

City Council Meeting Packet



November 15, 2016

AGENDA

Norton City Council

November 15, 2016

6:00 P.M.

1. Roll Call
2. Invocation – Rev. Freddie Powers
3. Pledge of Allegiance
4. Approval of Minutes
 1. Meeting of November 1, 2016
5. Audience for Visitors
6. New Business
 - A. Update on the Efforts of the AmeriCorps/National Civilian Conservation Corps' River 5 Team that has been Working on Trail Development at the Flag Rock Recreation Area.
 - B. Update from Norton Community Hospital on their Activities and Plans.
 - C. Consideration of a Memorandum of Understanding with the Norton Rescue Squad.
 - D. Resolution Recognizing November as Adoption Awareness Month.
 - E. Confirmation of a Check(s)/Transfer(s) in Excess of \$100,000.

F. Closed Meeting Discuss Personnel as Per Section 2.2-3711 (A) (1) of the City 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 2.2-3711 (A) (3) of the City of Virginia, as Amended.

1. Appointment to the Virginia's Heritage Music Trail:
The Crooked Road for a Three (3) Year Term;
Currently Nancy Jones Whose Term Expires
11/30/2016.

To 11/30/2019

2. Evaluation of the City Manager.

7. Comments by the City Manager, City Attorney, and City Council.

8. Adjournment.

The regularly scheduled meeting of the Norton City Council was held on Tuesday, November 1, 2016, at 6:00 p.m., in the Municipal Council Chambers with Mayor William Mays presiding.

Present: Mark Caruso, Robert Fultz, Jr., William Mays, Joseph Fawbush, and Dee Belcher

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

The invocation was given by Reverend Jim Wells and was followed by the Pledge of Allegiance led by Councilman Caruso.

Upon a motion by Councilman Caruso, seconded by Councilwoman Belcher, and passed by the following vote: YES – Caruso, Fultz, Fawbush, Mays, Belcher, NO – None, ABSENT – None, Council moved to adopt the minutes of the October 18, 2016, meeting as presented.

During the Mayor's call for visitors, William "Buzz" Witt, the City's Representative on the Southwest Regional Recreational Authority (SRRA), was present to give Council an update on hiring a new executive director and on the activities of the organization. He advised that the Authority hired a new director and that he will begin working for SRRA on December 5. Mr. Witt said that the SRRA has received a Power Grant and will use part of the funds to construct a bike trail from Haysi, Virginia to the Kentucky border through Breaks Interstate Park. The grant has enabled the SRRA to purchase equipment that will aid in maintaining the trails and help them to quickly respond to trail situations should the need arise. They have hired one employee and expect to hire a few more in the future.

Councilman Caruso noted the City of Norton is featured in the November issue of Blue Ridge Outdoors magazine as having a "bright future" in outdoor tourism. Councilman Caruso pointed out that this designation corresponds with trail work that is being done in the Flag Rock Recreation Area and in the region.

Mr. Witt added that the Heart of Appalachia (HOA) is doing a great job marketing the region and this information will be useful at trade shows.

Mayor Mays thanked Mr. Witt for the update on the SRRA.

Mr. Ramey advised that the AmeriCorps/National Civilian Conservation Corps Team River 5 (NCCC River 5) was present and that he would like the City's Trail Coordinator, Shayne Fields, to introduce the team and describe the work that will be performed over the next few weeks.

Mr. Fields thanked Council for the support and machinery that was purchased for trail development work at Flag Rock Recreation Area, and advised that the AmeriCorps Team has been removing raw material from a trail and hauling concrete to the site to build a retaining wall. He then asked each member to introduce themselves and note where they are from: Alex Tubridy (New York); Iziah Thompson (New Jersey); Mario Greene (Alabama); Joe Knoblauch (Minnesota); Linzie "Bubba" Gilmore III (Georgia); Elyse Highstreet (California); Olivia De Mare (Florida); Tulia Metz (Illinois); and Sadie Scott (Massachusetts). Team Member Iziah Thompson said the group came together three

months ago and members are from all across the United States. He stated they just completed work in the flooded areas of Louisiana and they are happy to be in the City of Norton working to open the Magnolia Trail.

NCCC River 5 Team Member Joe Knoblauch spoke about the history of the AmeriCorps, and explained that members work for 10 months at a time and includes individuals ages 18 to 24.

Councilman Caruso explained the area has had its own disaster with the shutting down of the coal mining industry, and their work on the trails is helping the City recover from its own economic disaster by helping the City develop outdoor recreation to create a tourism-related economy.

Council thanked the NCCC River 5 for their work on the trails.

