

The regularly scheduled meeting of the Norton City Council was held on Tuesday, December 16, 2014 at 6:00 p.m. in the Municipal Council Chambers with Mayor William Mays presiding.

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

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

The invocation was given Rev. Ken Taylor and was followed by the pledge of allegiance led by those members of emergency services that were present at tonight's meeting. Those present included members of the Norton Fire Department, Police Department, and the Norton Rescue Squad.

At this time, Mayor Mays advised he would like to amend the agenda under Item 7-F Closed Meeting to include consideration of a discussion with legal counsel as per 2.2.-3711 (A) (7) of the Code of Virginia, as amended, consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal counsel.

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Upon a motion by Councilman Fawbush, seconded by Councilman Hunnicutt, and passed by unanimous vote, Council moved to amend the agenda as specified above.

Upon a motion by Councilman Fawbush, seconded by Councilman Hunnicutt, and passed by unanimous vote, Council moved to adopt the minutes of the December 2, 2014 meeting as presented.

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At this time, Mayor Mays advised there were some special presentations to be made and asked the City Manager to elaborate on this. Mr. Ramey asked Fire Chief David Mullins to come forth and speak with Council.

Chief Mullins advised Council that, in very rare circumstances, a fireman is able to save a life during a fire. This happened to two of our firemen on November 12<sup>th</sup> at 5:50 a.m. when a report of a house engulfed in flames was received. The fire had been burning for some time and after the initial search, they found no one in the house. Being advised by relatives and neighbors that the resident was in the house, Firemen Todd Lagow and Shane Potter, entered the house a second time, found the resident, and brought him out of the burning house. The resident is still alive but not in good condition.

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Mayor Mays asked that Firemen Lagow and Potter come forward and Council presented each of them with the City of Norton Award of Valor for service above and beyond the call of duty. They were given a standing ovation and thanked by each council member for their service to the City. Both recipients thanked Council for this award and Mr. Lagow advised that he is very appreciative of the award; however it takes a team to do this job from the dispatcher to the person supplying the water to them, to the commander. He further advised if one link of this chain is broken, they could very easily fail.

The City Manager asked that Fire Chief David C. Mullins to come forward and advised Council that Chief Mullins is retiring at the end of the year after 40 years of service in the Fire Department and 21 years as the Fire Chief.

Mayor Mays then presented him with a plaque honoring his years to service to the City.

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Given a standing ovation, Chief Mullins thanked Council and advised it had been a pleasure to work with them through the years.

At this time, Mayor Mays asked Councilman Hunnicutt to come forward and accept a plaque from Council for his 16 years of service as a member of the Norton City Council and whose term expires on December 31<sup>st</sup>. Following this, the Mayor presented Councilman Hunnicutt with another plaque containing the name plate of his father, George E. Hunnicutt, who served as Mayor of the City, along with his nameplate as Councilman and stating that, in his knowledge, they were the only second generation council members to serve the City. Councilman Hunnicutt thanked Council for these plaques.

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During the Mayor's call for visitors, Ms. Teresa Kirk, of Louisville, Kentucky, a former resident and active/lifetime member of the Norton Rescue Squad came forward and asked Council to be favorable in their support of this organization when they consider this agenda item later in the meeting.

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Mayor Mays thanked Ms. Kirk for her comments.

A public hearing was held on the bond issue for the Phase III Water Improvement Project.

Mr. Ramey advised that no action needs to be taken tonight other than conducting the public hearing which is a requirement of the bond on this project. This project was with and the balance being a grant. The area this entails is the down town area, Virginia Avenue, the Terrace, Highland, Chestnut, 10<sup>th</sup> Street area, and replacement of a water line under the railroad tracks behind Market Street.

25345

There being no questions from Council, the Mayor opened the public hearing.

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

The City Manager advised that a resolution should be ready for adoption in early February.

The next agenda item was an authorization to refund erroneously paid taxes to the Bank of America. The Bank of America had filed and paid tax returns for the years of 2010, 2011, and 2012. They have since filed amended returns and the Department of Taxation states they have overpaid franchise taxes throughout the Commonwealth of Virginia. The amount of the City's refund is \$24,298. This can be paid by the end of the month in a one time payment or by a refunding agreement which will include interest. The City Administration recommends to pay this off at the end of the month in a one time payment.

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Following a brief discussion and upon a motion by Councilman Roop, seconded by Councilman Hunnicutt, and passed by unanimous roll call vote, Council moved to refund

these erroneously paid taxes to the Bank of America in a one time payment at the end of the month.

Mr. Ramey presented Council with an overview and update, via a PowerPoint presentation, on the finances of the Norton Rescue Squad. Experiencing financial problems, the City allocated them \$25,000 in their 2014 and 2015 budgets. After the last draw down, a balance of \$300.00 is all that is left of the 2015 budget amount. Speaking for the Rescue Squad was Aaron Sargent, Captain, and he is asking for an additional appropriation of \$25,000 and advised he would be willing to answer any questions from Council.

Mr. Ramey advised that there are only two revenues of income for the squad and those are the bingo games and the transportation billings. Revenues from both activities are down.

