

The regularly scheduled meeting of the Norton City Council was held on Tuesday, June 16, 2009 at 6:00 p.m. in the Municipal Council Chambers with Mayor William Mays presiding.

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

Absent: Joseph Hunnicutt

Also Present: E. W. Ward, 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 Captain James C. Lane.

Upon a motion by Councilman Fawbush, seconded by Councilman Roop, and passed by unanimous vote, Council moved that the minutes of the June 2, 2009 meeting adopted as presented.

24312

There was no response to the Mayor's call for visitors.

24313

Mr. Ward advised that Council had been provided with a copy of a letter to Mayor Mays from the Old Dominion Power Company regarding the application of Kentucky Utilities Company d/b/a Old Dominion Power Company for an adjustment of electric base rates. He had met with representatives who advised him that Old Dominion had not had a base rate increase in 25 years. The amount of increase for each 1,000 kWh is approximately \$22.00 per month and will affect the counties of Wise, Lee, Russell, Scott, and Dickenson in Virginia. This would be an additional \$35,000 expenditure for the City. He is informing Council of this increase and asking for their direction as to whether the City should continue to monitor the increase, contact Old Dominion or State legislators, or contact the State Corporation Commission. He advised he could contact the Virginia Association of Counties or the Virginia Municipal League to see if any other entities are considering challenging this rate increase.

24314

Councilman Caruso stated that this is a large increase in the poorest part of the State and he would like to see Council challenge this rate increase.

Following a brief discussion, it was the consensus of Council for Mr. Ward to follow up with the other counties involved in this rate increase, the Virginia Municipal League, and the Association of Counties and report back to City Council what they plan to do regarding this rate increase and bring this information back to Council.

At this time, Mayor Mays recognized Mr. Greg Cross, Wise County Litter Warden and Coordinator of Keep Wise County Beautiful. Mr. Cross spoke briefly to Council and advised that the City of Norton had won the Great American Clean-Up's Mountain of Trash Award. He recognized Michele Knox, the City's Parks and Recreation Director and Litter Coordinator, and presented her with a plaque. He also recognized Ms. Knox's contribution to the Keep Wise County Beautiful Committee.

24315

In their packets, Council had been presented with a copy of the 2009-2010 budget for the Norton Industrial Development Authority. Mr. Ward advised that, due to some requirements of the Powell Valley National Bank, City Council must also approve NIDA's budget prior to July 1st of each year.

The City Manager advised that the budget totals \$1,020,932.98 and he advised that NIDA, in their Capital Improvement Budget, has some improvements planned for the AT&T location and there is a \$51,000 contingency line item. Mr. Ward advised he is seeking Council's approval of this budget.

24316

Upon a motion by Councilman Caruso, seconded by Councilman Fawbush, and passed by unanimous roll call vote, Council moved to adopt the 2009-2010 budget of the Norton Industrial Development Authority.

Council had been presented with a copy of A Resolution of the City Council of the City of Norton Adopting a Five Year Capital Improvements Program.

Mr. Ward advised that this is a housekeeping item and, when adopted, this resolution only appropriates funding for the first year.

Upon a motion by Councilman Fawbush, seconded by Councilman Caruso, and passed by the following unanimous roll call vote: YES – Caruso, Mays, Fawbush, Roop, NO – None, ABSENT – Hunnicutt, Council moved to adopt A Resolution of the City Council of the City of Norton Adopting a Five Year Capital Improvements Program. (Insert)

24317

Council had been presented with a request to approve A Resolution of the Governing Body of the City of Norton and to adopt a Code of Conduct as pertains to a grant from Rural Development.

Mr. Ward advised that the City had been notified by Congressman Boucher of a \$46,000 grant for another quick response vehicle. In order to meet all guidelines from Rural Development, the City needs to adopt this resolution and Code of Conduct as presented.

24318

Following a brief discussion and upon a motion by Councilman Roop, seconded by Councilman Caruso, and passed by the following unanimous roll call vote: YES - Caruso, Mays, Fawbush, Roop, NO – None, ABSENT – Hunnicutt, Council moved to adopt A Resolution of the Governing Body of the City of Norton. (Insert)

Upon a motion by Councilman Caruso, seconded by Councilman Fawbush, and passed by unanimous roll call vote, Council moved to adopt A Code of Conduct as pertains to a grant from Rural Development. (Insert)

In their packets, Council had a request to amend the 2008-2009 City budget in the amount of \$26,000.

Mr. Ward advised that \$25,000 of this request is for grant revenue to be received from Rural Development for the purchase of a quick response vehicle and the expense for the actual purchase of said vehicle from Apple Ford of Lynchburg.

