

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

**December 8, 2015 – 7 p.m.**

The regular meeting of the Newton City Council was held at 7 p.m. Tuesday, December 8, 2015, at Newton City Hall.

**PRESENT:** Mayor Anne P. Stedman, Mayor Pro Tem Mary Bess Lawing and Council Members Wes Weaver, Robert C. Abernethy, Jr., Wayne Dellinger, and John Stiver

**ABSENT:** Council Member Tom Rowe

**STAFF:** City Manager Todd Clark, City Clerk Amy S. Falowski, Assistant City Manager Sean Hovis, 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 Wes Weaver asked everyone to keep Council Member Tom Rowe in their prayers as he is in the hospital and then he led the Pledge of Allegiance.

**ITEM 3: APPROVAL OF MINUTES**

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

That the Regular Minutes of the November 10, 2015, City Council meeting be –  
APPROVED

**ITEM 4: CONSIDERATION OF CONSENT AGENDA ITEMS**

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

That the Consent Agenda be – APPROVED

- A. Tax Releases
- B. Sewer Adjustments
- C. Consideration of Annual Fire Department Membership Roster
- D. Consideration of Policy Update – Sanitary Sewer Overflow
- E. Consideration to Accept Abstract of Votes Received During the November 3, 2015 Election

(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.

Mayor Stedman stated that there would be a two minute time limit for each comment, and that each person must state their name for the record. Mayor Stedman stated that the City of Newton does not organize or put on the Soldiers Reunion Parade and that there is no action that can be taken by the City Council concerning this matter.

Citizens that spoke in opposition or support of the parade tradition of including the confederate flag in honor of Confederate Soldiers are as follows:

Jerry McCombs  
Mervin Sealy  
Rev. Anthony Freeman  
Pastor Vincent Ross  
Rev. Reginald Longbrier  
Lt. Commander Mark Nixon  
Rev. Dwayne Tutt

Reverend Tutt stated that at a meeting with himself, the Newton Merchants Association, American Legion Post 16, Mark Nixon and Danny Bolick with the Sons of the Confederate Veterans they discussed the future of the confederate flag at the parade. Reverend Tutt stated that they came to the resolution that only those who are a part of the war reenactments being done by the Sons of the Confederate Veterans chapter would be allowed to display the flag during the parade. He stated that it was also agreed that no direct funding for any events would be requested or accepted from the City of Newton.

Mayor Stedman asked if there was anyone else that would like to speak. No one appeared.

**ITEM 6:**      **Public Hearing**

- A. To Consider an Installment Financing Agreement for Financing Certain Equipment, Real Property Improvements and Infrastructure

Mayor Stedman recessed the Council Meeting and called to order a Public Hearing as scheduled to receive public input on the consideration of an agreement for installment financing for certain equipment, real property improvements and infrastructure.

Finance Director Serina Hinson stated that on November 9, 2015, the City solicited bids for funding of equipment and infrastructure improvements. These capital items were approved as part of the FY 2015-2016 budget ordinance. Seven RFPs 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, Peoples Bank, Regions Bank, and SunTrust Equipment Finance & Leasing Corp.

The bids were as follows:

<u>Financial Institution</u>	<u>Interest Rate</u>
<b>5 Year Amortization (\$108,200):</b>	
BB&T Governmental Finance	1.71%
Peoples Bank	2.50%
Regions Bank	1.93%
SunTrust	2.81%
<b>7 Year Amortization (\$626,100):</b>	
BB&T Governmental Finance	1.97%
Peoples Bank	2.50%
Regions Bank	2.16%
SunTrust	2.81%
<b>15 Year Amortization (\$400,000):</b>	
BB&T Governmental Finance	N/A (provided 7 year term)
Peoples Bank	2.90%
Regions Bank	N/A (provided 10 year term)
SunTrust	N/A

Ms. Hinson stated BB&T Governmental Finance, Peoples Bank, Regions Bank, and Sun Trust Equipment Finance & Leasing Corp. provided very attractive and competitive bids. BB&T Governmental Finance provided the lowest bids on the 5 and 7 Year amortizations and Peoples Bank provided the only bid on the 15 year amortization.

It was Ms. Hinson's recommendation that City Council award BB&T Governmental Finance the bid for the 5 year and 7 year amortizations and to award Peoples Bank the bid for the 15 year amortization.

Ms. Hinson asked that the City Council:

- 1) Award the bid to provide financing to BB&T Governmental Finance for an amount not to exceed \$734,300 at stated interest rate of 1.71% for 5 years and 1.97% for 7 years.
- 2) Award the bid to provide financing to Peoples Bank for an amount not to exceed \$400,000 at stated interest rate of 2.90% for 15 years.
- 3) Adopt the Resolutions Approving Financing Terms based on 5 years, 7 years and 15 years amortization.

Mayor Stedman asked if there was anyone present that would like to speak in favor or against the proposed financing agreement. No one appeared

Upon motion duly made by Council Member Mary Bess Lawing, seconded by Council Member Wes Weaver, it was unanimously RESOLVED:

That the Public Hearing be – CLOSED.

