

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

**March 18, 2014 – 7:00 P.M.**

The regular meeting of the Newton City Council was held on Tuesday, March 18, 2014 at 7:00 p.m. at the 1924 Courthouse.

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

**STAFF:** City Manager Todd Clark, City Clerk Amy S. Falowski, Assistant City Manager Sean Hovis, City Attorney John Cilley, Public Information Officer Julie Chang, 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 – Council Member Wes Weaver**

Council Member Wes Weaver led the opening prayer and Pledge of Allegiance.

**ITEM 3:      APPROVAL OF MINUTES FROM THE March 4, 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 March 4, 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 Budget Ordinance Amendment to Recognize Festival and Events Contributions
- D. Consideration to Adopt Resolution – Certificate of Achievement, Newton-Conover High School Men’s Golf Team State 2A Champions
- E. Consideration of Appointment to the Parks and Recreation Commission – Frances Inscoe
- F. Proclamation – March is American Red Cross Month
- G. Presentation of Grant Funds to Carolina Vines

(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:**      **Presentation – Teen Leadership**

Mayor Stedman introduced the students that made up this year's Teen Leadership Newton Program. She explained that 12 students were from Newton-Conover High School, and 6 were from the Discover High School.

City Manager Todd Clark stated that the goal or objective of the program is to encourage high school students to take on leadership roles and explore their capabilities.

Mr. Clark explained that the students were divided into three groups according to topics, and two of the groups made a presentation to City Council. The third group did not present because some of the students had prior commitments.

Mayor Stedman thanked the Teen Leadership Newton group and stated that City Council and Staff appreciated their time and effort.

**ITEM 7:**      **New Business**

A. Presentation – Medical First Response

Fire Chief Kevin Yoder stated the City of Newton Fire Department provides fire protection services to approximately 13 square miles of municipal area and serves a population of approximately 13,000, and provides Fire Protection to approximately 25 square miles of rural area and serves a population of approximately 7,500 within that area.

Chief Yoder explained the Fire Department responded to 1,183 emergency incidents during the calendar year 2013 and that those incidents included: fires, false alarms, automobile accidents, medical calls and rescues. Chief Yoder said the Fire Department currently serves as a backup for Emergency Medical Incidents within the City of Newton as well as the Newton Rural Fire District. In this role, firefighters respond as Medical First Responders. This results in approximately 200 - 250 calls annually, including automobile accidents.

Chief Yoder stated if the Fire Department were to respond as Medical First Responders in a primary role it would result in an additional 900 incidents within the City of Newton and/or 200 incidents within the Rural Fire District annually (approximately). This response would be in addition to Catawba County EMS. Chief Yoder explained Medical First Responders provide initial medical care while awaiting the arrival of EMS personnel and that Catawba County EMS personnel provide the transportation to Medical Facilities.

Chief Yoder stated that city staff has confirmed with the City's insurance provider that adequate insurance coverage exists if the city chooses to provide Medical First Response on a primary basis.

Chief Yoder stated that Council has discussed MFR during annual planning workshops in 2013 and 2014 and that this service has been listed as a Council goal in each of the last two years.

Council Member Wes Weaver asked if the city responds to 25-26 calls per day. Chief Yoder stated that some days it is 10-15, and some days it is none. Council Member Weaver asked if the city is prepared to take on the 900 additional calls that this could bring. Chief Yoder stated that they are. Council Member Weaver stated that his concern is not the training of the firefighters, but the sheer volume of the calls.

Council Member Wayne Dellinger asked why not just leave things the way they are. Chief Yoder stated that the time it takes dispatchers to realize there is no one available or close to a call, could be the difference in the time it would take to save someone's life. Council Member Dellinger stated that this was taking on an unknown expense. Mr. Dellinger stated that it is not the city's responsibility to run Medical First Response, that it is the county's obligation. He stated that if four people were at a fire call, then they wouldn't be at a fire call if needed. Chief Yoder stated that each Medical First Response call would take approximately 14-15 minutes, and that fire calls are the number one priority.

Mayor Stedman asked if the fire department is already responding to these calls. Chief Yoder stated that they are.

Mayor Pro Tem Mary Bess Lawing asked how many people normally respond. Chief Yoder stated between 2-4.

Council Member John Stiver asked what the average response time is. Chief Yoder stated 4 minutes.

Council Member Wes Weaver stated that it seems like two men in a pick up truck would have better response than they would in a fire truck. Chief Yoder stated that would cut response time for the firefighters if there was a fire and they had to swap back to the fire truck.

