

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

**June 4, 2013 – 7:00 P.M.**

The regular meeting of the Newton City Council was held on Tuesday, June 4, 2013 at 7:00 p.m. in the Council Chambers at City Hall.

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

**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 Wayne Dellinger**

Council Member Wayne Dellinger led the Pledge of Allegiance.

**ITEM 3:      APPROVAL OF MINUTES FROM THE May 21, 2013 REGULAR CITY COUNCIL MEETING**

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

That the Regular Minutes of the May 21, 2013 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 Robert C. Abernethy, Jr., it was unanimously RESOLVED:

That Consent Agenda be – APPROVED.

- A.      Sewer Adjustments
- B.      Consideration of Tax Collection Contract
- C.      Consideration of Flag Day Proclamation

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

**ITEM 5:      Public Hearings**

- A.      Consideration of Fiscal Year 2013-2014 Budget

Mayor Stedman opened the Public Hearing.

City Manager Todd Clark stated that the proposed FY 2014 budget has been presented to City Council for review and consideration, and the City Council conducted three budget workshops which have been open to the public. Mr. Clark stated that during these workshops, City Council made several changes to the City Manager's proposed budget. He explained that a list of these changes is included in the agenda, along with the Budget Ordinance for Council consideration.

Mayor Stedman asked if there was anyone present that wanted to speak concerning the Fiscal Year 2013-2014 Budget.

Pastor Paul Fitzpatrick stated that he felt like the City Council's decision to lower the Cost of Living Adjustment for city employees by .5% was a mistake. He stated that from the Chief of Police to the Street Workers, city employees are an integral part of the city that the city needs to keep. He stated that these people keep us safe, and that they are not acknowledged until something goes wrong or needs to be fixed. Pastor Fitzpatrick stated that he meant no disrespect, but that he felt like someone from the citizenry needed to stand up for the city employees.

Mayor Stedman asked if there was anyone else that would like to speak. No one appeared.

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

That Public Hearing be – CLOSED.

B. Consideration of United Franchise Group Annexation Petition –  
Sign\*A\*Rama, Inc.

Mayor Stedman opened the Public Hearing.

Assistant Planning Director Alex Fulbright stated that Sign\*A\*Rama, Inc. has filed a petition seeking a non-contiguous annexation to the City for 2.228 acres located at 1630 South Fork Drive. The requested property is adjacent to 10.6 acres that was annexed in 1999. Mr. Fulbright explained that the 2.228 acre piece was added to the original 10.6 acre property after the annexation was recorded and is not currently included in the City Limits.

Mr. Fulbright stated that this annexation is outside the City's extraterritorial planning jurisdiction, and that because of this the City will need to establish zoning if the property is annexed. If so, it is anticipated that staff will present this issue to the Planning Commission at an upcoming meeting, and it is expected that the zoning district established in the annexed area will mirror the existing county zoning in the area.

Mr. Fulbright recommended that the City Council adopt the Annexation Ordinance for Sign\*A\*Rama, Inc.

Mayor Stedman asked if there was anyone who would like to speak. No one appeared.

Upon motion duly made by Council Member Tom Rowe, seconded by Council Member Robert C. Abernethy, Jr., it was unanimously RESOLVED:

That Public Hearing be – CLOSED.

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

That United Franchise Group Annexation Petition – Sign\*A\*Rama, Inc.  
Be – APPROVED.

**ITEM 6:**        **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 7:**        **New Business**

A. Consideration of Fiscal Year 2013-2014 Budget

City Manager Todd Clark stated that the proposed FY 2014 budget has been presented to City Council for review and consideration and that three workshops have been conducted and open to the public. Mr. Clark stated that during these workshops City Council made several changes to the proposed budget. These changes include: a change to the Fire District Tax due to the 2 cent increase not approved by County; the addition of \$900 to help Catawba County Historical Museum with interior renovations; the addition of \$4,000 for the North Carolina League of Municipalities Annual Meeting which is being held in Hickory; and \$17,750.00 to be used to build a parking lot at the Heritage Trail Greenway. The County will partner with the City to build this parking lot.

Mr. Clark stated that the COLA (Cost of Living Adjustment) proposal of 2.5% had been reduced to 2% for all employees.

Mayor Stedman stated that staff has worked hard to produce a fiscally sound and lean budget, and she hoped that City Council would vote to adopt the proposed Fiscal Year 2013-2014 Budget.

Council Member Mary Wayne Dellinger made a motion, seconded by Council Member Mary Bess Lawing, to ADOPT the Fiscal Year 2013-2014 Budget.

Council Member Robert C. Abernethy, Jr. stated that he is disappointed that the County thinks that the citizens of Newton should have to subsidize the fire service in the rural district. Mr. Abernethy stated that he was one of the Council Members to vote that the COLA should be less for two reasons. First, because the city was so close to having a balanced budget, and second, he believes that raises should be given based on merit. Mr. Abernethy also stated that he has concerns with special appropriations in the budget. He stated that he thinks that money would be better used to fix potholes, holes in sidewalks, and other public safety issues.

Mayor Stedman stated that special appropriations do benefit quality of life issues in the community and by bringing people in to town they increase revenue.

Council Member Wes Weaver stated that he struggled with this budget more than last year's budget. He stated that staff worked hard and it shows, but the support for staff is more important than discrepancies with Fees and Charges.

