

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

June 2, 2015 – 7 p.m.

The regular meeting of the Newton City Council was held at 7 p.m. Tuesday, June 2, 2015, at Newton City Hall.

PRESENT: Mayor Anne P. Stedman, Mayor Pro Tem Mary Bess Lawing and Council Members Wayne Dellinger, Wes Weaver, John Stiver, Robert C. Abernethy, Jr., and 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 Wayne Dellinger thanked everyone that was present at the meeting and those that attended the Budget Workshops. He then 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 May 19, 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 Mayor Pro Tem Mary Bess Lawing, it was unanimously RESOLVED:

That the Consent Agenda be – APPROVED

- A. Consideration of Budget Ordinance Amendment to Close Capital Projects
- B. Consideration of Budget Ordinance Amendment for Fiscal Year 2015 Payroll Accrual
- C. Consideration of Resolution - Newton-Conover High School Men's Golf Team State 2A Champions
- D. Proclamation – Flag Day, June 2015
- E. Acceptance of AWOP Award

Public Works and Utilities Director Dusty Wentz recognized Garret Gilbert and Eddie Copeland of the Water Treatment Plant. Mr. Wentz stated the City of Newton Water Treatment Plant received the Area Wide Optimization Program (AWOP) Award. This award is supported by the NC Division of Environment and Natural Resources and Region 4 of the United States Environmental Protection Agency. He explained that the award was presented by the Mooresville Regional Office of the North Carolina

Department of Environment and Natural Resources - Water Supply Section. Mr. Wentz explained the goal of the AWOP program is to reduce the potential for bacteria in the water supply by meeting exceptional treatment criteria and producing water that meets a higher standard.

Mr. Wentz stated that of the 152 water plants operating in North Carolina, only 44 achieved the higher standard goals of the AWOP program. City of Newton has received the AWOP award every year since the program's inception in 2002.

Mr. Wentz stated that receiving this award demonstrates the experience and the professional skill that the City of Newton Water Treatment Plant staff exhibit in the operation of the City plant.

(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. No one appeared.

ITEM 6: **Public Hearings**

A. Consideration of Strategic Plan

Mayor Stedman opened the Public Hearing.

City Manager Todd Clark stated the City of Newton has procured the services of the Western Piedmont Council of Governments to assist in the preparation of the City's first Strategic Plan. In developing the Plan, the Council of Governments worked with staff to develop a list of key City objectives, many of which were identified by City Council over the course of the last three years during our Annual City Council Workshops. Mr. Clark stated staff also included the recommendations produced in a Retail, Downtown and Residential Development Report prepared by the Sanford Holshouser Economic Development Consulting Group for the City in 2009.

Mr. Clark stated that once a base of information had been assembled, four public forums were held each Thursday night during the month of March to solicit feedback from our citizens on topics including economic development, infrastructure, transportation, and public safety. The first public forum also included a presentation from Taylor Dellinger (Council of Governments) who provided conclusions he had drawn based on a statistical analysis of data collected through various resources including the most recent U.S. Census data.

Mr. Clark stated the Council of Governments completed their work on the draft Strategic Growth Plan and made a presentation to City Council at the May 19th City Council meeting. Mr. Clark stated The Plan was also posted to the City's website for public review and a copy has been made available in the City Clerk's office.

Mr. Clark stated that the City has received no responses or inquiries from the public since the May 19th City Council meeting. Mr. Clark recommends that the Council adopt the Strategic Growth Plan as presented on May 19th.

Mayor Anne Stedman stated that this is a public hearing and asked if there was anyone present that would like to speak.

Mr. Jerry Hodge thanked City Council for allowing the Strategic Plan to be completed. He stated that it is a very meaningful document, and that the city needed an updated plan.