Council Member Wayne Dellinger asked if there was a problem with the rescue squad not responding. Council Member Tom Rowe stated that the rescue squad does a great job, but he believes the city can get there faster and the city's people are already trained. Council Member Dellinger asked if new vehicles will wear out faster and have to be traded sooner based on hours used. Fire Chief Kevin Yoder stated that vehicles are traded based on years of service not hours used and that won't change.

Council Member Robert Abernethy asked if the purpose for the city to provide Medical First Response is based on having more locations and therefore responding quicker. Council Member John Stiver stated that he thinks so because the stations are manned 24 hours, 7 days a week. Council Member Wayne Dellinger stated that an ambulance would still be dispatched.

Chief Yoder stated that the city is not proposing replacing an agency, just enhancing their services with the fire department's help. Council Member Wayne Dellinger stated that he thinks that the city needs to talk to the county officials about them providing better services.

Council Member Robert Abernethy stated that we are already providing the services. Chief Yoder stated that the fire department helps on an on call basis if the rescue squad needs help, which takes more time than if the fire department was dispatched initially. Mr. Abernethy asked how many vehicles the rescue squad has. Chief Yoder stated that there were 6. Mr. Abernethy stated that this is the county's responsibility. Council Member Wayne Dellinger agreed and stated that the county is responsible for providing first responders. Council Member Tom Rowe stated that it is the city's responsibility to give the residents of Newton the best service possible. Mayor Pro Tem Mary Bess Lawing agreed and stated that there is no time to waste if someone is having a heart attack.

Council Member Robert Abernethy asked why the city couldn't offer to share space in one of our locations with the rescue squad so that they could respond quicker. Chief Yoder explained that they still only have 2 people, at best, on duty to cover their jurisdiction. Council Member Abernethy stated that they were making a lot of assumptions on their behalf.

Mayor Pro Tem Mary Bess Lawing stated that when she fell, the fire department was the first to respond. Council Member Wes Weaver asked why that was, and what constitutes the fire department going out

now. Chief Yoder explained that if the paramedics or rescue is tied up then the fire department automatically is dispatched.

City Manager Todd Clark asked if the instant call volume was 924 inside and 197 rural, and Chief Yoder stated that is how many calls the fire department would have answered if it was instantly dispatched.

Council Member Robert Abernethy asked why there was a need to offer redundant services, that maybe the rescue squad needed the city to help them voice their concerns to the county.

Council Member Tom Rowe made a motion that the City of Newton Fire Department Provide Medical First Response inside the City Limits of Newton Only.

Council Member Wayne Dellinger asked Council Member Rowe if he would be willing to amend his motion to state that the city would provide Medical First Response for two years, and then reevaluate. Mr. Dellinger stated that if the city determines in two years that it's too expensive, then it can be stopped. Mr. Rowe stated that the board can stop it any time that they wish, but he feels like this is a service the citizens need. Mr. Dellinger stated that if it's a good thing then the board could vote in two years to continue. Council Member Robert Abernethy stated that he wishes the city could have an open discussion about the matter with the county, and that he agrees with Mr. Dellinger's idea to give it two years. Council Member Wes Weaver stated that he too had no problem putting a time limit on the decision. Council Member Rowe stated that he is leaving his motion as is.

Mayor Pro Tem Mary Bess Lawing seconded the motion made by Council Member Tom Rowe that the City of Newton Fire Department Provide Medical First Response inside the City Limits of Newton and that the Fire Department is Dispatched at the Same Time as the Other Agencies.

With Council Members John Stiver, Tom Rowe, and Mayor Pro Tem Mary Bess Lawing voting in favor of, and Council Members Wes Weaver, Wayne Dellinger and Robert C. Abernethy, Jr. voting against; Mayor Anne P. Stedman voted to break the tie in favor of and so it was RESOLVED:

That City of Newton Fire Department Provide Medical First Response Inside the City Limits of Newton and that the Fire Department is Dispatched at the Same Time as the Other Agencies.

#### B. Appearance Commission Report

Collette Touchette, Appearance Commission Chairperson, gave a presentation highlighting some of the things that the Appearance Commission has been working on. A list of their Goals and Activities were:

- Enhance Public Relations
- Promote Communications/Education
- Oversee Christmas Decorations
- Manage Special Projects
- Perform Annual Downtown Audit
- Enhance City Landscaping
- Contribute to City Beautification
- Be more involved with other Boards and Agencies
- Execute Awards Programs

Ms. Touchette provided City Council with a hand out and presented a PowerPoint to illustrate how the Appearance Commission plans to carry out these goals.

Council Member Wes Weaver asked if the Hwy 10/16 median would contain just plants. Ms. Touchette stated that there would be shrubs and flowers. Mayor Pro Tem Mary Bess Lawing asked when that project would start. Ms. Touchette stated that it is approved by NCDOT, and that the Appearance Commission is waiting on the money.

