

The regularly scheduled meeting of the Norton City Council was held on Tuesday, July 21, 2015 at 6:00 p.m. in the Municipal Council Chambers with Mayor William Mays presiding.

Present: Robert Fultz, Jr., William Mays, Joseph Fawbush, and Delores Belcher

Absent: Mark Caruso

Also Present: Fred L. Ramey, Jr., 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 Police Chief James C. Lane.

Upon a motion by Councilman Fawbush, seconded by Councilman Fultz, and passed by unanimous vote, Council moved to adopt the minutes of the June 16, 2015 meeting as presented. 25569

During the audience for visitors, Adam Wells spoke briefly and thanked Council for the consideration of the Resolution of A Support of the Federal Power Plan. 25570

Also speaking in support of this plan was Ben Hooper of Chestnut Street and Jane Branham.

Council was in receipt of a request for funds from the High Knob Enhancement Corporation from Lu Ellsworth, Chairman of this organization. 25571

At this time, Councilman Caruso took his seat on Council. 25572

Mr. Ellsworth gave a brief history of the Corporation, which is non-profit and governed by a Board of Trustees. The City's representative on this Board is Michele Knox and Shayne Fields along with representatives from Wise and Scott Counties. With the upcoming 75<sup>th</sup> anniversary of the High Knob area as a tourist attraction, he is requesting a \$500 grant from the City to go toward operating expenses for this celebration which is to be held on July 25<sup>th</sup>. 25573

Upon a motion by Councilman Fawbush, seconded by Councilman Caruso, and passed by unanimous roll call vote, Council moved to contribute \$500 to the High Knob enhancement Corporation for the 75<sup>th</sup> anniversary celebration of the High Knob recreation Area with said funds to come from Contingency.

Aaron Sargent of the Norton Rescue Squad, presented to Council an update on their activities.

Mr. Ramey presented, via a PowerPoint presentation, the financial situation of the Rescue Squad. The newly appointed Board of Directors has been meeting consistently since February and the situation is improving. For the first time in four years, the Squad ended the year with a small profit.

Councilman Caruso, who serves on this Board, stated the Board is very active and diligent and he does believe it can be a viable organization. He also stated they are on a good path as long as the recommendations of the Board are followed.

Gerald Lawson, a member of the Board, stated it is a viable organization and one that the City needs, and he thinks they should be funded as every other department of the City.

Councilman Caruso stated the City should budget them \$25,000 and add them to the list of discretionary agencies that Council funds annually. He stated the Board would like to work with them another six months and have the full Board and Chairman present.

25574

At this time, Mayor Mays introduced Mike McCurdy and Ricky Cox, employees and an integral part of the Norton Rescue Squad and expressed thanks to the Board and asked them to proceed with the good work.

Included in Council's packets was a Law Enforcement Mutual Aid Agreement for their consideration.

Mr. Ramey stated that the Code of Virginia does allow localities and counties to have a reciprocal agreement and the City has used this type of an agreement in the past. This agreement gives law enforcement agencies legal ability to go outside their boundaries. The most recent agreement was adopted in 2006.

Police Chief James Lane stated the City has used this agreement and the one submitted to Council tonight includes the policing agency of the UVA-Wise campus. He agrees with the changes and providing of information to the college under Title IX. He further advised that Chief Short of the UVA-Wise Police Department was present to answer any questions.

25575

The City Attorney advised he had one objection to this agreement and that was the agreement is not between entities but Police Departments – the agreement should be with the localities and not police departments. He advised that Council could authorize the City Manager to execute this agreement on behalf of the City once the agreement is in proper form and adopted by the governing body.

Following a discussion and upon a motion by Councilman Fultz, seconded by Councilman Fawbush, and passed by unanimous vote, Council pre-approved the authorization of the City Manager to sign the Memorandum of Understanding in the form of a Law Enforcement Mutual Aid Agreement subject to the changes discussed by the City Attorney. These changes will make the agreement between entities and not police departments.

Council had included in their packets A Resolution in Support for the Federal Power Plus Plan.

