Sewer Service Pipe	LF	1,050	\$26.20	\$27,510.00	\$20.00	\$21,000.00	\$5.00	\$5,250.00	\$31.00	\$32,550.00
23	Abandon Sewer Line with Flowable Fill	LF	1,300	\$13.60	\$17,680.00	\$22.00	\$28,600.00	\$15.00	\$19,500.00	\$15.00	\$19,500.00
24	Manhole Demolition and Abandonment	EA	20	\$720.00	\$14,400.00	\$1,000.00	\$20,000.00	\$600.00	\$12,000.00	\$1,200.00	\$24,000.00
25	Washed Stone Bedding Allowance	TON	110	\$35.20	\$3,872.00	\$35.00	\$3,850.00	\$30.00	\$3,300.00	\$34.00	\$3,740.00
26	Street Repair per Details	LF	1,550	\$40.00	\$62,000.00	\$50.00	\$77,500.00	\$38.00	\$58,900.00	\$75.00	\$116,250.00
27	Asphalt Milling	SY	1,990	\$3.80	\$7,562.00	\$3.85	\$7,661.50	\$9.00	\$17,910.00	\$9.00	\$17,910.00
28	2" SF 9.5A Surface Course Asphalt Overlay	TON	590	\$127.00	\$74,930.00	\$119.00	\$70,210.00	\$182.50	\$107,675.00	\$132.00	\$77,880.00
29	Additional 3" Depth CABC Allowance	SY	2,000	\$6.20	\$12,400.00	\$5.00	\$10,000.00	\$7.00	\$14,000.00	\$4.50	\$9,000.00
30	Additional 3" Type I 19.0B Binder Course Allowance	TON	310	\$239.00	\$74,090.00	\$160.00	\$49,600.00	\$120.00	\$37,200.00	\$110.00	\$34,100.00
31	Gravel Street Repair	LF	450	\$10.50	\$4,725.00	\$27.00	\$12,150.00	\$13.00	\$5,850.00	\$30.00	\$13,500.00
32	Temporary Construction Entrance	EA	3	\$1,059.00	\$3,177.00	\$3,000.00	\$9,000.00	\$500.00	\$1,500.00	\$3,000.00	\$9,000.00
33	Silt Fence Installed per Details	LF	380	\$3.20	\$1,216.00	\$5.00	\$1,900.00	\$5.00	\$1,900.00	\$5.00	\$1,900.00
34	Seeding	AC	1	\$2,428.00	\$2,428.00	\$3,400.00	\$3,400.00	\$2,000.00	\$2,000.00	\$2,500.00	\$2,500.00
35	Pipe Inlet/ Outlet Protection	EA	10	\$85.20	\$852.00	\$600.00	\$6,000.00	\$250.00	\$2,500.00	\$200.00	\$2,000.00
36	Ditch Liner/Matting	SY	370	\$4.10	\$1,517.00	\$3.00	\$1,110.00	\$3.00	\$1,110.00	\$5.00	\$1,850.00
37	Gravel Walking Track Restoration	LF	250	\$12.90	\$3,225.00	\$15.00	\$3,750.00	\$6.50	\$1,625.00	\$15.00	\$3,750.00
38	Advance Utility Exploration Allowance	LS	1	\$8,572.00	\$8,572.00	\$20,000.00	\$20,000.00	\$5,000.00	\$5,000.00	\$40,000.00	\$40,000.00
TOTALS:					\$1,228,018.00		\$1,140,971.50		\$1,319,385.00		\$1,741,880.00

No	Description	Unit	Estimated Quantity	Alternate Total Bid Price			
A.1	Storm Drainage Replacement	LS	1	\$61,143.00	\$24,000.00	\$34,940.00	\$70,000.00

This is to certify that the bids tabulated herein were accompanied by a 5% bid bond or certified check and publicly opened and read aloud at 2:00 pm local time on the 22nd day of November, 2016, in the Public Works Facility, 201 West Fourth Street, Newton, North Carolina 28658

R. J. MOZELEY, PE

 ENGINEERING-PLANNING-FINANCE

1240 19th Street Lane, NW, Hickory, North Carolina 28601
 Firm License No. C-0459

*Mathematical error not affecting the outcome of the bid.



CITY OF NEWTON REQUEST FOR COUNCIL ACTION

DATE: December 1, 2016

TO: E. Todd Clark, City Manager

FROM: Serina Hinson, Finance Director

CONSIDERATION OF: Resolution making certain findings and determinations regarding the financing of infrastructure improvements and the filing of an application with the North Carolina Local Government Commission related thereto, and resolution calling for public hearing on installment financing agreement for infrastructure improvements.

Approved for Council Consideration



On November 15, 2016 City Council approved for staff to move forward with a public hearing and the filing of an application with the North Carolina Local Government Commission on the installment financing related to the Westside Drive Wastewater Rehabilitation Project. We have since received the bids on this project which came in much higher; therefore, we would like to increase the amount of the LGC application from \$1.1 million to \$1,400,000.