Included in Council's packets was a copy of a Memorandum of Understanding for a Regional Grant Application for the 2016 Assistance to Firefighters Grant Program (AFG) with the City serving as the lead applicant and fiscal agent.

Fire Chief Todd Lagow explained that the self-contained breathing apparatus (SBA) that the Fire Department uses is nearing expiration and will need to be replaced within a couple of years. The cost to replace the air cylinder portion of the breathing equipment is \$110,000 and total replacement would cost \$168,000. He advised that the Virginia Department of Fire Programs conducted a study of area fire departments in 2013, and the study showed that area departments need to have the same breathing equipment so firemen can connect air packs when working jointly should the need arise. He said he is trying to be proactive by working on a regional Federal Emergency Management Agency grant (FEMA) for assistance to firefighters to replace the aged equipment. He noted that four fire departments are interested in participating in the program and the MOU includes the departments of Big Stone Gap, Coeburn, Norton, and Wise, and potentially the Valley Department. The total cost of replacement for the four departments is \$800,000 which is approximately \$7,000 per unit. Agencies will be required to fund a five percent match and the City's portion of \$10,000 would be covered under the Fire Department's budget so no additional funding is requested.

Mayor Mays thanked Chief Lagow for thinking ahead and working on the regional level.

The City Attorney stated that the Memorandum of Understanding Chief Lagow presented for Council's consideration is one of the best written MOU's he has reviewed and has no objections to the document.

After a brief discussion and upon a motion by Councilman Fawbush, seconded by Councilman Fultz, and passed by unanimous vote, Council moved to authorize the City Manager to sign the Memorandum of Understanding between the participating agencies in 2016 Regional Assistance to Firefighters Grant.

Council packets also contained a Memorandum of Understanding (MOU) between the City of Norton Police Department and the Wise County/City of Norton Commonwealth's Attorney Domestic Violence Prosecutor and a MOU between the Norton Police Department and the United States Forest Service Jefferson and George National Forests seeking Council's authorization to execute the MOU's between the area agencies.

Mr. Ramey said the MOU between the Norton Police Department and the Commonwealth's Attorney Domestic Violence Prosecutor basically defines the services that each agency will provide. The MOU in Council's packet is a draft of the agreement and the City has requested one change be made to the MOU. Chief Lane has the final MOU for endorsing if Council approves the MOU. The MOU between the Police Department and United States Forest Service Jefferson and George National Forests permits the law enforcement officer for the Forest Service to utilize the Police Department's radio frequencies should they be needed. Mr. Ramey stated that the City Attorney and Chief Lane have reviewed both MOU's.

The City Attorney advised that if the MOU's are satisfactory to members, Council should authorize the City Manager to execute the documents on behalf of the City.

Upon a motion by Councilman Fawbush, seconded by Councilwoman Belcher, and passed by unanimous vote, Council moved to authorize the City Manager to execute the Memorandum of Understanding between the City of Norton Police Department and the Wise County/City of Norton Commonwealth's Attorney Domestic Violence Prosecutor and a Memorandum of Understanding between the Norton Police Department and the United States Forest Service Jefferson National Forest

Council was presented with A Resolution for a Salamander Sanctuary in the Flag Rock Recreation Area.

Mr. Ramey said the recent update from Dr. Walter "Wally" Smith of the University of Virginia's College at Wise (UVA-Wise) resulted in discussion of creating a salamander sanctuary in the Flag Rock Recreation Area and that Dr. Smith was present to discuss the resolution.

Dr. Smith thanked Council for allowing UVA-Wise to conduct research on the Green salamander in the Flag Rock Recreation Area and introduced some of the student researchers in attendance: Eric White, Layton Gardner, and Professor of Geology Robert Vangundy.

After a brief discussion and upon a motion by Councilman Caruso, seconded by Councilman Fultz, and passed by unanimous vote, Council moved to adopt A Resolution for a Salamander Sanctuary in the Flag Rock Recreation Area.

Upon a motion by Councilman Caruso, seconded by Councilwoman Belcher, and passed by unanimous roll call vote, Council moved to go into closed meeting to discuss personnel as per Section 2.2-3711 (A) (1) of the Code of Virginia, as amended.

Mayor Mays declared Council in closed meeting.

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

Mayor Mays declared Council back in open meeting.

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 Fultz, 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)

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

Mr. Ramey said he has received several complaints about regular yard sales on vacant property in the downtown area. He asked if Council would like for City Administration and the City Attorney to research the issue.

The City has 60 million gallons of water storage at the reservoir. City Administration is not overly concerned about the water level at this time, but staff may increase social media messages asking citizens to voluntarily conserve water.

