

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

**January 3, 2012 – 7:00 P.M.**

The regular meeting of the Newton City Council was held on Tuesday, January 3, 2012 at 7:00 p.m. in the Council Chambers at City Hall.

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

**STAFF:** City Manager Todd Clark, City Attorney Larry Pitts, City Clerk Amy S. Falowski, City Department Heads, and members of the Management Team.

**ITEM 1:      CALL TO ORDER – Mayor Anne P. Stedman:**

Mayor Anne P. Stedman welcomed everyone, and called the meeting to order.

**ITEM 2:      OPENING – Council Member Tom Rowe**

Council Member Tom Rowe provided the invocation and led the Pledge of Allegiance.

**ITEM 3:      APPROVAL OF MINUTES FROM THE DECEMBER 13, 2011 REGULAR CITY COUNCIL MEETING:**

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

That the Minutes of the December 13, 2011 Regular City Council Meeting be – APPROVED.

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

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

That Consent Agenda be – APPROVED.

- A.      Consideration to Ratify “Piggyback” Awards
- B.      Consideration of Annual Fire Department Membership Roster And Department Certification for Year 2012

**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 there was anyone present that would like to make any comments concerning non-agenda items.

No one appeared.

**ITEM 6:**      **Old Business:**

A.      Downtown Historic District Update & Public Meeting

Rob Powell, Commercial Development Coordinator, stated that Ms. Ann Swallow of the State Historic Preservation Office (SHPO) made a presentation to the City Council and interested citizens on October 19, 2010 concerning the possible establishment of a National Register Historic District for the downtown area. Mr. Powell stated that at that meeting, staff was directed by Council to obtain proposals for preparation of a study list application and nomination for National Register District designation. He explained that City Council approved the execution of a contract with Acme Preservation Services for the preparation of a National Register Nomination at the December 8, 2010 Council Meeting.

Mr. Powell stated that at a meeting in Raleigh on February 10, 2011, the National Register Advisory Committee (NRAC) approved the addition of the Newton Downtown Historic District to the National Register Study List, making it possible for the City to pursue a formal registration.

Mr. Powell explained that the Downtown Newton Historic District National Register draft nomination has been reviewed by the State Historic Preservation Office and that the City's historian, Acme Preservation Services, completed final map and text revisions during December of 2011. Mr. Powell stated that the Newton Downtown Historic District nomination will be on the agenda of the NRAC at its February 9, 2012 meeting, and that staff anticipates approval at that meeting. He stated that prior to the NRAC meeting, the City must publish a legal notice in a local newspaper and must hold a public information meeting which has been set for 5:30 p.m. on Monday, January 23, 2012 in the Council Chambers. Mr. Powell stated that the meeting will be conducted by Ms. Ann Swallow of the State Historic Preservation Office and by Mr. Clay Griffith of Acme Preservation Services. Mr. Powell explained that the purpose of this public information meeting will be to review the benefits of establishing a National Register historic district, to describe the process for establishing a National Register historic district, to describe the final boundary of the proposed Downtown Newton Historic District, to note the non-contributing properties, and to describe the significance of the "contributing" versus "non-contributing" status. Mr. Powell stated that a brief history of the Downtown Newton Historic District and its architecture will be presented as well.

Mr. Powell stated that no action was required by City Council at this time.

**ITEM 7:**      **New Business:**

A.      Recommendation from Recreation Committee Concerning City Pool

Robert Coulter, Parks and Recreation Commission Chairperson, stated that the City Council appropriated \$85,250.00 in the FY 2012 budget for the operation of the city swimming pool. This includes \$17,400.00 to purchase and install equipment required to meet new standards enforced through the Americans with Disabilities Act. Mr. Coulter stated that after making the decision to operate the pool this fiscal year, members of the City Council asked staff to meet with the Recreation Commission so that they could make a recommendation on whether to permanently close the pool or continue operations.

Mr. Coulter explained that the Newton Recreation Commission met on December 12, 2011, and discussed the swimming pool at great length. He stated that the Recreation Commission's concerns were: (1) whether or not the Department had purchased the required equipment to meet the ADA mandate, (2) whether the City Council will approve funding for the operation of the swimming pool in the FY 2012 Budget, and (3) whether or not the money appropriated could be better spent in the Recreation Department to upgrade existing facilities and/or programs if the

City Council chooses not to continue swimming pool operations. Mr. Coulter added that after extensive discussion, the Recreation Commission was not able to make a formal recommendation to City Council concerning the future operation of the pool.

