

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

**January 6, 2015 – 7:00 P.M.**

The regular meeting of the Newton City Council was held on Tuesday, January 6, 2015 at 7:00 p.m. at Newton City Hall.

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

**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**

Mayor Anne P. Stedman welcomed every one and called the meeting to order.

**ITEM 2:**      **OPENING Invocation – Council Member Tom Rowe and Pledge of Allegiance – Boy Scout Troop 903**

Council Member Tom Rowe led the Invocation and Boy Scout Troop 903 led the Pledge of Allegiance.

**ITEM 3:**      **APPROVAL OF MINUTES FROM THE December 2, 2014 REGULAR CITY COUNCIL MEETING**

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 December 2, 2014 City Council Meeting be –  
APPROVED

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

Upon motion duly made by Mayor Pro Tem Mary Bess Lawing, seconded by Council Member Tom Rowe, it was unanimously RESOLVED:

That Consent Agenda be – APPROVED

- A. Tax Releases
- B. Sewer Adjustments
- C. Consideration of Annual Fire Department Membership Roster and Department Certification for Year 2015
- D. Consideration of Budget Amendment to Recognize Grant from Factory Mutual for the Purchase of iPads and Equipment – Fire Department
- E. Consideration of Budget Amendment for Emergency Replacement of Storm Water Culverts on Ann Avenue

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

**ITEM 5:**        **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).**

Mayor Anne P. Stedman asked if anyone present would like to make any comments concerning non-agenda items. No one appeared.

**ITEM 6:**        **Old Business**

A. Consideration of the Fire Siren

City Manager Todd Clark stated that at a previous meeting City Council expressed a desire to discuss the future of the fire siren.

Council Member Wayne Dellinger stated that he would like for it to stop blowing for medical calls and for car wrecks/fires. He stated that he would like for it to blow at 12:00 noon, and that there is a button that has been there for 40-50 years that can be pushed for an actual fire. He also stated that the fire siren should not blow between the hours of 10:00 p.m. and 8:00 a.m.

Mayor Stedman stated that the siren does not blow at night presently.

Council Member Robert C. Abernethy, Jr. stated that he would be okay with it blowing for natural disasters.

City Manager Todd Clark introduced Fire Chief Kevin Yoder to talk about the siren in its present capacity.

Fire Chief Yoder stated that 7-8 years ago the siren was moved from the old Smithey's building to its current location. He stated that one of the problems with the siren is that firemen cannot hear their radios when a call is dispatched because of the proximity of the siren to the station. Chief Yoder explained that the siren is a mechanical siren much like the sirens on the trucks and that may be what some people are hearing late at night. He stated that the siren hasn't blown at night for the last 10 years or so. Chief Yoder explained that from a public safety standpoint the siren serves no benefit and is mainly used for the benefit of nostalgia. Chief Yoder stated that the problem with sounding the siren for natural disasters as opposed to fires is that the siren is 50-80 years old and that it is activated by a tone issued by the county. He is afraid that anyone could get confused by the tones and it would be possible to accidentally send the wrong tone which would cost precious minutes in an emergency. Chief Yoder did not recommend the use of two different tones for this reason. Chief Yoder stated that there could possibly be a solution that he and IS Director Jason Clay could come up using fiber optics.

Mayor Stedman stated that the siren blows so often that she doesn't even hear it anymore and that she is afraid if others are the same that it could be disregarded in an emergency.

Chief Yoder stated that to buy a new siren would cost in the ballpark of \$14,000 for equipment and \$7-8,000 for labor for a comparable model.

Council Member Wayne Dellinger stated that the city spends money on other stuff. Council Member Robert C. Abernethy, Jr. stated that they are not being asked to spend \$14,000 at this time.

Council Member John Stiver stated that he understands the historical significance and would be fine with reducing the number of times that it blows.

Council Member Abernethy asked Chief Yoder if the firemen press a button when they open the garage door to go to a call. Chief Yoder stated that they did, but that they are not always at the station when a

call goes out. Council Member Abernethy stated that sometimes technology fails and the siren could be needed then. He stated that he can tell staff is not in favor of the siren, but that he is not on Council to do what staff wants.

City Manager Todd Clark reminded Council that staff is not in favor or against, but is just giving information that City Council requested.

Council Member Tom Rowe stated that the siren was great years ago when it was needed, but now the trucks are able to clear traffic. He stated that he is fine with the noon whistle Monday through Saturday and in emergencies that are determined by the Fire Chief.

Mayor Pro Tem Mary Bess Lawing stated that she would like to see it used for emergencies such as tornadoes or natural disasters as well.

Upon motion duly noted by Council Member Wayne Dellinger, seconded by Robert C. Abernethy, Jr., and with Mayor Pro Tem Mary Bess Lawing, and Council Members Wes Weaver, Wayne Dellinger, and Robert C. Abernethy, Jr. voting in favor of; and Council Members John Stiver and Tom Rowe voting against it was RESOLVED:

That the Fire Siren would be turned off between the hours of 10:00 p.m. and 7:00 a.m., that it would blow at 12:00 noon Monday through Saturday, and that if possible a button would be installed to blow for fires and for emergencies as determined by the Fire Chief, effective immediately.

**ITEM 7:**      **New Business**

A. Consideration to Apply for Governor's Crime Commission Grant to be Used to Off-Set the Purchase of Officer Worn Body Cameras

Police Chief Don Brown stated that the Newton Police Department has been studying the feasibility of wearable body cameras for patrol officers for a few years. He explained the department has met with camera engineers and participated in field testing of cameras during events such as the annual Soldiers Reunion Parade and surrounding events. Chief Brown stated the department's community policing platoon has also utilized wearable cameras during routine bike patrol operations. Chief Brown stated the department feels that wearable camera technology has advanced greatly to the point where it is sustainable and reliable.