Mr. David Crouse stated that he noticed that the Phase 3 of the Greenway Project was in the document. He stated that phase would come through his property. Mr. Crouse stated that he and his wife, Leslie Yount, were never asked about this and that they are not crazy about the idea. Leslie Yount stated that they would be glad to discuss this with City Council, but they cannot be responsible for anything that happens (liability issues) with the bulls that they have on their property. It was also mentioned that they have contracts with people that cut timber and with hunters. Mayor Stedman stated that if the city ever got to that point that they would have to come to an agreement with them. City Manager Todd Clark stated that the city recognizes their concerns and that's why the city hasn't been aggressive. Planning Director Randy Williams stated that the staff has some ideas that could be helpful. Leslie Yount stated that they would be open to talk with the city.

Council Member Robert C. Abernethy, Jr. stated that this plan is not written in stone and that it is a vision for 10, 20 and 30 years out and that all decisions would come to City Council.

Mr. Michael Waltuch asked about the Newton-Conover Loop System and what impact it would have on downtown Newton. He stated that he was afraid that it would keep people from coming to downtown. Mr. Marshall stated that the loop has been in the transportation plan since the 1980's and that even non active projects retain their numbers.

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

That Public Hearing be – CLOSED.

Mayor Pro Tem Mary Bess Lawing thanked Mr. John Marshall and the Western Piedmont Council of Governments for all their help and hard work. Mr. Marshall stated that city department heads and staff made it possible.

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

That the Strategic Plan be – ADOPTED.

B. Consideration of Fiscal Year 2015-2016 Budget

Mayor Stedman opened the Public Hearing.

City Manager gave an overview of the proposed budget. He stated that the budget was presented on May 5th and that after several work sessions there were no proposed changes to the proposed budget. Mr. Clark stated that Council and Staff discussed the transformer at Jacobs Park and that would be up for more future discussion. Mayor Stedman stated that the proposed .03¢ tax increase would bring the city to revenue neutral for most citizens.

Mayor Stedman thanked staff for their hard work on the budget, and she asked if there was anyone present that would like to speak during the public hearing. No one appeared.

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

That Public Hearing be – CLOSED.

ITEM 7: New Business

A. Consideration of Adoption of Fiscal Year 2015-2016 Budget

Mayor Stedman stated that no directives were made by Council for changes to the proposed budget.

Council Member Robert C. Abernethy stated that attempts were made to make changes but they were voted down. He stated that the Strategic Plan that was just adopted by Council proves some of the statistics such as average incomes, and that a tax increase will have a great effect on these individuals. Council Member Abernethy stated that he wanted a compromise and ways to not raise taxes, such as cutting or cutting back on special appropriations. He stated that what amounts to a 5.5% property tax increase was too much on the backs of the community.

Council Member Dellinger stated that comments were made about extra income that the city has that could be used but the board doesn't want to go along with that. He said that there was a 3¢ tax increase last year with a promise to reduce it by 1¢ this year. Council Member Abernethy agreed. Mayor Stedman stated that it was said that it would be discussed this year. Council Member Tom Rowe stated that unanticipated things cannot be determined a year ahead of time. Council Member John Stiver stated that this is a no fluff budget and that it is what it is. He stated that fund balance should be there in case of emergencies. Council Member Dellinger stated that he doesn't think fund balance has been used. He asked Finance Director Serina Hinson what percentage fund balance is at this time. She stated 28.12%. Council Member Dellinger stated that the city could use 7% and still be fine with the LGC. Council Member Tom Rowe stated the 3¢ still doesn't bring the city back up from revaluation and that doesn't even count roads being repaired and paved. Council Member Abernethy said you might as well call it a 4¢ increase if there is to be no sunset on the 1¢. He stated that he is afraid this will hurt the city in the long run.

Mayor Stedman stated that the council and staff looked at ideas from last year and implemented the ones that would work.