Previous Information:

The City of Newton wishes to finance the acquisition of certain infrastructure improvements, more specifically the Westside Drive Wastewater Rehabilitation Project. This project was not initially included as part of the Fiscal Year 2016-2017 budget; however, it is included on the 10-Year Capital Improvement Plan in future years. Due to the emergency nature of the project, Council approved to move forward with this project on July 12, 2016.

The Finance Department will be soliciting quotes from various financial institutions to borrow the funds. We will provide a recommendation to City Council on awarding the financing on January 10, 2017. We will also call for a public hearing on this same date.

ACTION(S) SUGGESTED:

- 1) Adopt the attached resolution authorizing the City Manager and Finance Director to act on behalf of the City and to authorize the filing of an application with the North Carolina Local Government Commission, and
- 2) Adopt the attached resolution calling for a public hearing on January 10, 2017.

Resolution 20-2016

The City Council of the City of Newton, North Carolina met in a regular meeting in the City Council Chambers at the City Hall in Newton, North Carolina, the regular place of meeting, at 7:00 p.m. on December 6, 2016.

Present: _____

Absent: _____

Also present: _____

* * * * *

_____ introduced the following resolution the

Title of which was read and copies of which had been distributed to each Council Member:

RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS REGARDING THE FINANCING OF CERTAIN INFRASTRUCTURE IMPROVEMENTS PURSUANT TO AN INSTALLMENT FINANCING AGREEMENT AND REQUESTING THE LOCAL GOVERNMENT COMMISSION TO APPROVE THE FINANCING ARRANGEMENT

BE IT RESOLVED by the City Council of the City of Newton, North Carolina (the “City”) as follows:

Section 1. The City Council does hereby find and determine as follows:

(a) There exists in the City a desire to finance certain infrastructure improvements (the “Project”) as approved in the City’s Fiscal Year 2016-2017 budget.

(b) After due consideration, the City has determined to enter into an installment financing agreement (the “Agreement”) in an aggregate principal amount not to exceed \$1,400,000 to finance the costs of the Project.

(c) The City will enter into the Agreement with the lending institution having the most favorable interest rates and terms acceptable to the City (the “Bank”), pursuant to which Agreement said Bank will advance to the City amounts sufficient to pay the costs of the Project, and the City will repay the advancement in installments, with interest (the “Installment Payments”).

(d) In order to secure its obligations under the Agreement, the City will execute and deliver a deed of trust or security agreement granting a lien on, or security interest in, all or a portion of the Project.

(e) It is in the best interest of the City to enter into the Agreement and related security documents in that such transaction will result in providing financing for the Project in an efficient and cost effective manner.

(f) Entering into the Agreement is preferable to a general obligation bond and revenue bond issue for such purpose.

(g) It has been determined by the City Council that the cost of the financing through an installment financing agreement is reasonable comparable to the costs of issuing general obligation bonds or other available methods of financing and is acceptable to the City Council.

(h) Counsel to the City will render an opinion to the effect that the proposed undertaking as described above is authorized by law and is a purpose for which public funds may be expended pursuant to the Constitution and laws of the State of North Carolina.

(i) The debt management policies of the City have been carried out in strict compliance with law, and the City is not in default under any obligation for repayment of borrowed money.

(j) No increases in taxes are anticipated in order to pay the Installment Payments under the Agreement.

Section 2. The City Council hereby authorizes and approves the filing of an application with the North Carolina Local Government Commission for approval of the agreement and requests such Commission to approve the agreement and the proposed financing in connection therewith. The City Council further authorizes the City Manager and/or Finance Director of the City of Newton to act on behalf of the City in filing the application, executing the proposed financing contract and other actions not inconsistent with this resolution.

Section 3. This resolution shall take effect immediately upon its passage.

Upon motion of Council Member _____, seconded by Council Member _____, the foregoing resolution was adopted by the following vote:

Ayes: _____

Noes: _____

* * * * *

I, Amy S. Falowski, City Clerk of the City of Newton, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of the City Council of the City of Newton, North Carolina, at a regular meeting held on December 6, 2016, as it relates in any way to the passage of resolutions relating to an installment financing agreement for certain infrastructure improvements and that said proceedings are recorded in the minutes of said City Council.

I DO HEREBY FURTHER CERTIFY that a schedule of the regular meetings of said City Council, stating that the regular meetings of said City Council are held on the first and third Tuesday of each month, except July, August, and December which are held on the first or second

Tuesday of the respective month, at 7:00 p.m. in the City Council Chambers at the City Hall in Newton, North Carolina, has been on file with me for at least seven calendar days prior to said meeting, all in accordance with Section 143-318.12 of the General Statutes of North Carolina.

WITNESS my hand and corporate seal of said City this 6th day of December, 2016.

(Seal)

Amy S. Falowski, City Clerk

Anne P. Stedman, Mayor

Resolution 21-2016

The City Council of the City of Newton, North Carolina met in a regular meeting in the City Council Chambers at the City Hall in Newton, North Carolina, the regular place of meeting, at 7:00 p.m. on December 6, 2016.

