

The regularly scheduled meeting of the Norton City Council was held on Tuesday, May 15, 2012 in the Municipal Council Chambers at 6:00 p.m. with Mayor William Mays presiding.

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

Absent: Joseph Hunnicutt

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 former City Councilman Roy Roberts.

Upon a motion by Councilman Fawbush, seconded by Councilman Caruso, and passed by unanimous vote, Council moved to adopt the minutes of the May 1, 2012 meeting as presented. 25401

At this time, Mayor Mays recognized former Councilman Jack Wallace. The Mayor then read the inscription on a plaque being presented to Mr. Wallace for his 16 years of service as one of Council's representatives to the C-N-W Authority. Receiving a standing ovation and applause from those present, Mr. Wallace thanked Mayor Mays. 25402

There was no response to the Mayor's call for visitors. 25403

A public hearing was held on a proposed property tax increase resulting from a general reassessment of property which will increase the real estate tax levy from 75 cents per \$100 of valuation to 80 cents per \$100 of valuation.

Mr. Ramey advised that he had included information in Council's packet covering this public hearing.

Mayor Mays opened the public hearing.

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

The City Attorney advised Council that they can take action on this tonight and advised the effective date will be July 1, 2012.

Councilman Roop inquired as to how much extra revenue the tax rate of \$.80 cents per \$100 valuation will produce and was advised that it would be \$115,000. Councilman Roop stated he would support the increase and made a motion on same. Before the motion received a second, Councilman Caruso stated he had strong feelings about raising taxes. He further stated there is a lot going on regarding consolidation and in order to see if the issue is dead, he would like to make a motion that Council rescind the resolution they adopted supporting the continuation of talks on consolidation. If this is done, he can support the increase in taxes going to the School System; if not, he cannot approve this raise in taxes. 25404

Following a lengthy discussion during which the City Attorney advised that, to the best of his knowledge on the rules of order that govern this Council, a motion to reconsider a resolution must be presented by someone who supported the original motion at a meeting within 30 days of the original motion. Therefore, this motion cannot be

rescinded. He further advised he would be happy to look into this further and bring back information to Council should they request that he do so.

Upon a motion by Councilman Roop (as stated earlier) , seconded by Councilman Fawbush, and passed by the following roll call vote: YES – Caruso (based on Councilman Roop’s discussion wherein he advised he had attended the School Board meeting the previous evening and the School Board is clearly not moving toward consolidation. He further advised that this is the only reason he is going to vote yes despite the procedures), Fawbush, Roop, Mays, NO – None, ABSENT – Hunnicutt, Council moved to increase the real estate tax levy from 75 cents per \$100 of valuation to 80 cents per \$100 tax valuation.

Dr. Jeff Comer, Superintendent of the Norton City Schools, presented Council with an update on the J. I. Burton High School Roof Project.

Mr. Ramey advised that Council, at its last meeting, advised Dr. Comer to proceed with the roof project provided that Mr. Hale saw no problem with moisture by leaving the existing roof on the building.

25405

After a brief discussion, Dr. Comer advised that Mr. Hale of HDH Associates sees no problem with moisture; however once the installation process has begun, he will be able to see if there is an existing problem. He further advised that they hope to start by late June and the majority of the project finished by the time school starts. (Insert – Councilman Roop’s Disclosure Form)

The City Manager gave Council an update on the second Service Agreement with CNW. He advised that a meeting had been held today and there were not a lot of changes.

The City Attorney advised he will attend a work session on Friday with the Wise County Attorney and the Town of Wise Attorney to draft specific language issues.

25406

Mr. Ramey advised this item will be back on the next agenda.

Dr. Comer, Superintendent of the Norton City Schools, presented Council with their 2012-2013 budget. He advised that the budget calls for a step plus 1.1% raise for employees. He advised the budget for this year totals \$7,461,277 which is \$53,581 less than last year. He also advised that the City of Norton School Division is one of few within the state to provide consistent salary increases with the exception of last year and he credits that to the support of City Council.

25407

At this time, Councilman Hunnicutt took his seat on Council.

25408

Councilman Roop commended Dr. Comer and the School Board for the job they are doing and have done.

Councilman Caruso personally commended Dr. Comer on having a positive attitude on the budget and also commended him and his staff for forward looking positive leadership.

25409

Dr. Comer thanked both Councilman Roop and Caruso for their comments.

On behalf of Council, Mayor Mays thanked Dr. Comer for his presentation.

At this time, the next agenda item of a presentation by the Norton City Schools regarding a Five Year Operation Plan was tabled.

25410

Mr. Ramey advised that in 2011, the lower dam, under a Conditional Operation Maintenance Certificate, was required to have an analysis performed on its structural adequacy. Present tonight is Mr. David Dawson of Thompson and Litton who will give an update on this Structural Adequacy Analysis and some potential funding sources that will help to do the required items that have been identified.