He placed at each member's desk a copy of the certificate the Water Plant received recognizing the plant for 2015 Water Fluoridation Quality Award.

Council is invited to attend a seventh grade luncheon at Norton Elementary and Middle School (NEMS) at 12:30 p.m., November 15, 2016.

There were no comments from the City Attorney.

In comments from Council:

Mayor Mays asked Council if they had received any complaints regarding downtown yard sales.

After brief discussion, Mayor Mays asked the City Manager and the City Attorney to research the matter and advise Council what they determine as the best course of action to resolve constant yard sales in the business district.

Mr. Bradshaw advised that handling downtown yard sales as a zoning matter may be the best means in handling this issue.

Councilman Caruso said that the Norton Rescue Squad Board (NRSB) has decided to meet twice per month until the bylaws and the Memorandum of Understanding (MOU) between Norton Rescue Squad (NRS) and the City are completed. He provided Council with a draft MOU between NRS and the City and asked that Members review the document. He said Mr. Ramey will provide the City Attorney with a copy of the MOU for evaluation. The bylaws are on the Board's agenda for discussion on November 7. If approved, the Norton Rescue Squad will be completely reorganized and the Board will be asking the City for an Emergency Management Service (EMS) person to provide administrative assistance until restructuring is completed.

Councilman Fultz commended the Norton Rescue Squad Board of Directors for their progress on resolving the Norton Rescue Squad's issues.

The Halloween Bash was a well-attended event and he applauded Parks and Recreation Director Michele Knox and Lion Club Member Judy Miller for their work on the event.

He thanked the Norton Police Department, Fire Department, and Rescue Squad for their assistance and participation in the John I. Burton High School Homecoming Parade. He thanked the downtown businesses that decorated their windows for homecoming.

Councilman Fultz said John I. Burton High School will have a Veteran's Day event at the school on Friday, November 11.

He also welcomed Wakami Japanese Steakhouse to downtown.

Councilwoman Belcher stated that she had met with Workforce Development Interim Executive Director Aleta Spicer to review the bylaws for the Chief Local Elected Official Board (CLEO) and Workforce Development.

Councilman Fawbush reiterated his concern about yard sales in the City, and he would like for the City Manager and City Attorney to provide suggestions on limiting repetitive yard sales throughout the City.

He stated fishing in the reservoir is an issue this time of year due to low water levels. Councilman Fawbush asked that the City be thinking of possible solutions for this problem and consider installing a floating dock sometime in the future. He suggested maybe the Boy Scouts could assist with a resolution to the situation.

Councilman Fawbush asked the City Attorney to consider a license for the "Woodbooger" name so that the City maintains control of the service mark.

Mr. Bradshaw stated that it is a good idea that the service mark "Woodbooger" is acknowledged as a trademark that belongs to the City of Norton and is used by permission.

Councilman Fawbush provided Council with a report on the 2016 Woodbooger Festival and stated the event had good attendance both nights. He thanked Shayne Fields and Fred Ramey for the mountain bike ride, Dr. Wally Smith for the salamander hunt hike, and Pathfinders Outdoor Adventures for the canoe rides. He appreciates all those who volunteered or offered their services for the event and for the assistance of the Norton Parks & Recreation Department. He provided a financial statement for Council's review and said there would be additional funding up to \$300 received. The plaques for the Woodbooger statue were purchased with the revenue raised this year. An After-Action Review (AAR) will be conducted within the next couple of weeks to improve and enhance the event for next year.

Mayor Mays said there are some important issues on the November ballot for Virginians to consider, and he asks everyone to carefully weigh the proposed constitutional amendments.

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

CITY OF NORTON, VIRGINIA

William Mays, Mayor

ATTEST:

Rebecca K. Coffey, Clerk of Council

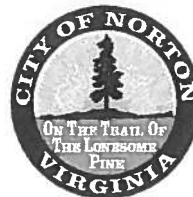


Inter-Office Memo

To: Mayor and City Council
From: Fred L. Ramey, Jr., City Manager *FR*
CC:
Date: November 11, 2016
Re: AmeriCorps/NCCC Team

At our November 15th Council meeting, the members of the AmeriCorps/National Civilian Conservation Corps' "River 5" Team would like to present a final report of their activities during their deployment to the City of Norton. The team arrived on October 26th and will be leaving on November 17th.

Thank You.



Inter-Office Memo

To: Mayor and City Council
From: Fred L. Ramey, Jr., City Manager *FR*
CC:
Date: November 11, 2016
Re: Norton Community Hospital

At our November 15th Council meeting, Mark Leonard CEO of Norton Community Hospital would like to provide City Council with an update on the latest happenings at Norton Community Hospital and Mountain States Health Alliance..