The remaining \$1,000 is a donation received from Walmart to the City's Parks and Recreation Department. Ms. Knox, Parks and Recreation Director, is requesting Council's approval to use these funds to purchase new grills for the Flag Rock Recreational Area.

24319

Following a brief discussion and upon a motion by Councilman Caruso, seconded by Councilman Fawbush, and passed by unanimous roll call vote, Council moved to amend the 2008-2009 General Fund Operating Budget in the amount of \$26,000. Of this amount, \$25,000 is for grant revenue to be received from Rural Development for the purchase of a quick response vehicle from Apple Ford of Lynchburg and \$1,000 is for the expenditure of purchasing new grills for the Flag Rock Recreational Area.

Mr. Ward had included in Council's packet A Resolution Adopting the Commonwealth of Virginia Holiday Schedule for the City.

The City Manager advised this had been discussed in the past and, if adopted, would give the City employees three more holidays plus any additional days the Governor may wish to give. Should Council wish to entertain this resolution, it would bring the City in compliance with the State and other entities in our area.

24320

Upon a motion by Councilman Fawbush, seconded by Councilman Roop, and passed by the following unanimous vote: YES – Caruso, Mays, Fawbush, Roop, NO – None, ABSENT – Hunnicutt, Council moved to adopt A Resolution Adopting the Commonwealth of Virginia Holiday Schedule for the City. (Insert)

The City Manager had included in Council's packets information regarding the 2009 Virginia Municipal League Annual Conference and also information regarding the submission of an Application for an Achievement Award.

Mr. Ward advised that the earlier registration forms are sent in for this conference, the better it will be for Council members attending to stay in the host hotel. This year's conference will be held at the Hotel Roanoke in Roanoke October 18 – October 20. He briefly went over the agenda for the conference.

24321

The City, in the past, has been the recipient of two Virginia Municipal League Achievement Awards. One award was for the Coeburn-Norton-Wise Regional Sewer Authority and the second was for the Hotel Norton Project. He would like to submit the Laurel Trail Housing Project this year for consideration. A brief PowerPoint presentation was shown to council members with information that will be included in this application.

Council had a copy of a bank transfer payable to the Norton City Schools in the amount of \$175,000 to cover payroll and fringe benefits and a check in the amount of \$122,004.25 made payable to the Norton Industrial Development Authority for a quarterly payment on the Norton Commons Shopping Center.

24322

Upon a motion by Councilman Fawbush, seconded by Councilman Caruso, and passed by unanimous roll call vote, Council moved to approve a bank transfer to the Norton City Schools in the amount of \$175,000 and a check in the amount of \$122,004.25 made payable to the Norton Industrial Development Authority.

Upon a motion by Councilman Caruso, seconded by Councilman Fawbush, 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.

24323

Mayor Mays declared Council in closed meeting.

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.

2432

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

2432

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

The Best Friend Festival is this week and he hoped that Council members would be able to attend some of the activities.

In response to requests from some Council members to tour the C-N-W Regional Sewer Authority, once he is given a date, he will arrange a tour. Following a brief discussion the date of July 10th at 9:00 a.m. was selected.

Council members are invited to attend a ribbon cutting at Mountain View Medical Center on June 30th at 10:30 for the arrival of new medical students.

The City has received information from the Virginia Municipal League that stimulus money will be available to purchase new fire halls. The City is going to apply for two million dollars for this purpose.

24326

He is reminding Council of the reception to be held Thursday, June 18th, at the Holiday Inn by the School Board for Dr. Brannon, Dr. Begley, and Mr. Keith.

At the last meeting, Council cancelled the regularly scheduled council meeting of July 7th. At the next meeting, Council will be given a copy of a draft ordinance on twice a year tax billing for review.

In comments from the City Attorney, Mr. Bradshaw advised that the Wise County Circuit Court has approved the sale of each property that was sold during the Delinquent Tax Sale held in May and that he has sent out notices on the motion to distribute funds. This will be argued before the Circuit Court on July 2, 2009 and the final order will come ten days later. This is rapidly moving forward to getting the cases off the docket.

24327

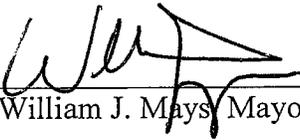
In comments from Council, Councilman Roop commended the City Attorney for the job done on the delinquent tax properties. Mr. Bradshaw thanked Councilman Roop and advised it was good to work for the City.

24328

Councilman Roop also asked the City to send a card or flowers to Councilman Hunnicutt who is ill. Mayor Mays advised him that this had been done.

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

CITY OF NORTON, VIRGINIA



William J. Mays Mayor

ATTEST:



Clerk