Mr. Coulter stated that the Recreation Commission, while a majority of the Commission supports the pool and its continued operation, needs direction from City Council regarding operation of the pool as certain purchases will need to be made by March of this year to comply with the Americans with Disabilities Act. He stated that these purchases include a new ADA compliant swimmer lift system as well as a new ADA compliant set of steps/ladder or ramp.

Mayor Anne Stedman asked if the 1,800 visitors to the pool in 2011 included repeat visitors. Mr. Coulter stated that yes, and that it included day camps, however not as many as in past years due to the late opening of the facility.

Council Member Mary Bess Lawing stated that she would like to see the pool opened earlier this year in order for more day camps to be able to enroll. Council Member Wes Weaver asked if there was a big difference between the number of camps from previous years. Recreation Director Sandra Waters stated that yes, there was and that Community Schools was one of the biggest camps that did not come this past year, and that they would need to know by March if the pool would be opened. Ms. Waters also commented that day care attendance is down in general.

Council Member Mary Bess Lawing stated that the City of Newton pool is a great pool and that everybody should have the opportunity to use it.

City Manager Todd Clark stated that it would cost \$68,000 to \$70,000 plus \$17,400 for ADA upgrades to open and operate the pool this season. Ms. Waters stated that the pool would also need to be caulked at a cost of \$2,500. Mayor Stedman asked if there would be any more mandatory regulations in the future. Ms. Waters stated that future needs of the pool include a possible new filtration system drain by 2014 if the current one does not pass inspection, new shower stalls in the next two to three years, and new lounge chairs and umbrellas.

Mayor Stedman asked the Council if they would like to discuss the matter of opening the swimming pool. Council Member Mary Bess Lawing stated that she felt like it was a quality of life issue. Council Member Robert C. Abernethy, Jr. stated that it costs \$70,000 to open the pool and that in the last census the city had around 14,000 people. At about \$5 a person, he didn't feel like that was too steep to give the pool at least one more year. Mayor Stedman asked Council Member Abernethy if he supports the opening of the pool, and he stated that he did.

Council Member Bill Lutz stated that the pool is great, but that other recreation programs are bursting at the seams and he would like to see money go toward some of these programs too. Mr. Lutz stated that there are no facilities for some of the ball teams to practice in and he asked Ms. Waters if there are other ways in which the city could serve children with these programs. Ms. Waters stated that yes, all programs are growing. Council Member Mary Bess Lawing asked why, if that many teams need space, the Council is just hearing about it now. She stated that the pool should be opened because it meets a certain need in the city. Council Member Wayne Dellinger stated that he felt like \$70,000 was being spent for 800 to 1,000 people as opposed to helping other programs that could use the money. Council Member Abernethy stated that 14,000 people have the opportunity to use the pool, and that it is not about making money.

Council Member Wes Weaver asked about a future water park, and stated that he would like to table the matter in order to give staff time to explore other alternatives such as the splash park.

Council Member Mary Bess Lawing made a motion to open the pool for the 2012 season. The motion was seconded by Council Member Robert C. Abernethy, Jr.

Mayor Stedman asked if there was any more discussion.

Council Member Bill Lutz stated that the pool is not going to get any cheaper, but that he thinks it is a great thing for the city to offer. He also stated that he would like to look closely at the other sports programs that are offered by the Recreation Department and see what their needs may be in the coming year. Council Members Mary Bess Lawing and Wayne Dellinger agreed that they would like to see a plan for the future sports programs.

It was RESOLVED in a 5-1 vote, with Council Member Wayne Dellinger voting in opposition,

That the Newton City Pool be OPENED for the 2012 season.

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

- Burriss Road Pump Station gravity line should be finished by the end of February
- Sewer line project on North College Avenue complete
- Asplundh is doing tree trimming in South Newton for the next 30 days
- The city will begin replacing street signs to meet Federal size and reflectivity regulations
- Leaf collection nearly complete
- The Water/Sewer study is under way with McGill
- Red Flag Requirement renovations will be taking place in the Finance Department for the next 4-6 weeks
- Economic Development will become a function of the Administration Department
- Planning Director applications are being reviewed and the position will hopefully be filled by the end of February or beginning of March
- January 24<sup>th</sup> at 6:30 p.m. is the WPCOG annual meeting at the Crowne Plaza
- January 11<sup>th</sup> is the Chamber of Commerce Job Summit

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

There were none

**ITEM 10: Adjournment:**

There being no further business, upon motion duly made by Council Member Mary Bess Lawing, seconded by Council Member Tom Rowe, 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