Thank You.

MEMORANDUM OF UNDERSTANDING**Between****THE CITY OF NORTON, VIRGINIA****&****NORTON RESCUE SQUAD, INC.**

This Memorandum of Understanding ("MOU") is made and entered into by and between the CITY OF NORTON (CITY), a political subdivision of the Commonwealth of Virginia and the NORTON RESCUE SQUAD, INC (NRS), a Virginia non-stock corporation organized under provisions of Chapter II, Title 13.1, of the Code of Virginia.

RECITALS

- A. The CITY and NRS enter into this MOU to outline financial and structural guidelines related to the City's continued financial assistance to NRS.
- B. This MOU replaces the previous MOU dated: January 20, 2015.
- C. The parties have agreed upon various matters pertaining to the City's continued assistance and wish to reduce their understanding to writing.

WITNESSETH

THAT to induce the City to appropriate monies to the NRS, the parties do hereby agree as follows:

1. NRS agrees to maintain a governing board whose primary goal will be the oversight of all NRS activities, the development of NRS policy, and to develop an ongoing financial and organizational management plan to ensure the long-term viability of NRS. The governing board shall consist of not less than five members.

2. NRS shall allow the CITY to appoint at least two representatives to serve on the NRS BOD for terms specified in the NRS By-laws.
3. NRS agrees to develop and implement, in close coordination with the CITY, organizational and financial plans necessary to ensure the long term financial viability of the NRS and provide the CITY with high quality, professional, emergency rescue services.
4. The NRS shall present the CITY a report of all organizational / operational changes and a first draft of a long term financial management plan NO LATER THAN 31 January 2017 and a finalized plan NO LATER THAN 30 June 2017.
5. The NRS shall create a new administrative position (Chief Operating Officer, (COO)), who, as part of their administrative duties, shall be the liaison between the NRS and the CITY.
6. The NRS, in collaboration with the CITY, shall study other EMS organizational / operational models and provide a report to the NRS BOD and the CITY by the end of February 2017 if other more efficient models are found.
7. NRS agrees to make available to the CITY all its financial, property, payroll, administrative and organizational records.
8. NRS agrees to provide the CITY with all financial documentation reasonably necessary for the CITY to provide accounting and payroll services and conduct internal auditing activities.
9. The NRS agrees to follow the CITY payroll schedule and review and update all NRS payroll and human resources policies.
10. NRS agrees not to sell, lease or create a lien involving any of its assets without the written approval of the CITY.
11. The CITY agrees to provide payroll services to the NRS, starting in January 2017, to help reduce NRS's operating costs.

12. In order that NRS may understand and appreciate the full scope of the assistance it is receiving from the CITY, the CITY shall periodically provide the NRS a report of financial and non-financial CITY resources used to support NRS activities.
13. The CITY agrees to assist the NRS in the areas of: accounts receivable, accounts payable, leave accrual, and paid time off accounting.
14. The CITY agrees to assist the NRS in developing a line item proforma budget, initiating an audit of the NRS financial records, and creating a full material asset inventory of NRS property, and CITY property on loan or lease to the NRS NO LATER THAN 31 January 2017.
15. The CITY shall assist the NRS in finding and developing and submitting grant packages.
16. The CITY agrees to assist the NRS in requesting additional funding from Wise County and local municipalities for areas covered and services provided by the NRS
17. The CITY agrees to assist the NRS in reviewing all mutual aid agreements in force between the NRS and other area municipalities and or organizations NO LATER THAN June 2017.
18. The CITY agrees that an EMS professional is needed to act as a liaison between the CITY and the NRS to assist the NRS in administrative and management activities.
19. The CITY agrees to assist the NRS with legal services support (City Attorney) to the NRS BOD on an as needed basis.
20. The parties agree to renegotiate the NRS facility lease agreement NO LATER THAN 28 February 2017.
21. The Parties agree that this MOU shall terminate one (1) year from the date signed into effect unless extended by agreement of the two parties.
22. The parties agree that the execution of this MOU does not constitute a binding obligation to provide funds beyond those already approved by the Norton City Council.

23. The Parties agree that either party can nullify this MOU or parts of this within thirty days of written notification to do so. This MOU contains the entire understanding of the parties with respect to the subject matter hereof. It supersedes all prior or contemporaneous discussions, negotiations and understandings between them. No amendment to this MOU shall be effective unless in writing executed by the duly-authorized representatives of the Parties

IN WITNESS WHEREOF, the parties have caused this MOU to be executed by their duly-authorized representatives. This MOU shall become effective upon execution by the Mayor of the City of Norton and the Norton Rescue Squad, Inc. Chairman.

