

The regularly scheduled meeting of the Norton City Council was held on Tuesday, November 17, 2009 at 6:00 p.m. in the Municipal Council Chambers with Mayor William Mays presiding.

Present: Mark Caruso, William Mays, Joseph Fawbush, and Terry Roop

Absent: Joseph Hunnicutt

Also Present: E. W. Ward, City Manager and Bill Bradshaw, City Attorney

The invocation was given by Rev. Ken Taylor and was followed by the pledge of allegiance led by Councilman Terry Roop.

At this time, Councilman Hunnicutt took his seat on Council.

24437

Upon a motion by Councilman Caruso, seconded by Councilman Hunnicutt, and passed by unanimous vote, Council moved to adopt the minutes of the October 27, 2009 meeting as presented.

24438

There was no response to the Mayor's call for visitors.

24439

A public hearing was held on An Ordinance Repealing Chapter 13, Article II of the Norton City Code, which, if adopted, will eliminate the issuance and purchase of a city decal for vehicles.

Mr. Ward advised that this was brought to Council at their last meeting for consideration and Council was presented with information on other localities that have also eliminated the decals. At this previous meeting, he was advised to advertise a public hearing and the City Attorney was asked to draft an ordinance to repeal the purchase of these decals. This ordinance when take effect thirty days after adoption. He further advised that the lost revenue, which is estimated to be \$28,500, will be discussed in budget meetings in 2010. The City has received no public comments as of this time.

The City Treasurer, Barbara Muir, was present and stated that she thinks this is a positive move for the citizens of Norton, whom she is representing tonight, and all responses she has received have been positive.

Mayor Mays opened the public hearing.

24440

Steve Collins of Hawthorne Drive spoke to Council and advised the elimination of the decals is a good thing for the citizens if the charge is not put somewhere else. With the rate increase from Old Dominion forthcoming, the citizens need some relief.

There were no further public comments and Mayor Mays closed the public hearing.

Upon a motion by Councilman Hunnicutt, seconded by Councilman Fawbush, and passed by the following unanimous roll call vote: YES – Caruso, Hunnicutt, Fawbush, Roop, Mays – NO - None, ABSENT – None, Council moved to adopt An Ordinance Repealing Chapter 13, Article II of the Norton City Code. (Insert)

A presentation of the Hawthorne Drive Corridor Transportation Study was given to Council. Mr. Ward gave Council a brief update stating that a year ago, the City initiated

a transportation study to be done in the Hawthorne Drive-US 58-A area. He further advised that the City is required, by law, to update its Comprehensive Plan every five years and this study will serve to do this. The final version of this plan was received within the last couple of weeks.

Mr. Ramey then presented Council with a PowerPoint presentation on this study which covers eight intersections and recommends a traffic signal to be installed at the intersection of Hawthorne Drive and Route 58 at an estimated cost to the City of \$200,000. He further advised that the City is in hopes of using Urban Highway Funds to finance this project.

24441

Mr. Ramey advised Council, at the end of this presentation, that the City Administration is seeking Council's acceptance of the Hawthorne Drive Corridor Study. After Council's acceptance, the City Administration is to be authorized to submit copies to the appropriate VDOT representatives and the City Administration will include recommended projects in future capital projects for further consideration by Council.

Upon a motion by Councilman Roop, seconded by Councilman Hunnicutt, and passed by unanimous roll call vote, Council moved to accept the Hawthorne Drive Corridor Study and that the City Administration is authorized to submit copies to the appropriate VDOT representatives and to include recommended projects in future capital projects for further consideration by Council.

Mayor Mays advised that the work City crews had done cutting back vegetation has helped a lot with sight distance.

Council had been supplied in their packets with an application requesting funding from USDA Rural Development for Phases III and IV of the Guest River Sewer Interceptor Project and Phase II of the Benges Branch Interceptor Sewer Project. He advised that the City is eligible for stimulus funding from Rural Development of 75% Grant and 25% Loan for this project through the stimulus program. If received, this funding will greatly assist the City in implementing the recommendations of the Comprehensive Sewer Study which identified some \$23,000,000 of sewer deficiencies. He advised that he had included a copy of the Preliminary Engineering Report, which is required for submission to Rural Development.

24442

Following a brief discussion and upon a motion by Councilman Hunnicutt, seconded by Councilman Fawbush, and passed by unanimous roll call vote, Council moved to authorize the City Administration to apply for funding from USDA Rural Development for Phases III and IV of the Gust River Sewer Interceptor Project and Phase II of the Benges Branch Interceptor Sewer Project with said funds to be 75% grant and 25% loan through the stimulus program.

The City is in receipt of a request by Old Dominion Power Company to execute a Utility Agreement for the Laurel Trails Subdivision.

Mr. Ward advised this agreement was received two weeks earlier and was forwarded to the City Attorney for review.