Mayor Stedman thanked Ms. Touchette for the Commission's hard work.

### C. Streetscape Report

Economic Development Coordinator Rob Powell gave a brief Streetscape report.

Mr. Powell stated that Newton's streetscape vision goes back at least to the year 2002, when City staff noticed that two groups were separately working on improvements to the appearance of the downtown area. City staff suggested a collaborative meeting, and on August 13, 2002, the Downtown Newton Development Association and the Newton Appearance Commission met to form a subcommittee for the purpose of developing a Master Plan for downtown improvements. Mr. Powell stated that there was a gap in the progress after 2004, and a new committee was established in 2008 to complete the in-house streetscape plan. This Streetscape Master Plan Committee drafted the Downtown Newton Streetscape Master Plan, and that plan was formally adopted by Newton City Council at its July 13, 2010 meeting.

Mr. Powell stated the Streetscape Master Plan Committee, in the final Master Plan Report, recognized that implementation of the plan would span several years and that additional design work would be needed to further define the plan. He explained that the Streetscape Master Plan included a recommendation that a review committee be established to oversee the process of implementation, to review any city-controlled construction plans for adherence to the adopted plan, and to recommend future modifications to the plan. Mr. Powell stated Newton City Council approved the establishment of a Streetscape Master Plan Review Committee at their December 14<sup>th</sup>, 2010 meeting.

Mr. Powell stated the last three years presented a few opportunities to incorporate some of the ideas in the Streetscape Master Plan, mostly sidewalk replacement projects where the brick paver borders could be installed. Sidewalks around the Old Post Office Playhouse, on East A Street at First Citizens Bank, and on West 2<sup>nd</sup> Street between Main and Ashe have been improved with brick paver borders. In working with these projects and while studying actual projects in neighboring communities, the Committee came to the conclusion that a professional urban designer would be needed to add the detail for more extensive improvements.

Mr. Powell stated the Streetscape Master Plan Review Committee recently completed the process of reviewing Statements of Qualifications for five urban design firms, and recommends that Allison Platt and Associates of Goldsboro, NC be engaged to prepare a detailed design plan for the downtown Newton streetscape project.

Mr. Powell explained that the project scope of the 2010 Downtown Newton Streetscape Master Plan covers the area from D Street north to 5th Street. Several of the city's committees and past studies have noted the need for redevelopment in the North Newton area. Many of the design firms interviewed for the streetscape design project noted this as well. With the plans for a Southeastern Narrow Gauge and Shortline Railroad Museum in North Newton, spearheaded by the Newton Depot Authority, the need for a coordinated redevelopment plan for North Newton has also become even more apparent.

Mr. Powell stated city staff is currently drafting a scope of work for design services from Allison Platt and Associates for both the downtown streetscape design and a coordinated master plan for North Newton. According to the designer, there will be cost efficiencies gained by conducting both projects simultaneously. Mr. Powell stated the costs for completing each study will be brought to Council for consideration during the 2014-2015 fiscal year budget discussions.

Council Member Tom Rowe asked if City Council could be provided a copy of the presentation. Mr. Powell stated that he would make sure that received a copy as soon as possible.

Mayor Pro Tem Mary Bess Lawing stated that the city needs to be talking to people about grants for this project now that there will be a plan in place. Mayor Stedman stated that Allison Platt has applied for and received grants that Mayor Pro Tem Lawing is referring to. Mayor Pro Tem Lawing stated that the city needs to aim high.

#### D. Consideration of the Sale of Real Property

- 1) 11.97 acres on S NC 16 Bus Hwy
- 2) N Ashe Ave

City Manager Todd Clark stated the City presently owns numerous parcels of land for various reasons and purposes. Mr. Clark explained in some cases, land owned by the City is of no practical use and serves no purpose in carrying out the delivery of services to the public. Mr. Clark stated staff has identified two parcels that Council may want to declare as surplus and sell according to the laws of the State of North Carolina.

Mr. Clark stated the first parcel is located on South NC 16 Business Highway and was once considered as the new location for our Fire Headquarters. He stated in consideration of the recent decision to construct the new headquarters at a different location and that we have not identified any other reasonable use of the property, the staff recommends that it be sold.

Mr. Clark stated the second parcel of land is located at 1000 North Ashe Avenue and is presently a vacant lot. Mr. Clark explained this very small parcel (0.05 acres) was acquired by the City through a foreclosure proceeding for the purpose of demolishing a structure that posed an eminent threat to the health, safety and welfare of the public. Mr. Clark stated the structure has in fact been demolished and has no practical use by the City.