Mr. Ramey advised this is the resolution that was discussed by several individuals in the Audience for Visitors and that Adam Wells is present to answer any questions Council members may have. This plan supports funding, retraining programs, and to provide help to coal based declining economies.

25576

Upon a motion by Councilwoman Belcher, seconded by Councilman Fawbush, and passed by the following unanimous vote: YES – Caruso, Fultz, Fawbush, Belcher, Mays, NO – None, ABSENT – None, Council moved to adopt a Resolution in Support for the Federal Power Plus Plan. (Insert)

A confirmation of a contribution to the Norton Little League for 9 – 10 year old Lady Raiders Softball Team’s trip to the state tournament was the next item on Council’s agenda. The City Manager advised that, at the time of this request, there was not a meeting and he consulted with each member of Council. It was the consensus of Council to expend \$1,000 to go toward the expenses of this trip to the state tournament

Upon a motion by Councilman Fultz, seconded by Councilwoman Belcher, and passed by unanimous roll call vote, Council moved to approve the expenditure of \$1,000 to the Norton Little League for expenses incurred during the trip to the state tournament. Council also expressed that the City wants to receive receipts and report of expenditures covering these funds. Congratulations were also extended to the players, their families, and coaches.

25577

Presented to Council was a Standard Project Administration Agreement from the Virginia Department of Transportation which is primarily a paving and milling program. Two areas in the City qualified. One was the Tipple Hill Area for which the City received a \$203,000 grant which will help in repaving this area.

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Following a brief discussion and upon a motion by Councilman Fawbush, seconded by Councilman Fultz, and passed by unanimous vote, Council authorized the City Manager to sign this Standard Project Administration Agreement from the Virginia Department of Transportation.

Council was presented with a request from the City Manager for authorization to sign documents related to a Rural Development Pre-Development Planning Grant. Mr. Ramey advised this grant would cover charges related to a preliminary engineering report on the utilities, which are 25’-30’ below the road at the Hawthorne Intersection on Route 58.

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Upon a motion by Councilman Fawbush, seconded by Councilman Fultz, and passed by unanimous roll call vote, Council moved to authorize the City Manager to sign documents related to a Rural Development Pre-Development Planning Grant.

In their packets, Council had copies of two transfers to the Norton City Schools in the amounts of \$239,629 and \$300,000 and two checks. The first check was made payable to Thomas Construction in the amount of \$418,102.27 and the second was to Boring Contractors in the amount of \$165,144.76.

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Upon a motion by Councilman Fawbush, seconded by Councilwoman Belcher, and passed by unanimous roll call vote, Council moved to approve the two transfers and two checks as stipulated above.

Upon a motion by Councilwoman Belcher, seconded by Councilman Fultz, 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 and per Section 2.2-3711(A) (3) of the Code of Virginia, as amended, discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publically held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body as per Section

25581

No. 2.2-3711 (A) (5) of the Code of Virginia, as amended, discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business or industry's interest in location or expanding it facilities in the community.

Mayor Mays declared Council in closed meeting.

At this time, the City Attorney asked to be excused from the remainder of tonight's meeting as he has an early morning flight tomorrow. Council excused the City Attorney from the remainder of the meeting.

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

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

25584

Upon a motion by Councilman Fawbush, seconded by Councilwoman Belcher, and passed by the following unanimous roll call vote: YES – Caruso, Fultz, Fawbush, Belcher, Mays, NO – None, ABSENT – None, Council moved to adopt A Recreational Trails Program Authorizing Resolution. (Insert)

25585

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

The City had hosted a regional tourism activity to discuss branding our region and also provided a tour to the visitors. He extended thanks to everyone who participated in the meeting and tour, including City Council members. Lunch was provided by the City at Flag Rock, and it went great with the participants loving the tour.

He would like to extend thanks to all of the volunteers who made the 29<sup>th</sup> Annual Best Friend Festival a huge success.

The 2014 Water Quality Reports are completed and advertised as per State requirements in the newspaper and a copy is also available online.

The paving of the Dorchester Road should begin within the next two weeks.