Mr. Bradshaw advised that this easement is asking the City to convey to Old Dominion a ten foot right-of-way at this location for construction of their lines, as well as the lines of other utilities. He further advised that there are constitutional and statutory requirements that have to be met with this being City property. He then discussed these

24443

requirements with Council. Mr. Bradshaw advised he is hesitant about Council's approval of this easement.

Following a discussion, it was the consensus of Council for the City Manager, City Attorney, and a representative of Old Dominion Power Company to work together and get an agreement ready for presentation to Council. Also, they would like to have a representative of Old Dominion to be present at the meeting when this item is discussed.

In their packets, Council had a copy of a transfer to the Norton City Schools in the amount of \$365,000 to cover payroll and fringe benefits.

Upon a motion by Councilman Hunnicutt, seconded by Councilman Caruso, and passed by unanimous roll call vote, Council moved to approve a transfer to the Norton City Schools in the amount of \$365,000 to cover payroll and fringe benefits. (Insert-Councilman Roop's Disclosure Form)

24444

Upon a motion by Councilman Hunnicutt, seconded by Councilman Roop, and passed by unanimous roll call vote, Council moved to go into closed meeting to discuss personnel as per Section No. 2.2-3711 (A) (1) of the Code of Virginia, as amended.

24445

Mayor Mays declared Council in closed meeting.

Upon a motion by Councilman Hunnicutt, seconded by Councilman Fawbush, and passed by unanimous vote, Council moved to go back into open meeting.

24446

Mayor Mays declared Council back in open meeting.

The Clerk then polled each member of Council as to the Certification of Closed Meeting with each answering yes. The Clerk then read A Resolution of the Certification of Closed Meeting. Upon a motion by Councilman Hunnicutt, seconded by Councilman Caruso, and passed by the following unanimous vote: YES – Caruso, Hunnicutt, Fawbush, Roop, Mays, NO – None, ABSENT – None, Council moved to adopt A Resolution of the Certification of Closed Meeting. (Insert)

24447

Mayor Mays opened the floor for appointments to the Southwest Virginia Community Criminal Justice Board.

Councilman Hunnicutt moved that Council appoint the individuals whose names were submitted by the Southwest Virginia Community Corrections Board.

24448

Upon a motion by Councilman Caruso, seconded by Councilman Fawbush, and passed by unanimous vote, Council moved that the nominations cease.

Mayor Mays declared the individuals whose names were submitted by the Southwest Virginia Community Criminal Justice Board be appointed to this Board.

At this time, Ms. Janice E. Mullins of the Norton High Rise, wished to speak to Council regarding an item she deems as dangerous within the City. Mayor Mays invited Ms. Mullins to come forward and speak to Council.

Ms. Mullins advised that she and other handicapped persons who walk around the City are experiencing problems with the traffic signals not allowing them enough time to cross the streets.

24449

Mayor Mays advised Ms. Mullins that the City Manager will look into this to see what the problems are with the traffic signals.

In comments from the City Manager, Mr. Ward advised that:

Some documents have been signed tonight by the Mayor, City Clerk, and City Attorney for the closing, which will be held tomorrow, on the \$7,500,000 NES Project.

At the December 15th meeting, a public hearing will be held to rezone three parcels on Bernice Drive from Residential A to Residential B. The Planning Commission has already held their public hearing on this.

The State Corporation Commission will hold three public hearings tomorrow on the rate increase proposed by Old Dominion Power Company in Council Chambers. The City has gone on record by adoption of a resolution in July to oppose this increase.

On January 21, 2010 the annual Regional Legislation Session will be held in Richmond. He would like a head count of those who will be attending.

On December 3rd from Noon until 2:00 p.m. the Norton Rescue Squad will have a Christmas luncheon for City employees. Council members are invited to attend.

The annual Christmas parade will be held on Sunday, December 6th at 6:00 p.m. The tree lighting will be held at 5:00 p.m. at the Hotel Norton.

There has been a discussion among council members as to having only one meeting in December. Mayor Mays advised Mr. Ward it was the consensus of Council to cancel the December 1st meeting and have only one meeting on December 15th.

There were no comments from the City Attorney.

In comments from City Council, Councilman Roop wished everyone a Happy Thanksgiving.

Councilman Caruso stated he would like to have a representative of the City to attend each of the three meetings being held by the State Corporation Commission and read the resolution Council adopted in opposition to this rate hike. The City Manager advised this would be done.

Councilman Caruso stated he was glad that the decal ordinance has been repealed.

Councilman Caruso advised that the Southwest Virginia Regional Recreational Authority recently held on conference on their Comprehensive Plan. This conference was more successful than thought and a lot of things have happened since. He encouraged going to their website and reading the five party study on recreational trails in our area.

24450

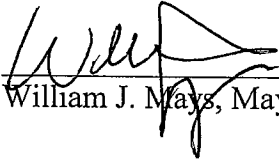
24451

24452

24553

There being no further action to come before the Council, the meeting adjourned.

CITY OF NORTON, VIRGINIA



William J. Mays, Mayor

ATTEST:



Mary D. Brown, Clerk