ATTEST:

BECKY COFFEY, CLERK

CITY OF NORTON, VIRGINIA

BY: _____

WILLIAM MAYS, MAYOR

EXECUTION DATE: _____

NORTON RESCUE SQUAD, INC
A NON-STOCK CORPORATION

ATTEST: _____

MARK A CARUSO, NRS BOD SECRETARY

BY: _____

TODD LAGOW, NRS BOD CHAIRMAN

EXECUTION DATE: _____

-----NOTHING FOLLOWS-----

Resolution

WHEREAS, the health and safety of all Virginians is important to the happiness, prosperity and well-being of our Commonwealth's families and communities; and

WHEREAS, every child in Virginia, regardless of physical, medical or emotional challenges, age or race, needs love, support, security and a place to call home; and

WHEREAS, these children can thrive, reach their full potential, and spread their wings when given the loving and firm foundation of family, a family with a desire to parent a child who would otherwise not have permanency in their lives; and

WHEREAS, in addition to adoption from foster care, it is appropriate to recognize those who have chosen other adoption options to build a family. It is important for every child who cannot be raised by a birth parent to find a permanent home. Children have better outcomes when they are raised in families; and

WHEREAS, there are more than 5,000 children in Virginia's foster care program and more than 900 children have the goal of adoption and are available for placement in an adoptive home; and

WHEREAS, children can thrive, reach their full potential, and spread their wings when given the loving and firm foundation of a family; and

WHEREAS, in addition to adoption from foster care, it is appropriate to recognize those who have chosen other adoption options to build a family. It is important for every child who cannot be raised by a birth parent to find a permanent home. Children have better outcomes when they are raised in families; and

WHEREAS; Virginia Heart Galleries is the Commonwealth's resource that provides much needed exposure for children waiting to be adopted; and

WHEREAS, the collaboration of both public and private adoption agencies along with community agencies, religious organizations, businesses, and others should be recognized for their commitment to the needs of the children throughout the Commonwealth;

NOW, THEREFORE, BE IT RESOLVED that the Norton City Council does formally recognize November 2016, as ***Adoption Awareness Month*** and call this observance to the attention of all of our citizens.

ADOPTED this 15th day of November, 2016.

CITY OF NORTON, VIRGINIA

William J. Mays, Mayor

ATTEST:

Clerk



CERTIFICATE of RECOGNITION

By virtue of the authority vested by the Constitution of Virginia in the Governor of the Commonwealth of Virginia, there is hereby officially recognized:

ADOPTION AWARENESS MONTH

WHEREAS, the health and safety of all Virginians is important to the happiness, prosperity and well-being of our Commonwealth's families and communities; and

WHEREAS, every child in Virginia, regardless of physical, medical or emotional challenges, age or race, needs love, support, security and a place to call home; and

WHEREAS, there are more than 5,000 children in Virginia's foster care program and more than 900 children have the goal of adoption and are available for placement in an adoptive home; and

WHEREAS, children can thrive, reach their full potential, and spread their wings when given the loving and firm foundation of a family; and

WHEREAS, in addition to adoption from foster care, it is appropriate to recognize those who have chosen other adoption options to build a family. It is important for every child who cannot be raised by a birth parent to find a permanent home. Children have better outcomes when they are raised in families; and

WHEREAS, Virginia Heart Galleries is the Commonwealth's resource that provides much needed exposure for children waiting to be adopted; and

WHEREAS, the collaboration of both public and private adoption agencies along with community agencies, religious organizations, businesses, Virginia's Adoption Champion Deborah J. Johnston, and others should be recognized for their commitment to the needs of children throughout the Commonwealth;

NOW, THEREFORE, I, Terence R. McAuliffe, do hereby recognize November 2016 as **ADOPTION AWARENESS MONTH** in our **COMMONWEALTH OF VIRGINIA**, and I call this observance to the attention of all our citizens.



Terence R. McAuliffe
Governor


Kelley Thomas
Secretary of the Commonwealth

SCHOOL BOARD

Sherry Adams, Chairperson
Mark Leonard, Vice-Chairperson
Carol Caruso
April Fletcher
Joseph Stallard

**DIVISION SUPERINTENDENT**

Keith Perrigan, Ed.D.
kperrigan@nortoncityschoos.org
Phone 276.679.2330
Fax 276.679.4315

TO: Jeff Shupe, Director of Finance
FROM: Tamrya Spradlin, Supervisor of Finance 
SUBJECT: Request For Funds
DATE: October 26, 2016

Norton City Schools requests a deposit of City Funds in the amount of \$150,000 to cover October 2016 payroll expenditures.

Thank you!