

The regularly scheduled meeting of the Norton City Council was held on Tuesday, June 17, 2014 at 6:00 p.m. with Vice Mayor Joseph Fawbush presiding.

Present: Mark Caruso, Joseph Hunnicutt, Joseph Fawbush, and Terry Roop

Absent: William Mays

Also Present: Fred L. Ramey, Jr., City Manager and Bill Bradshaw, City Attorney

The invocation was given by Father Tim Drake and was followed by the pledge of allegiance led by Police Chief James C. Lane.

Upon a motion by Councilman Caruso, seconded by Councilman Hunnicutt, and passed by unanimous vote, Council moved to adopt the minutes of the June 3, 2014 meeting as presented.

26173

During the Vice Mayor's call for visitors, Ms. Imogene Emershaw, 1227 Spruce Street, spoke to Council again regarding a dwelling she owns at 1223 Spruce Street which is a non-conforming dwelling. She has previously discussed this situation before with Council and gave each member a rendering of the proposed structure next to this non-conforming dwelling. She advised if Council adopts the new ordinance, which has been discussed previously, this is what she will have facing her property. Council will have this proposed ordinance on the agenda following the completion of the budget process.

26174

A public hearing was held on An Ordinance Amending Article VI – Transient Occupancy Tax – Section 23-172 of the Norton City Code to Increase the Tax Rate Applicable Under that Section from 4% to 6%.

This public hearing was authorized by Council at their last meeting. Mr. Ramey presented a PowerPoint presentation showing this increase will generate approximately \$70,000. The last increase of this tax was in July 1996. He further advised that the City has one of the lowest rates in our area on this tax. A copy of the proposed ordinance and letter had been mailed to all hotels within the City.

26175

After Mr. Ramey answered a question from Councilman Caruso, the Vice Mayor opened the public hearing.

There being no public comment, Vice Mayor Fawbush closed the public hearing.

Upon a motion by Councilman Hunnicutt, seconded by Councilman Roop, and passed by the following unanimous roll call vote: YES – Caruso, Hunnicutt, Roop, Fawbush, NO – None, ABSENT – Mays, Council moved to adopt An Ordinance of the City Council of the City of Norton, Virginia Amending Article VI. Transient Occupancy Tax; Section 23-172 of the Norton City Code. (Insert)

A public hearing was held to solicit public input regarding a proposed increase of the personal property tax levy from \$1.85 per \$100 assessed value to \$2.05 per \$100 assessed value. This proposed increase will bring in an additional \$50,000 in revenues. Historically, Mr. Ramey advised that he could not pinpoint when the last increase in this

rate was made, but it was definitely prior to the 1990s and possibly dates as far back as the 1970s. Compared to state levels, the City has the lowest rate in the State and in comparison with other surrounding towns, the average rate is \$2.09. He further advised that the Town of Wise and Wise County also plan to increase their rates.

There was no comment from Council prior to the public hearing.

Vice Mayor Fawbush opened the public hearing.

Mr. Ralph McFarland, Chestnut Street, spoke to Council regarding this increase. He advised he is retired with disability and would like to know why Council would raise the tax rate so people like him would have problems paying them.

All Council members spoke to Mr. McFarland and advised him of the economical situation the City is facing and that this tax was fairer than a real estate tax rate hike. Property owners would be burdened with that increase where vehicle owners would not. This increase would be on more residents; especially those who do not own real estate. He was further advised that this tax rate had not been increased since the 1990s.

Council members advised Mr. McFarland that his opinion is appreciated and respected and they appreciated his attendance at tonight's meeting.

There being no further public comments, Vice Mayor Fawbush closed the public hearing.

The City Manager advised that an ordinance is not required on this fee increase as it will be included in the budget ordinance.

A public hearing was held on the proposed 2014-2015 budget for the City of Norton. Mr. Ramey gave a PowerPoint synopsis of the budget and advised that the synopsis had been advertised in the local newspaper.

Advising that revenues are continuing to decline, the City is making adjustments to address debt service. The budget is mostly impacted by outside purchased services such as the Regional Jail and Juvenile Commission, and the impact of the recently adopted Commonwealth budget is still being evaluated.

There is a proposed Transient Occupancy Tax increase of 2% (4% to 6%), a garbage rate increase of \$2.00 (from \$10.00 to \$12.00 per month), a personal property tax increase of \$.20 cents per \$100 of value (from \$1.85 to \$2.05), an increase to a couple of revenue line items due to historical trends, and no transfers from reserves.

