

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

May 6, 2014 – 7:00 P.M.

The regular meeting of the Newton City Council was held on Tuesday, May 6, 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, 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 – Mayor Pro Tem Mary Bess Lawing

Mayor Pro Tem Mary Bess Lawing led the opening prayer and Pledge of Allegiance.

ITEM 3: APPROVAL OF MINUTES FROM THE April 1, 2014 REGULAR CITY COUNCIL MEETING

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

That the Regular Minutes of the April 1, 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 Robert C. Abernethy, Jr., it was unanimously RESOLVED:

That Consent Agenda be – APPROVED

- A. Sewer Adjustments
- B. Proclamation – Arbor Day, April 24, 2014
- C. Proclamation – April is Child Abuse Prevention Month

Mayor Stedman also recognized the week of May 4-10, 2014 as Municipal Clerk’s Week, and May 18, 2014 as Unity Day. Mayor Stedman presented Polly Pearson with the Unity Day Proclamation.

(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.

Mr. David B. Collins Sr., of Shooters' Sanctuary LLC gave a project review on his proposed shooting range.

Mr. Collins stated that he initially briefed Newton City Council in February 2013 a shooting range located in a portion of the Carolina Mills Building located at 935 N Main. Mr. Collins stated that he would like to have a future discussion focused on a proposed amendment that would allow gun and ammunition sales/ammunition manufacturing and assembly and indoor shooting ranges as permitted uses in the M1 districts.

Mr. Collins stated that he felt like the City Council had reached a consensus on the following points;

- Safety would be addressed under stated building codes
- City noise ordinance would address noise concerns
- EPA/OSHA standards would regulate environmental impact
- City ordinance 66-3 (discharge of firearms, explosives, etc.) would require a separate hearing to amend the city code

Mr. Collins said other things discussed were the 1,000' proximity issue, noise generated by shooting range, and firing range ballistic safety issues such as baffling, building construction, etc.

Mr. Collins explained that the planned use of the building is a 25 yard pistol range, ammunition production, retail sales of guns/ammunition/tactical items, and classroom training.

Mr. Collins stated that the proposed building is under contract and that partial demolition of the building (approximately 70%) is pending. He stated that the second edition of architect plans has been submitted for revision, and that he has reviewed customer/community safety issues as well as community benefits. Mr. Collins explained that his plans hinged on the plans that the city has for the North Newton development, the 1,000' proximity issue, the ordinance revision for discharge for firearms within the city limits and single site ammo manufacturing and sales.

Mayor Stedman stated that staff should take these issues to the Planning Commission and report back to City Council. Council Member Abernethy stated that he would like to be clear on the clearance required from a school, and that Council will have to figure out the issue of discharging a firearm within the city limits and single site ammo manufacturing and sales.

ITEM 6: Old Business

A. Consideration of City of Newton Logo

Mayor Stedman stated that at the March 18, 2014 Council Meeting she asked that logo designs be submitted to City Council at the first May meeting.

Presentations were made by Mayor Pro Tem Mary Bess Lawing, Council Member Robert C. Abernethy, Jr., and Josh Cummings.

Mayor Stedman asked if there was also a picture of the logos that were previously discussed at the Council/Staff Workshop. City Manager Todd Clark stated that there was, and asked Assistant City Manager Sean Hovis to distribute a copy to City Council.

Council Member Robert C. Abernethy, Jr. stated that he thinks it is important to be able to read the sign and logo as you are driving.

Council Member Wayne Dellinger stated that he could live with either #2 or #3 from the original list of logos that was presented.

Mayor Stedman stated that the logos that have been presented at tonight's meeting are innovative. Council Member John Stiver agreed and said that they were all very good.

Council Member Mary Bess Lawing stated that the new logo needs to have a progressive font, a tag line, and that the logo she presented, designed by Elliot Designs, could be used horizontally and vertically. Council Member Robert C. Abernethy, Jr. stated that he really likes Mr. Elliot's design as it shows a symbol of Courthouse Square that will be recognized by someone from out of town. He stated that he liked it better than any design that has been presented.

Mayor Stedman stated that she is drawn to the logo presented by Josh Cummings. She stated that it is easy to recognize.