Upon motion duly made by Tom Rowe, seconded by John Stiver, and with Mayor Pro Tem Mary Bess Lawing, and Council Members Tom Rowe and John Stiver voting in favor of, and Council Members Wes Weaver, Wayne Dellinger and Robert C. Abernethy, Jr. voting in opposition of, Mayor Anne Stedman voted in favor of to break the tie and it was RESOLVED:

That The Fiscal Year 2015-2016 Fiscal Year Budget be – ADOPTED.

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

B. Consideration of Budget Amendment for Repair of City Lake Backup Generator

Public Works and Utilities Director Dusty Wentz stated that on May 20th, 2015, the oil in the generator at City Lake was tested. Mr. Wentz stated testing proved that coolant was present in the oil which indicates a significant operation problem and requires repair. He explained the generator is currently operational, but could fail at any time and that this generator is a backup source of electricity for the pumps that move water from the city lake into the plant. Mr. Wentz stated there is an option to route the raw water from Jacob's Fork directly into the water plant, bypassing the lake, but such action would greatly affect water quality. Also, there is not a backup generator at the raw water facility. Mr. Wentz explained that state regulations require a generator at the city lake facility.

Mr. Wentz stated that Carolina Engine (Carolina Cat) was approached for an estimate to complete the necessary work and provide a rental generator. The estimate, for \$80,755, includes moving the City

generator to their facility, installation of a rental generator for one month, repairs to the City generator, and moving back to the City Lake.

Mr. Wentz stated this generator was manufactured in 1986, and may have other, less significant, problems once it is taken apart. For that reason, an additional \$8,145 is requested to deal with any unforeseen issues.

Mr. Wentz recommended that council approve the attached budget amendment for \$88,900 in order to repair the City Lake Generator utilizing fund equity.

Mayor Pro Tem Mary Bess Lawing stated this is one of those things that can come up in the middle of the year. Mayor Stedman agreed.

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

That Budget Amendment for Repair of City Lake Backup Generator 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

- June 3rd – Biscuit Day, Courthouse Square, 8:00 a.m.-noon
- June 4th Danny Sigmon Retirement Celebration, Newton Rec (downstairs), 11:30 a.m. – 1:00 p.m.
- June 13th – Swimming Pool Opening
- June 15th Streetscape Public Input Meeting at Fire Headquarters 7:00 p.m.
 *August 4th Final Presentation to City Council
- June 16th City Council Workshop prior to regular City Council Meeting – Concerning the former Fire Headquarters, 6:00 p.m. – 7:00 p.m.
- June 19th Rob Powell Retirement Celebration, Gantt Room, 11:30 a.m. – 2:00 p.m.
- August 6-8 ElectriCities Annual Conference (50th Anniversary) at the Myrtle Beach Marriott Resort & Spa at Grande Dunes. Please let Amy know if you are interested.

ITEM 9: Questions and Comments from Mayor and Council

Mayor Anne P. Stedman stated that Mr. Talbert spoke at the last meeting concerning road closures for events and asked City Council if anyone on the board would like to revisit their decision. Council Member Wayne Dellinger stated that Mr. Talbert's business has stayed open for so many years that they should be considered too. He said that maybe they could consider closing the roads at 7:00 or 7:30 instead of 6:00. Mayor Stedman stated that with the DNDA's help maybe that is something the businesses could work out together, and that this wouldn't be a function of the Council. Council Member Robert C. Abernethy said that hopefully they can be neighborly and work together with encouragement from the DNDA. Council Member Wes Weaver stated that he agreed with the Mayor and that the petitioner went through the correct channels. Mr. Weaver stated that he felt like the Council was given information that was not correct at the last meeting. Mr. Abernethy stated that the Council adopts ordinances and that after they are enacted sometimes they may find flaws that can be corrected if needed. City Manager Todd Clark agreed and said that with experience Staff and Council can see what happens and make changes as needed.

ITEM 10: Adjournment

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

That the Meeting be – ADJOURNED

Amy S. Falowski, City Clerk



Anne P. Stedman, Mayor