There is no Cost of Living Raise for employees, health insurance premiums have increased and the plan has been changed, reduced employee bonus program, reduced employee step increase, included VRS required modifications for year 4 and 5, eliminated one full-time position, and no capital projects are included. All departments have had cuts made except Health and Welfare, Parks and Recreation, and General Government Administration.

In the Enterprise Fund, revenue projections continue to decline. Water consumption has dropped an additional 275,000 gallons per month over the past year and the City is billing 28 fewer customers on the average per month from fiscal year 2013-2014. Also, the City, being the largest customer for the CNW, has to pay its share on the current expansion of that facility.

There is a \$.30 increase to the base rate structure on water.

Following this summary, Mr. Ramey answered questions from council members.

26176

26177

Council members congratulated Mr. Ramey and the City Administration for the great job they did on this budget. Vice Mayor Fawbush advised this has been the worst budget year in his tenure on Council.

At this time, Vice Mayor Fawbush opened the public hearing.

There being no public comments, the Vice Mayor closed the public hearing.

Mr. Ramey advised this budget will be on the agenda for the June 24, 2014 council meeting to be considered for adoption.

A public hearing was held on An Ordinance of the City Council of the City of Norton, Virginia Repealing Chapter 7 as Pertains to Erosion and Sediment Control.

The City Manager advised Council that the City Attorney, at its previous meeting, advised that the the ordinance presently being used would have to be repealed prior to adoption of the proposed ordinance.

Vice Mayor Fawbush opened the public hearing.

At this time, Ralph McFarland, Chestnut Street, again spoke to Council regarding a problem he is experiencing with water pooling in his driveway and stated he would like it fixed. The City Manager advised he is aware of this problem and that he will have City staff review the situation to see if this problem can be resolved.

26178

There being no further public comments, the Vice Mayor closed the public hearing.

Upon a motion by Councilman Roop, seconded by Councilman Caruso, and passed by the following unanimous roll call vote: YES – Caruso, Hunnicutt, Fawbush, Roop, NO – None, ABSENT – Mays, Council moved to adopt an Ordinance of the City Council of the City of Norton, Virginia Repealing Chapter 7 as Pertains to Erosion and Sediment Control. (Insert)

In their packets, Council had a copy of the 2014-2015 Norton City Schools Budget. A public hearing was held at Council's June 3, 2014 meeting. This budget totals \$7,906,964 with \$2,260,495 being local funding.

Upon a motion by Councilman Caruso, seconded by Councilman Fawbush, and adopted by the following roll call vote: YES – Caruso, Fawbush, Roop, NO – Hunnicutt, ABSENT – Mays, Council moved to adopt the 2014-2015 City of Norton Schools budget. (Insert – Councilman Roop's Disclosure Form)

26179

The next agenda item was the consideration of An Ordinance Enacting a Stormwater Management and Soil and Erosion Control Ordinance.

This item has been discussed at the past three council meetings. A public hearing on this ordinance was held at our previous meeting and the only point of discussion is how the appeals process will work. Two meetings ago, the City Administration was asked to modify the ordinance to make City Council responsible for hearing appeals. At the last meeting, Council asked to see additional options. Council was advised, at that time, that the City Attorney would draw up documents stating how each of these changes would read for Council's consideration. These documents are included in packets for tonight's meeting.

26180

The City Attorney advised that this was Council's decision to make. Appeal Path A covers the appeal going to City Manager and then to the Circuit Court. Appeal Path B has the appeal going to City Manager, City Council, as a whole or a designated member

of Council, as Council may elect. In both cases, the aggrieved will have thirty (30) days to appeal the decision.

Following a lengthy discussion, it was the consensus of Council to table this item and that of the Fee Schedule for Stormwater Management and Erosion & Sediment Control Program Administration and Permit Issuance until the meeting of June 24th. Adoption needs to be done by June 30th.

Council had been given information regarding the submission of a 2014 Community Oriented Policing Services (COPS) Hiring Program. This grant, if awarded, would pay for a school resource officer for four years. For three years, the grant would pay 75% of the salary and benefits with the City paying 25%. For the fourth year, the City would pay all costs. After the fourth year, Council would determine the future of the position.