Present: _____

Absent: _____

Also present: _____

* * * * *

_____ introduced the following resolution the

Title of which was read and copies of which had been distributed to each Council Member:

RESOLUTION CALLING A PUBLIC HEARING IN CONNECTION WITH AN INSTALLMENT FINANCING AGREEMENT FOR FINANCING CERTAIN INFRASTRUCTURE IMPROVEMENTS

WHEREAS, the City of Newton, North Carolina (the "City") is considering entering into an installment financing agreement pursuant to Section 160A-20 of the General Statutes of North Carolina in a principal amount not to exceed \$1,400,000 for the purpose of providing funds, together with any other available funds, to pay the costs of certain infrastructure improvements (the "Project"); and

WHEREAS, in accordance with Section 160A-20(g) of the General Statutes of North Carolina, the City is required to hold a public hearing on such installment financing agreement;

NOW THEREFORE, BE IT RESOLVED that the City Council of the City hereby fixes 7:00 p.m. on January 10, 2017 in the City Council Chambers at the City Hall in Newton, North Carolina, as the hour, day and place for the public hearing on such installment financing agreement and hereby directs the City Clerk of the City to publish notice of such public hearing once in the Observer News Enterprise not later than the 10th day before said date.

Upon motion of Council Member _____, seconded by Council Member _____, the foregoing resolution was adopted by the following vote:

Ayes: _____

Noes: _____

* * * * *

I, Amy S. Falowski, City Clerk of the City of Newton, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of the City Council of said City, at a regular meeting held on December 6, 2016, as it relates in any way to the passage of resolutions relating to an installment financing agreement for certain infrastructure improvements and that said proceedings are recorded in the minutes of said City Council.

I DO HEREBY FURTHER CERTIFY that a schedule of the regular meetings of said City Council, stating that the regular meetings of said City Council are held on the first and third Tuesday of each month, except July, August, and December which are held once within the respective month on either the first or second Tuesday, at 7:00 p.m. in the City Council Chambers at the City Hall in Newton, North Carolina, has been on file with me for at least seven

calendar days prior to said meeting, all in accordance with Section 143-318.12 of the General Statutes of North Carolina.

Witness my hand and official seal of said City this December 6, 2016.

(Seal)

Amy S. Falowski, City Clerk

Anne P. Stedman, Mayor

**CITY OF NEWTON
REQUEST FOR COUNCIL ACTION**

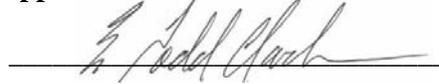
DATE: November 29, 2016

TO: E. Todd Clark, City Manager

FROM: R. S. Williams, AICP, Planning Director

CONSIDERATION OF: Brownfield Coalition Grant Application – Authorizing staff to work with the cities of Hickory and Long View

Approved for Council Consideration



BACKGROUND

The Brownfields Coalition Assessment Grant provides grants of up to \$600,000 to a three-member coalition to identify, inventory, perform environmental studies, and develop a plan for multiple known or suspect Brownfield sites within the coalition’s jurisdictions. These plans will typically focus on industrial sites and former petrol-based businesses. The plan will focus on the cleanup and reuse of one or more catalyst sites. A coalition grant is a regional scoping project which generally benefits multiple communities focusing on similar issues; in this case underutilized industrial facilities.

EPA Brownfield grants are very competitive and are extremely detailed in their requirements for funding. The coalition grant is regional in nature rather than for a single entity. Working with the City of Hickory in this effort provides the cities of Newton and Long View a well postured position in the grant application process with a supported and verified jurisdiction. Additionally, it gives a City of Hickory a new option to obtain EPA funds.

ANALYSIS

The planning staffs in the cities of Hickory, Newton and Long View have discussed this possibility as an approach to leverage additional funds from EPA, work together for the common interest of putting underutilized properties back into productive sites, and establishing a successful track record with EPA.

Grant funding will result in the completion of a comprehensive plan for the redevelopment and eventual cleanup of the project sites. This will include extensive community involvement to ascertain the concerns and issues most important to neighborhood residents and business owners. Funds will be used to conduct market analyses to determine re-use options for properties in the area. The plan will also discuss needed land use changes and infrastructure improvements necessary to spur redevelopment and cleanup of brownfield sites.

There is no required match to apply for the grant. The City of Hickory has been successful in leveraging Brownfield grant for redevelopment, including Hollar Mill, Moretz Mill, Transportation Insight headquarters among others. The region-wide Planning Grant will enable the cities to plan for the re-use and eventual cleanup of a number of sites.

Once the grant is awarded, a Memorandum of Understanding will be adopted by the separate jurisdictions to work together and distribute funds according to project sites and their specific needs.

RECOMMENDATION

Staff recommends that City Council authorize staff to continue to work with Hickory and Long View staffs and apply for the Brownfields Coalition Planning Grant in the amount of \$600,000.