Mayor Stedman stated there is a motion by Council Member Wayne Dellinger and a second by Council Member Mary Bess Lawing to adopt the Fiscal Year 2013-2014 Budget, and asked for a vote. With Mayor Pro Tem Bill Lutz, and Council Members Mary Bess Lawing, Wayne Dellinger, Wes Weaver and Tom Rowe voting in favor of, and Council Member Robert C. Abernethy, Jr. voting against, motion to adopt – APPROVED.

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

#### B. Consideration to Remove Planter Boxes Downtown

Assistant City Manager Sean Hovis stated that on July 13, 2010 the Newton City Council formally adopted the Downtown Newton Streetscape Master Plan. He explained that on page 19 of the Streetscape Master Plan it is recommended the concrete planter boxes located down town be removed and replaced with a combination of smaller planters.

Mr. Hovis stated that the DNDA is currently purchasing smaller pots, not to replace the planter boxes, but to be placed in front of stores. A recommendation from the Streetscape Committee will be coming to City Council at a later time concerning the replacement of the planter boxes.

Mr. Hovis reminded Council that at the last City Council meeting, the City Manager mentioned that staff was ready to remove the planter boxes. He stated that after brief discussion by Council, the Mayor stated that City Council would like to have further discussion before staff proceeds with the removal. Mr. Hovis stated that there is no required action since Council adopted the Streetscape Master Plan in July, 2010. However, Council may desire to have further discussion if a concern exists with regard to the removal of the planters.

Mr. Hovis introduced Melinda Travis, Chairperson of the DNDA who gave a brief presentation concerning the DNDA/Appearance Commission's Adopt-a-Pot Project.

Ms. Travis stated that the purpose of the project is to involve the city merchants in enhancing the appearance of downtown Newton with the use of flowers and colors. She stated that the project is separate from the replacement of the existing planters downtown previously mentioned by Mr. Hovis. Ms. Travis stated the DNDA voted to fund and purchase 8-10 pots, and now they will identify business owners willing to adopt-a-pot. The pots would then be distributed to the merchants on a first come, first serve basis. The care of the pots and the plants/flowers will be the responsibility of the business owner. Ms. Travis stated that the business owner would have to purchase the flower, if not donated, plant the flower, water and fertilize and keep the pots weed/trash free. Ms. Travis asked the Council if they had any questions.

Council Member Mary Bess Lawing asked if it would be better to let the businesses buy their own pots? Ms. Travis stated that this project will help motivate the businesses to enhance the appearance around their storefronts. Ms. Lawing stated that the pots should probably be small so that no one trips on them.

Council Member Wayne Dellinger verified that there would be no obligation for the City. Ms. Travis stated that was correct.

Council Member Robert C. Abernethy, Jr. asked about the issue with the cement planters. Council Member Dellinger stated that the Garden Club started the planters, but lost interest. Mr. Abernethy stated that maybe we should just encourage business owners to dress up storefronts. Mayor Stedman stated that this would be purely voluntary. Ms. Travis stated that this project could make a big impact with a very small amount, and that the City would not have to provide any funds.

Upon motion duly made by Mary Bess Lawing, seconded by Council Member Tom Rowe, and with Council Member Wayne Dellinger voting in opposition, it was RESOLVED:

To REMOVE the Large Planter Boxes Located Downtown.

Council Member Dellinger stated that maybe the trees should be taken out of the boxes and flowers planted in their place. Mayor Stedman stated that the boxes obstruct the view inside and outside the stores and obstruct the flow of pedestrians. Mayor Stedman asked Appearance Commission Chairperson Collette Touchette if she has received any feedback from the public. Ms. Touchette stated that several merchants had asked to take the trees out of the boxes. She stated that they were concerned that it was hard to see in and out of the businesses.

Council Member Dellinger stated that he believes there is concrete underneath the boxes. Assistant Planning Director Alex Fulbright stated that he believes that the boxes do not have a bottom. Council Member Lawing stated that if there are no bottoms, maybe pavers could be put in their place.

Council Member Wes Weaver stated that he agreed with the Mayor, that the boxes obstruct the views of the business and the flow of pedestrian traffic.

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

- Tomorrow, June 5<sup>th</sup> is Southern Biscuit Day on the Courthouse Square, 7 a.m. – Noon
- Take A Kid Fishing Day is on Saturday, June 15 from 9 a.m. to noon at Herman's Fish Lake
- Kelly Parker started an internship with the City last week. She is a rising senior at Maiden High School. She will be spending time with each department and will be posting photos and updates on Facebook with the hashtag "InternKelly."

**Projects**

1. AC Little, 18<sup>th</sup> Street water line, and the McDaniel's MHP project is completed except for the AC Little portion of the project which was to have the double box culvert set today, but rain yesterday washed out the rock and a portion of a bank. The contractor said they will have to redo the area before they can install the culvert. Rain is forecasted for today and Wednesday through Sunday.
2. The 2<sup>nd</sup> Street sidewalk was scheduled to begin tomorrow, but due to rain that is forecast for this week we will wait for another week.
3. The Shannonbrook Phase II water line replacement project will begin any day as soon as the weather permits.
4. The sewer line replacement from 18<sup>th</sup> St. to 15<sup>th</sup> St. is completed on the west side of NW Blvd and work on the eastside of NW Blvd will begin as soon as possible weather permitting.
5. The annual Powell Bill Street Paving Project for this year has been completed on East Second and Westlake. Today the contractor stated he will begin milling work on Touchstone and complete paving on it Wednesday weather permitting.

**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 Robert C. Abernethy, Jr., 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