Chief Brown stated that in October, 2014 the North Carolina Governor's Crime Commission released the latest grant cycle for Criminal Justice Improvement grants which closes on January 31, 2015. The funding cap for this grant opportunity is \$60,000 with a local match requirement of \$15,000 (\$75,000 total).

Chief Brown explained that the Police Department is seeking approval from City Council to apply for the grant that will enable the Department to purchase twenty-four (24) wearable body cameras for a total cost of \$80,000 based on current pricing. In addition to the \$15,000 local match, the City will need to allocate an additional \$5,000 to cover the entire cost of the project, which will bring the City's total expense to \$20,000. This includes all equipment and software resources for three years.

Chief Brown also advised City Council that two (2) additional cameras will need to be purchased in the future and are not part of this proposed grant application. The cameras when purchased will be provided to the High School Resource Officer and the City's Code Enforcement Officer.

Council Member Wayne Dellinger stated that he is worried about people suing by saying that police officers did something wrong according to policies. Chief Brown stated that since having cameras in the police cruisers there have been less complaints against officers.

Council Member Wes Weaver asked if there would be audio as well as video. Chief Brown stated that there would be. Mr. Weaver stated that he would be worried that some things could be taken out of context. Chief Brown stated that the cameras must be turned on when the officer gets out of the car.

Mayor Pro Tem Mary Bess Lawing stated that she feels this is a win/win and that it protects the citizens and the officers.

Council Member Robert Abernethy asked how long the police department has been testing these cameras. Chief Brown stated that it has been close to three years, and that the cameras have really come a long way and that their size has been greatly reduced. Mr. Abernethy asked if the cost and the maintenance has stayed the same. Chief Brown stated that he was not sure about that, but that the pricing that he has now is 2015 pricing and that it will not go down. Mr. Abernethy asked how many complaints against officers are filed in a year. Chief Brown stated that there are probably 25-30 per year.

Mayor Pro Tem Mary Bess Lawing made a motion to Apply for the Governor's Crime Commission Grant to be Used to Off-Set the Purchase of Officer Worn Body Cameras, a second was made by Council Member Tom Rowe.

Council Member Robert C. Abernethy, Jr. stated that the city just had a tax increase, is losing \$300,000 in property tax revenue, and that these cameras are not even mandated yet. He stated that Council is always looking to save money, but that \$20,000 is spent here and \$20,000 is spent there and it's just too much. Mr. Abernethy stated that there are cameras everywhere we go.

Mayor Pro Tem Mary Bess Lawing stated that she would rather act now than to be reactive. Council Member Wes Weaver agreed. Council Member Abernethy stated that when the mandates come through then the cost will start coming down and be cheaper in 3-5 years, and cities will probably be given 3-5 years to cooperate. He stated the city shouldn't spend when it doesn't have to.

Council Member Tom Rowe stated that Conover has approved the cameras and that Hickory has already ordered them.

Council Member John Stiver asked if the camera feed would be streaming. IS Director Jason Clay stated that it would be.

Brian Harding stated that he has a background in technology and that he feels like the city could be walking the line because this kind of technology could be used for good things or for bad things. He stated that the integrity of police officers should be to encourage integrity in others.

With Mayor Pro Tem Mary Bess Lawing, and Council Members John Stiver, Wes Weaver, Wayne Dellinger, and Tom Rowe voting in favor of; and Council Member Robert C. Abernethy, Jr. voting against, it was RESOLVED:

That Consideration to Apply for Governor's Crime Commission Grant to be Used to Off-Set the Purchase of Officer Worn Body Cameras be - APPROVED

**ITEM 8: City Manager's Report**

- Update on Fire Department
- Update on City Reservoir
- City Council Staff Workshop – February 18<sup>th</sup>, 19<sup>th</sup> or 20<sup>th</sup>

Mayor Stedman stated that after discussion with City Council it has been determined that the workshop will be for one day only. Mayor Stedman asked City Council which day would be best for each of them. City Council agreed to February 20<sup>th</sup> for the City Council/Staff Workshop.

- January 12<sup>th</sup> Public Forum – Streetscape, 7:00 p.m. in Council Chamber

- February 19<sup>th</sup> – Annual BAC Meeting, 5:00 – 7:00 p.m. Old Post Office Playhouse
- March 5, 12, 19, and 26<sup>th</sup> – Public Input Sessions for the Strategic Plan, 5:30 – 7:00 p.m. Council Chambers
- April 23, 2015 – WPCOG Annual Meeting, 6:30 at Crowne Plaza
- Main Street Program Manager – Rob Powell

City Manager Todd Clark stated that Rob is now in the position of the Main Street Program Manager, and that the city is currently working to negotiate office space downtown for Mr. Powell.

- Marketing Plan, website, and economic development efforts update
- Customer Service Initiative Consultant

**ITEM 9: Questions and Comments from Mayor and Council**

Mayor Stedman asked the City Council if they had any comments. There were none

**ITEM 10: Closed Session to Consult with the City Attorney – G.S. 143-318-11(a)(6)**

Mayor Stedman stated that at this time that City Council Move to Closed Session to Consult with the City Attorney per G.S. 143-318-11(a)(3)

City Council Returned to Open Session

**ITEM 11: Adjournment**

Upon motion duly made by Council Member Robert C. Abernethy, Jr., seconded by Mayor Pro Tem Mary Bess Lawing, the meeting was ADJOURNED.

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Amy S. Falowski, City Clerk




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Anne P. Stedman, Mayor