City Attorney John Cilley outlined the methods of selling surplus property as defined by North Carolina General Statutes. 1) Auction; 2) Sealed bids; or 3) Negotiated sale. Mr. Cilley recommended that the city use the third option which would be negotiated sale.

Mr. Cilley stated that this Resolution would authorize the City Manager to enter negotiations with interested buyers; but that it would ultimately come back to Council for a final decision.

Mayor Pro Tem Mary Bess Lawing asked if Council could reject the offer if it was not what the city wants. Mr. Cilley stated that they could reject any offer that wanted to.

Council Member Wayne Dellinger asked if Council could go in to closed session at some point to discuss a price that would suit them for the manager to agree to. Mr. Cilley stated that they could. He explained that the City Manager just needed authorization at this point to move forward. City Manager Todd Clark stated that it was his intention to bring any offers to City Council in closed session. Mr. Cilley stated that the resolution could be adopted tonight and that City Council could hold a closed session at the next meeting.

Mayor Pro Tem Mary Bess Lawing made a motion to adopt the resolution declaring surplus property; Council Member Tom Rowe seconded the motion.

Council Member Wes Weaver stated that he would like to keep the property located near Food Lion. He stated that Public Works will need a facility in the future and the city already owns this property. Mr. Weaver stated that the city paid a lot for the property, and that it was worth a lot less. Mr. Weaver stated that he would vote to get rid of the property on N Ashe Ave. Mayor Pro Tem Mary Bess Lawing agreed, and would like to look in to future use of the property near Food Lion. City Attorney John Cilley stated that if there was consensus, Council could keep the 11.97 acres and amend the Resolution to just sell the property on N Ashe Ave.

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

That Resolution – Declaring Surplus Property – Upon being Amended to Remove the 11.97 Acres Located on S NC 16 Bus Hwy 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**

- Friday, March 21 – 11:30 a.m. at Fire Station 2 – Fire Dept. Chili Cook off – Need 3 Judges
- Saturday, March 22 – 10 a.m. Employees Basketball Tournament at the Newton Rec Center
- Saturday, March 22 - Men's Spring Fling Softball Tournament at Jacob Fork Park.
- (Next Week) March 24-28 – Cemetery Spring Clean Up week
- Tuesday, March 25 – We'll be sending a team to the Newton Conover Education Foundation's Red Hot Spelling Bee. Team members are Tammy Bentley, Julie Chang, Brandon Elrod and Molly Phipps.
- Sunday, April 13 – Easter Egg Hunt begins at 2 p.m. at Southside Park
- Our Tree Board will recognize Arbor Day, on Saturday April 26<sup>th</sup> at Southside Park at 10:00 a.m.
- Leaf compost and a limited amount of chipper mulch is available for free at the Boston Road facility. The public can pick up compost or mulch from 8 a.m. to 5 p.m. Thursday through Saturday and the giveaway continues until the city runs out of material.
- The City Wide Yard Sale is Saturday, April 12 from 7 a.m. to noon. Yard sales will be held at individual properties simultaneously. To register your location, contact the Festival and Events group.
- The Citizens Police Academy returns this year and runs from 6-8 p.m. Tuesdays April 29 to June 10. Registration is required by April 14.
- The City staff will make a presentation on Smart Grid Project at our next City Council meeting.
- Update on Washington DC Trip
- City Logo

Mayor Stedman stated that she felt like the decision made at the Council/Staff Workshop concerning the logo may have been made in haste. She stated that she would like to give Council more time to consider options for the logo. Mayor Stedman stated that she would like for each design firm to submit a vendor application, and for each firm to only submit one design each. She explained that if Council is presented with too many options, she is afraid a decision will not be made. Mayor Stedman stated that she would like to see an updated, progressive font; and that it would not be used for branding. Mayor Stedman stated that the design firm would need to understand upfront that the City of Newton would own all rights to the chosen logo. Mayor Stedman stated that she would like to have all logo designs submitted by the first City Council Meeting in May.

City Manager Todd Clark clarified that the City is not asking the public to bring designs. Mayor Stedman stated that this is correct and that the Council still has the designs from planning as well.

City Attorney John Cilley stated that a motion and seconded would be needed to rescind the action taken at the workshop to adopt the logo.

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

That Action Taken at the City of Newton's Council/Staff Workshop to Adopt the City of Newton Logo be – RESCINDED.

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

Mayor Anne P. Stedman asked if any Council Members would like to make any comments. There were none.

**ITEM 10:     Adjournment**

Upon motion duly made by Council Member Wes Weaver, seconded by Council Member John Stiver the meeting was ADJOURNED.

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Anne P. Stedman, Mayor

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Amy S. Falowski, City Clerk