Council Member Wayne Dellinger asked if there would be any charge for the design. Mayor Stedman stated that the city would own the design. Council Member Robert Abernethy stated that the city should pay even if there is no charge, and that logos that his company has purchased are usually in the \$500 to \$1,000 range. Council Member Dellinger stated that the city is just spending money again. Mary Bess Lawing stated that the city needs to be progressive, and that it is time for a change.

Mayor Stedman stated that City Council should consider the logos and discuss again at the second meeting in May. Council Member John Stiver stated he liked the way the Courthouse Square was portrayed in the Elliot Design logo, and that the tag line on the Josh Cummings logo was a quicker, easier read.

Council Member Wayne Dellinger asked how much the logo designs would cost. Mayor Stedman stated that could be discussed at the next meeting.

ITEM 7: New Business

A. Presentation of Fiscal Year 2014-2015 Budget

City Manager Todd Clark reviewed his message to the Council on the Fiscal Year 2014-2015 Budget.

Mayor Stedman reviewed the Budget Work Session schedule which includes the following dates: May 8th, 13th, and May 15th. Mayor Stedman thanked staff for their hard work and for presenting such a conservative budget.

ITEM 8: City Manager's Report

- May 1 – Medical First Response began in the city limits of Newton
- May 8, 13th and 15th – Budget Workshop, at the 1924 Courthouse located at 30 North College Ave., at 5:30 p.m.
- May 17 – Newton-Conover Rotary Club Car Show in downtown Newton. Begins at 9:00 a.m. Awards at 3:00 p.m.
- May 17 – Cruisin' Newton by Festival and Events. Event begins at 4 p.m. with live music beginning at 6 p.m. Sponsored by Richie's Rides and Carolina Vines. These events will happen the third Saturday of every month until October, except in August.
- May 18, 2-4 p.m. – Unity Day Celebration at Newton-Conover Auditorium. Performers: musical selections from Word of Life Choir and Molly Underwood and dances from Samantha Tucker, Ardnt Middle School Step Team, Challenger Hmong Dance Troupe, and Challenger Raza Latina Dance Troupe. International food follows the program.
- May 27 – WPCOG Policy Board Meeting at the Foothills Higher Education Center, Room 148 in Morganton at 6:00 p.m.
- Police Department Police Academy began April 29th and will continue until June 10th. This year there are 20 participants enrolled.
- June 5th – Renwood Mills will be having Southern Biscuit Day from 7:00 a.m. until 12:00 p.m. Renwood Mills will also be looking for the most original biscuit recipe for the Fourth Annual Southern Biscuit Day Bake-off
- Soldiers Reunion – Activities/Updates
- Streetsweeper Update

- Shannonbrook Project 80% Complete
- Snowcreek Project 50% Complete
- South Side Elementary School Sidewalk Job Update
- Update on Fire Department

ITEM 9: Questions and Comments from Mayor and Council

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

Council Member Robert Abernethy asked about the ordinance having to do with off premise alcohol use, such as beer gardens for businesses such as Carolina Vines. Mayor Stedman stated that no formal request has been received by the city from Carolina Vines. Council Member Dellinger asked if the Ordinance says that a private business can do this or only a non-profit. Chief Don Brown stated that it has to be a non-profit. City Attorney stated that it cannot be permitted for one business and not another. Council Member Abernethy stated that the letter came after the agenda, so that is why it was not on the agenda. Mayor Stedman stated that staff needs direction on how to handle situation from this point. Council Member Abernethy stated that staff should research and report findings back to Council.

Council Member John Stiver stated that he would like to have better communication with the Planning Commission in the future for projects such as the pistol range. Also he would like to discuss no personal living in the downtown on first floor of buildings. Council Member Abernethy stated that he thinks there is a disconnect with City Council and the Planning Commission. Mayor Pro Tem Mary Bess Lawing stated that she would like to discuss storage in storefronts. Council Member Dellinger stated that most people try to rent out their store fronts first, then they have the right to use it however they want. Council Member John Stiver stated that he thinks the Planning Commission just wants some direction from Council. Council Member Robert Abernethy stated that staff should take this to Planning Commission.

ITEM 10: Adjournment

Upon motion duly made by Council Member Robert C. Abernethy, Jr., seconded by Council Member Wes Weaver, the meeting was RECESSED until May 8th at 5:30 p.m. for Budget Workshop.

Anne P. Stedman, Mayor

Amy S. Falowski, City Clerk

