

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.

26079

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.

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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); Julia Metz (Illinois); and Sadie Scott (Massachusetts). Team Member Iziah Thompson said the group came together three

26081

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.

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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.

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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.

26084

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.

26085

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.

26086

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 –

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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.

26088

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.

26089

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.

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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.

26091

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.

26092

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.

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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.

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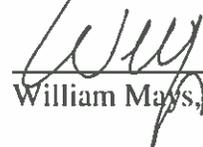
Councilman Fawbush provided Council with a report on the 2016 Woodbooger Festival and stated the event had good attendance both nights. He thanked Shayne Fields and Fred Ramey for the mountain bike ride, Dr. Wally Smith for the salamander hunt hike, and Pathfinders Outdoor Adventures for the canoe rides. 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.

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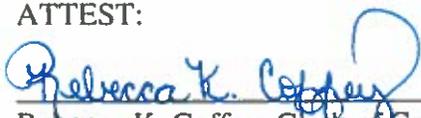
There being no further business to come before Council, the meeting adjourned.

CITY OF NORTON, VIRGINIA



William Mays, Mayor

ATTEST:



Rebecca K. Coffey, Clerk of Council