**ITEM 7:      Old Business**

- A. Consideration of Award of Financing Bids and Resolutions Approving Financing Terms

Council Member Robert C. Abernethy, Jr. asked to be recused from voting on the award of bid to provide financing to BB&T Governmental Finance for an amount not to exceed \$734,300 at stated interest rate of 1.71% for 5 years and 1.97% for 7 years; from voting on the award of bid to provide financing to Peoples Bank for an amount not to exceed \$400,000 at stated interest rate of 2.90% for 15 years; and from voting on the adoption of Resolutions Approving Financing Terms based on 5 years, 7 years and 15 years amortization.

Upon motion duly made by Council Member Wes Weaver, seconded by Council Member Wayne Dellinger, it was unanimously RESOLVED:

That Robert C. Abernethy, Jr. be – RECUSED from voting on the award of bid to provide financing to BB&T Governmental Finance for an amount not to exceed \$734,300 at stated interest rate of 1.71% for 5 years and 1.97% for 7 years; from voting on the award of bid to provide financing to Peoples Bank for an amount not to exceed \$400,000 at stated interest rate of 2.90% for 15 years; and from voting on the adoption of Resolutions Approving Financing Terms based on 5 years, 7 years and 15 years amortization.

Upon motion duly made by Council Member Wes Weaver, seconded by Council Member Mary Bess Lawing, it was unanimously RESOLVED:

That the bid to provide financing to BB&T Governmental Finance for an amount not to exceed \$734,300 at stated interest rate of 1.71% for 5 years and 1.97% for 7 years be – APPROVED

Upon motion duly made by Council Member John Stiver, seconded by Council Member Wes Weaver, it was unanimously RESOLVED:

That the bid to provide financing to Peoples Bank for an amount not to exceed \$400,000 at stated interest rate of 2.90% for 15 years be – APPROVED

Upon motion duly made by Council Member Wes Weaver, seconded by Council Member John Stiver, it was unanimously RESOLVED:

That the Resolution Approving Financing Terms Based on 5 years amortization be – ADOPTED.

Upon motion duly made by Council Member Wes Weaver, seconded by Council Member John Stiver, it was unanimously RESOLVED:

That the Resolution Approving Financing Terms Based on 7 years amortization be – ADOPTED.

Upon motion duly made by Council Member Wes Weaver, seconded by Council Member John Stiver, it was unanimously RESOLVED:

That the Resolution Approving Financing Terms Based on 15 years amortization be – ADOPTED.

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

B. Presentation of Plaques to Council Member Wayne Dellinger and Mayor Pro Tem Mary Bess Lawing

Mayor Stedman presented outgoing Mayor Pro Tem Mary Bess Lawing with a Plaque of Recognition for four years of service as Mayor Pro Tem and twenty-four years of service as Council Member, for a total of twenty-eight years on the City of Newton City Council.

Mayor Stedman then presented outgoing Council Member Wayne Dellinger with a Plaque of Recognition for sixteen years of service as Mayor and twenty-six years of service as Council Member, for a total of forty-two years on the City of Newton City Council.

Mayor Stedman thanked them both and stated that it was a pleasure to work with them.

Council Member Wayne Dellinger stated that the Newton Merchants had met with Reverend Tutt and that he felt like a compromise has been worked out. He stated that he issued a news release to both newspapers.

**ITEM 8: Recess Meeting of Present Council**

Mayor Stedman recessed the Regular Meeting of the Newton City Council for ten minutes.

**ITEM 9: Administer the Oath of Office to New Council Members**

District Court Judge Robert A. Mullinax, Jr. administered the oaths of office to Mayor Anne P. Stedman and newly elected Council Members Jerry T. Hodge, and Jody M. Dixon.

**ITEM 10: Organizational Meeting of the Council**

A. Election of Mayor Pro Tempore

City Attorney John Cilley explained that per past city practice, City Council Members can nominate someone on the board for Mayor Pro Tem. After all nominations are made, the person with the greatest number of votes will then be Mayor Pro Tem.

Council Member Robert C. Abernethy, Jr. asked if the vote could wait until Council Member Rowe was present. Mayor Stedman stated that there is a quorum and that the vote would be made tonight.

Mayor Stedman asked for nominations for Mayor Pro Tem.

Council Member Jerry Hodge nominated Council Member John Stiver.

Mayor Stedman asked if there were any more nominations. There were none.

As determined with votes by Council Members Jody Dixon, Jerry Hodge and John Stiver it was RESOLVED:

That Council Member John M. Stiver be ELECTED – Mayor Pro Tempore

B. Consideration of the 2016 Regular City Council Meetings Schedule, Workshop Schedules

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

That the 2016 Regular City Council Meetings Schedule be – APPROVED.

**ITEM 11: City Manager’s Report**

**Important Upcoming Dates**

January 5, 2016	City Council Meeting
January 13 and 14, 2016	City Council Workshop
January 19, 2016	City Council Meeting
January 21, 2016	DNDA Annual Workshop

**ITEM 12: Questions and Comments from Mayor and Council**

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

Mayor Stedman congratulated all elected officials and stated that she looks forward to working with them.

**ITEM 13: Adjournment**

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

That the Meeting be – ADJOURNED

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Amy S. Falowski, City Clerk



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Anne P. Stedman, Mayor