Mr. Dawson advised that in 2008 the regulations were changed and every dam in the Commonwealth must pass the probable maximum flood level. The City's regular certificate expired in 2010 and then was issued a Conditional Permit which stated that the dam has to be shown as stable. Last year, the Department of Conservation and Recreation had funding available and the City applied and received funding for the study that did the analysis. The outstanding news is that the 80 plus years old dam is within generally accepted stability limits; however four items were recognized as needed. These are: 1. Repair leaks. 2. Confirm the perimeters by coring through the dam. 3. Confirm ratios of the confined stress in the concrete dam. 4. Evaluate the scowl potential.

25411

He advised that Mr. Ramey will present to Council two resolutions covering some financial assistance from the Flood Prevention and Protection Assistance Fund for engineering on two of the above four items. The first resolution covers the Lower Norton Dam Engineering Design of Leak Repairs in the amount of \$13,400, which is one-half of the cost. The second covers the Lower Norton Dam Stability Evaluation Testing in the amount \$53,250 which is one-half of the cost for the coring.

Following a brief discussion, the City Manager advised that the City Administration asks that favorable consideration be given to these two resolutions.

Upon a motion by Councilman Fawbush, seconded by Councilman Hunnicutt, and passed by the following unanimous roll call vote: YES – Caruso, Hunnicutt, Fawbush, Roop, Mays, NO – None, ABSENT – None, Council moved to adopt the two resolutions seeking funding in the amount of \$13,400 and \$53,250 covering engineering for the two above items described above by Mr. Dawson. (Inserts)

In their packets, Council was provided a copy of the 2012-2013 budget of the Norton Industrial Development Authority.

Mr. Ramey gave Council a brief synopsis of the budget and advised he would answer any questions they may have regarding same.

Upon a motion by Councilman Fawbush, seconded by Councilman Hunnicutt, and passed by unanimous roll call vote, Council moved to approve the 2012-2013 budget of the Norton Industrial Development Authority.

25412

At this time, the City Manager advised Council that he needed authorization from them to advertise the School Board budget's adoption which will be held on June 5th.

Upon a motion by Councilman Caruso, seconded by Councilman Fawbush, and passed by unanimous vote, Council moved to authorize the City Manager to advertise the City of Norton School Board Budget for adoption at the June 5th meeting.

25413

Upon a motion by Councilman Fawbush, seconded by Councilman Roop, 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.
Mayor Mays declared Council in closed meeting.

25414

Upon a motion by Councilman Hunnicutt, 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.

25415

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.

25416

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

Mayor Mays opened the floor for nominations to the Norton Industrial Development Authority for a four year term which will expire on May 10, 2016.

Councilman Hunnicutt nominated Bill Sturgill to be reappointed to this Authority.

25417

Upon a motion by Councilman Fawbush, seconded by Councilman Roop, and passed by unanimous vote, Council moved that the nominations cease.

Mayor Mays declared Bill Sturgill reappointed to the Norton Industrial Development Authority for a four year term which will expire on May 10, 2016.

Mayor Mays opened the floor for nominations to the C-N-W Wastewater Authority for a four year term which will expire on May 15, 2016.

Councilman Caruso nominated Joseph Fawbush to be appointed to this Board.

25418

Upon a motion by Councilman Hunnicutt, seconded by Councilman Roop, and passed by unanimous vote, Council moved that the nominations cease.

Mayor Mays declared Joseph Fawbush appointed to the C-N-W Wastewater Authority for a four year term which will expire on May 15, 2016.

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

He will be attending a Pre-Construction Meeting at VDOT's Wise office tomorrow regarding the closing of a section of Business 23 at the West Norton School. He will update Council by e-mail.

Thursday night, the Upper Tennessee River Round Table will hold a banquet wherein the City will receive an award. If any member of Council would like to attend and receive this award, please advise him.

25419

At the next Council meeting, a public hearing will be held on the School Board budget, a public hearing will be held on the School Board's additional appropriation for fiscal year 2011-2012, David Rose of Davenport & Company will be in attendance to update Council on some debt refinancing possibilities for the City and a presentation by the Cultural Heritage Commission will be made to Council by Mr. Todd Christensen.

NIDA will be co-sponsoring the Business Appreciation Event to be held May 22, 2012 at 5:30 p.m. at the University of Virginia's College at Wise and council members are encouraged to attend.

There were no comments from the City Attorney.

25420

In comments from Council:

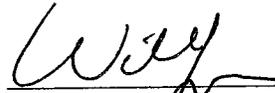
Councilman Caruso advised he will not be in attendance at the next meeting as he will be having cadets at camp.

Councilman Roop advised that he rode across High Knob and noticed that the road is in disrepair. If funding is left over from the dam project, is the road to be paved as much as it can be with these excess funds? A brief discussion was held and Mr. Ramey advised that hopefully it would be.

25421

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

CITY OF NORTON, VIRGINIA



William J. Mays, Mayor

ATTEST:



Clerk