26181

During a discussion, Mr. Ramey was asked to contact the School Administration and see if there is an interest for a resource officer and their partnering with the City on the costs.

During this discussion, Councilman Hunnicutt left the meeting due to illness.

26182

Upon a motion by Councilman Caruso, seconded by Councilman Roop, and passed by unanimous vote, Council authorized the City Administration to move forward to the submission of an application for a 2014 COPS Grant which would cover a school resource officer. Mr. Ramey will talk with Dr. Comer and the new Superintendent, Dr. Perrigan.

26183

Council had been presented with a copy of the 2014-2015 budget for the Norton Industrial Development Authority.

Following a brief discussion and upon a motion by Councilman Roop, seconded by Councilman Caruso, and passed by unanimous roll call vote, Council moved to confirm the 2014 budget of the Norton Industrial Development Authority.

26184

Council had been furnished with copies of a transfer in the amount of \$175,000.00 to the Norton City Schools to cover employee fringe benefits and a check in the amount of \$322,756.23 to Thomas Construction Company for the Safe Routes to School Project.

26185

Upon a motion by Councilman Caruso, seconded by Councilman Roop, and passed by unanimous roll call vote, Council moved to approve one transfer and one check as stipulated above. (Insert – Councilman Roop’s Disclosure)

Upon a motion by Councilman Caruso, 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. Vice Mayor Fawbush declared Council in closed meeting.

26186

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

Vice Mayor Fawbush declared Council back in open meeting.

26187

The Clerk 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 Caruso, seconded by Councilman Roop, and passed by the following unanimous vote: YES – Caruso, Fawbush, Roop, NO – None, ABSENT – Mays, Hunnicutt, Council moved to adopt A Resolution of the Certification of Closed Meeting. (Insert)

26188

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

At the last meeting, Council nominated three individuals to the Board of Zoning Appeals. One of these, William “Butch” Hutchinson’s term does not expire until 2015; therefore the City Administration would like to ask Council to rescind its nomination of Mr. Hutchinson.

Upon a motion by Councilman Caruso, seconded by Councilman Roop, and passed by unanimous vote, Council moved to rescind the nomination of William “Butch” Hutchinson as was made at the June 3, 2014 City Council meeting.

Another Council meeting will be held next Tuesday, June 24th, at 6:00 p.m. He stressed it was important to have a quorum for multiple reasons and asked should a member not be able to attend to please contact him.

A copy of the June retail sales tax report was placed at each individual’s desk.

The updated tourism maps have been received and he placed a copy for each member. Free copies will be provided to any of our businesses and hotels. There is also an electronic copy on line. This is the third printing of the maps and the City Administration has worked with both the Tourism Committee and NIDA on them.

26189

The Summer Science and Engineering Day Camps sponsored by the Norton Parks and Recreation Department have begun and he gave a brief update of each. He hopes to have some of the participants of these classes attend one of the August meetings.

The Norton Water Treatment Plant was a recipient of a Gold Certificate Award for 2013 for Excellence in Clarification, Filtration, and Backwash.

Jim Campbell of the Norton Lions Club has invited Council members and/or spouses/guest to a breakfast at their facility on Saturday, June 21st, from 8:00 a.m. to 10:00 a.m.

Councilman Caruso stated he would be unable to attend.

US District Ranger Jorge Hersel has invited City Council for a personal tour of the High Knob Tower Project. Please advise him and he will schedule this on Council members’ behalf.

The City Administration would like to thank all of the volunteers, participants, and employees that made the 28th Annual Best Friend Festival such a success even with the rain showers. He has heard good comments on this festival.

Fireworks will be held on Saturday, July 5th.

The City Attorney advised that he reviewed his Appeal Path A and Appeal Path B during Closed Meeting and he had included a time frame of 30 days for an appeal in them. Council can change that to any amount of days they would like.

26190

It was the consensus of Council to leave this time frame to 30 days.

In comments from Council, Councilman Roop advised he appreciated all those volunteering on summer programs and that he had received good feed back on these programs. He is also proud of the City Administration for working together on the budget issues they have faced on the upcoming budget.

26191

Vice Mayor Fawbush advised this has been one of the most difficult budget years he has seen while serving on Council. He thanked the City Administration who worked on this budget and also thanked all City personnel who worked with the Best Friend Festival. It was very successful.

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

CITY OF NORTON, VIRGINIA


Joseph Fawbush, Vice Mayor

ATTEST:


Clerk