25586

The fireworks were good this year; however dampness of the air affected the appearance. He explained why the fireworks are on an alternate date rather than the 4<sup>th</sup>. He explained that the City would need to increase its budget to \$15,000 if it wanted to hold our fireworks display on July 4<sup>th</sup>. He also discussed the benefits of entering into a contract at this time to set the date for our fireworks for next year, but Council took no action at this time.

July rainfall totals through July 20<sup>th</sup> amounted to 8.96”.

He handed out to Council the July Retail Sales Tax Report and a copy of the Energy Cost Savings Report from the Norton City Schools.

An update was given on the following projects:

**Safe Route to Schools Project:** People are walking there and it is 98%-99% complete. Only portion remaining to be completed is across 3<sup>rd</sup> Street and the rest is the milling, paving, curbing, and guttering.

**Phase III Water Project:** Excess funds left from this project are being applied to water projects – Chestnut to Monroe and to 9<sup>th</sup> Street. Also paving from 8<sup>th</sup> Street & Park to the top of the hill and then the Hill Top Park Project will be done with Lenowisco funds.

**Third Street Subsidence:** The contractor is to begin July 27<sup>th</sup>. A Pre-Construction Meeting was held today. It should be a two week project with an attempt to be made not to close the entire street.

In comments from Council:

Councilman Caruso stated that he had met with the Department of Game and Inland Fishery regarding making Norton one of their reservoirs. He then discussed briefly their requirements which included 8 stockings per year, cannot sell fishing licenses, money for new piers, and different types of fish. They will be at the at the August 4<sup>th</sup> meeting for a presentation.

25587

He will not be able to attend the 75<sup>th</sup> Anniversary of High Knob and will need to be replaced. Councilwoman Belcher will replace him at this activity.

Councilman Fultz stated that:

He stated we need signage stating mileage to Flag Rock and the Reservoir.

Mr. Ramey stated this could be done and we could turn this over to the Tourism Committee to handle.

Councilman Caruso stated there also needs to be some signage for the High Knob Tower. Mr. Ramey advised that the High Knob enhancement Corporation was working on doing that.

25588

He was glad the High Knob Enhancement Corporation was holding a 75<sup>th</sup> Anniversary Celebration. The Tourism Group held the previous day was a good meeting.

He thinks the City needs to develop a Sidewalk Policy and allow businesses the freedom to access the use of sections of sidewalks.

He has concerns with school beginning about the traffic flow due to the Third Street road work. Police Chief Lane has been working with the school on this.

Councilman Fawbush advised that:

He echoed Councilman Fultz's comments on the down town sidewalks. He thinks the Planning Commission should look at it. Mr. Ramey advised this could be done.

25589

The Tourism Group was very good. He felt those in attendance were quite impressed and he extended thanks to Michele Knox for the lunch.

Councilwoman Belcher stated that it was good to see those in attendance at the Tourism activity get a true picture of the City and that it is good to see people work toward a common goal.

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Mayor Mays thanked all those who were able to attend this activity.

25591

Councilman Fawbush inquired about the meeting on August 4<sup>th</sup>.

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At this time, Larry Carter, Kentucky Avenue resident, who apparently missed the Audience for Visitors, asked Council if he could speak to them. He stated he really appreciated the interest and enthusiasm in tourism and that the mountain is our future.

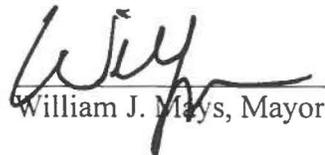
He would like for Council to adopt a resolution or ordinance allowing four wheelers on the road. He has a Utility Vehicle and would like to start a snow removal business; however he cannot legally travel the roadways. He asked that this be considered as a formal request.

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Following a brief discussion, Mr. Carter was advised there may be some provision in the law allowing this. Councilman Caruso stated this could be researched and an ordinance adopted. He was in favor of this. Mr. Carter stated Council has a tough job and he admires them.

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

CITY OF NORTON, VIRGINIA

  
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William J. Mays, Mayor

ATTEST:

  
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Clerk