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Following a lengthy discussion during which Councilman Caruso stated he would only be in favor of allotting the squad \$6,500 for the month of December and that a short term Memorandum of Understanding between the City and the Rescue Squad be presented for consideration at the January 20<sup>th</sup> meeting. Following that, he would like to see a long term Memorandum of Understanding prepared between the City and the Rescue Squad with managerial rights for the City. Councilman Fawbush stated he was in agreement with Councilman Caruso.

Following a lengthy discussion and upon a motion by Councilman Fawbush, seconded by Councilman Caruso, and passed by unanimous roll call vote, Council moved to appropriate \$6,500 from Unappropriated Reserves for the Norton Rescue Squad.

Councilman Roop advised something had to be done that our citizens could not be left without emergency services.

Mr. Sargent thanked Council and Mayor Mays advised that he had all confidence in this organization.

The City Manager advised that the City currently has three citizens leaving various boards and he has had plaques prepared for presentation to them. These individuals are: J. D. Adams, Board of Zoning Appeals 2013-2014; Terry Roop, City of Norton Community Policy and Management Board, 2009 – 2013, and Marty Adkins, Social Services Board, 2003-2014.

Mayor Mays presented Councilman Roop with his plaque and advised he had done a tremendous job on this Board. The City Manager noted that a plaque and thank you letter would be delivered to Mr. Adams and Mr. Adkins.

25348

The City Manager advised Council that an organizational meeting will need to be held prior to the first meeting in January. It was the consensus to Council for this organizational meeting be held at 5:30 p.m. on January 6, 2015.

25349

Council had a copy of one transfer to the Norton City Schools in the amount of \$275,000 and a check to Thomas Construction in the amount of \$207,817.25.

Upon a motion by Councilman Hunnicutt, seconded by Councilman Caruso, and passed by unanimous roll call vote, Council moved to approve the transfer and check as specified above.

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Upon a motion by Councilman Hunnicutt, seconded by Councilman Caruso, and passed by unanimous roll call vote, Council moved to go into closed meeting to discuss personnel as per Section 2.2-3711 (A) (I) of the Code of Virginia, as amended and discussion with legal counsel as per Section No. 2.2-3711(A) (7) of the Code of Virginia, as amended, consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal counsel.

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Mayor Mays declared Council in closed meeting.

Councilman Hunnicutt left the meeting during the closed meeting.

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

Mayor Mays declared Council back in open meeting.

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

25354

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

He had handed out to Council a copy of the last retail sales report.

The Parks and Recreation Department will be holding a Make It – Take It Christmas Ornament Workshop planned for December 18<sup>th</sup> at the Norton Community Center.

City offices will be closed at Noon on December 24<sup>th</sup>, the 25<sup>th</sup> and 26<sup>th</sup> for the Christmas holiday and January 1<sup>st</sup> and 2<sup>nd</sup> for the New Year's holiday.

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On behalf of the City staff, he would like to thank Councilman Hunnicutt for his support and service to the City over the years and wish everyone a wonderful holiday season.

There were no comments from the City Attorney.

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In comments from the Council:

Councilman Roop extended his best wishes and thanks to Councilman Hunnicutt and his family for his years of service to the citizens of Norton. He then read a prepared letter advising, after much deliberation and soul-searching, he very reluctantly and regretfully is submitting his resignation from City Council effective December 31, 2014 at 11:59 p.m. Being very grateful and indebted to the citizens of Norton who have supported him and placed their confidence in him by electing him to two terms on Council, he feels this is the best decision for he and his wife. They hope to travel and spend more time at their beach home. (Insert)

He further wishes everyone a very Merry Christmas.

Mayor Mays stated, although surprised by this resignation, he respects Councilman Roop's decision and wishes him the very best.

Councilman Fawbush stated it had been a privilege and pleasure working with Councilman Roop. He further stated Councilman Hunnicutt would be missed. He then extended his best wishes for a happy holiday season to all.

Mayor Mays stated Council, reluctantly, would have to accept this resignation and asked the City Attorney to give them direction on how to proceed to fill this vacancy. The City Attorney advised he would do so.

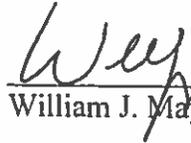
Councilman Caruso questioned the City Manager as to the trend on sales tax and was advised that he would like to see a few more positive months before he thought that we could be on upward trend. He also extended good luck to Councilman Roop and advised Councilwoman Elect Delores Belcher that he was looking forward to working with her and that it was a pleasure to work with the City Attorney. Holiday wishes were extended to all.

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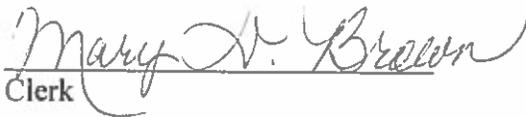
Mayor Mays extended his best wishes for a Merry Christmas and Happy New Year to all.

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

CITY OF NORTON, VIRGINIA

  
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William J. Mays, Mayor

ATTEST:

  
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Clerk