

The regularly scheduled meeting of the Norton City Council was held on Tuesday, September 17, 2013 at 6:00 p.m. in the Municipal Council Chambers with Mayor William Mays presiding.

Present: William Mays, Joseph Fawbush, and Terry Roop

Absent: Mark Caruso and Joseph Hunnicutt

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

The invocation was given by Rev. John Ellington and was followed by the pledge of allegiance led by Assistant Police Chief Joe Baird.

Upon a motion by Councilman Fawbush, seconded by Councilman Roop, and passed by unanimous vote, Council moved to adopt the minutes of the September 3, 2013 meeting as presented. 25905

There was no response to the Mayor's call for visitors. 25906

Mr. Ramey advised that, as of today, we have a total reservoir capacity of 97 million gallons with rainfall totals for the month of 1.04 inches. He advised that City staff feels good about this level as our twenty year average for this time is 77 million gallons. He will continue to keep Council updated. 25907

Council had a request for a revocable permit for the use of City right-of-way from Norton Community Hospital for an off-site directional sign.

Mr. Ramey advised that due to a subsidence problem on 15th Street, trucks can no longer make deliveries utilizing that street; therefore they want the delivery trucks to come to their warehouse via 14th Street. They are asking for the sign to be placed in the vicinity of the corner of Park Avenue and 14th St., N. W. by the Appalachian Community Federal Credit Union. Via a PowerPoint presentation, this location was shown to Council. 25908

During this discussion, Councilman Hunnicutt took his seat on Council. 25909

Mr. David Winchell, representing Norton Community Hospital, was present to answer any questions Council may have.

Following a discussion and upon a motion by Councilman Hunnicutt, seconded by Councilman Fawbush, and passed by unanimous vote, Council authorized the City Manager to issue a Revocable Permit to Norton Community Hospital for the placement of an off-site directional sign on either side of Park Avenue and 14th Street, NW and to work with both the Appalachian Community Federal Credit Union and Norton Community Hospital to select the best location for this sign. 25910

Councilman Fawbush asked that green stakes on the Credit Union side of this street be taken down and the street sign should be relocated to the corner of the lot.

Mr. Ramey advised that the City will check for any utilities on the chosen site.

Mr. Winchell thanked Council for their favorable consideration on this request.

In their packets, Council had a request for a Revocable Permit for the use of a City sidewalk from Eddie Sturgill and Eli Penn, owners of the Flower Bed located at 604 Park Avenue.

Via a PowerPoint presentation, Mr. Ramey showed Council pictures of the structure and potted plants located in front of the business. This is in violation of the City's Code Section No. 22-9 regarding obstructions on a street or sidewalk. This ordinance also states that any person/persons placing such obstructions on the streets or sidewalks shall be responsible for any damage caused. Having previously discussed this situation with Mr. Sturgill, the potted plants have been moved back and there is a 7' clearance of sidewalk space. ADA requirements call for 4' of clearance on a sidewalk.

Both Mr. Sturgill and Mr. Penn were present along with their business neighbor, Denise Phillips. Ms. Phillips stated that the display, along with the table, chairs, and umbrella that she has out, brings in more customers; therefore it is her opinion that the display should stay.

Council advised that they were business friendly and a lengthy discussion was held during which Mayor Mays stated he would like to have some feedback from other downtown businesses. A motion was made by Councilman Roop, seconded by Councilman Fawbush, and passed by unanimous vote that the City authorize the City Manager to issue a 120 day temporary revocable permit to The Flower Bed allowing them to maintain the present display which is not to extend beyond 4' from the building. The structure is also to be anchored and the display will be removed for any City activities that require the use of this sidewalk.

Mr. Sturgill thanked Council for their consideration.

Council was given an update on the various water improvement projects and was advised by the City Manager that Phases I, II, and III of the Virginia Department of Health Water Improvement Project total \$3,384,249 with the grant amount totaling \$1,477,751 and the loan amount totaling \$1,906,498.

He then highlighted the Phase II Project. In the Hamner Avenue area, fire hydrants increased from 3 to 9 and volume and pressure is much improved.

In the Phase I Project, the City has received bids and a Pre-Construction Meeting will be held this week. This is a big project and fire hydrants will be installed as there are few in the area. The main line will be replaced up to 11th Street Pump Station and also sections of Spruce and Pine Streets will be done. Hopefully, this will start within 30 days.

Phase III has engineering services procured and designs are nearly complete. These designs will be submitted to the Virginia Department of Health for approval by the end of the month. The area covered by this will be the down town area, The Terrace, Highland Avenue, sections of Chestnut Street, some back streets on Virginia Avenue, and some portions on Route 74.

Mayor Mays thanked Mr. Ramey for this update.

25911

25912

The City Manager also advised that the City has a maintenance contract on all water tanks and several have been undergoing routine maintenance this year. The three being done this year are the Laurel Avenue Tank, the one million gallon tank above the Water Plant, and the Flag Rock Water Tank. He showed a PowerPoint presentation on the work that has been done on two of these tanks. The Flag Rock Tank will be done after the park closes.

25913

During discussions on this project, Mr. Ramey advised that our water accountability is currently in the high 80's.

Following Council's discussion, Mr. Ramey advised he will keep Council updated on this project.

In their packets, Council had copies of two transfers to the Norton City Schools in the amount of \$380,000 and \$340,000.

Upon a motion by Councilman Fawbush, seconded by Councilman Roop, and approved by unanimous roll call vote, Council moved to approve the two transfers to the Norton City Schools in the above amounts. (Insert – Councilman Roop's Disclosure Form)

25914

Upon a motion by Councilman Hunnicutt, seconded by Councilman Fawbush, and approved 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.

25915

Mayor Mays declared Council in closed meeting.

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

25916

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

25917

Mayor Mays opened the floor for nominations to the City of Norton Highway Safety Commission to fill an unexpired term which will expire on January 31, 2015.

Councilman Fawbush nominated Fred McConnell.

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

25918

Mayor Mays declared Fred McConnell appointed to the Highway Safety Commission to fill an unexpired term which will expire on January 31, 2015.

Mayor Mays opened the floor for nominations to the Mountain Empire Older Citizens Advisory Board for a two year term which will expire on September 15, 2015.

Councilman Roop nominated Michele Knox to be reappointed to this Board.

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

Mayor Mays declared Michele Knox reappointed to the Mountain Empire Older Citizens Advisory Board for a two year term which will expire on September 15, 2015.

Mayor Mays opened the floor for nominations to the City of Norton Tourism Board for a four year term which will expire on September 30, 2017.

Councilman Hunnicutt nominated W. C. "Buzz" Witt to be reappointed to this Board.

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

Mayor Mays declared W. C. "Buzz" Witt reappointed to the City of Norton Tourism Board for a four year term which will expire on September 30, 2017.

Mayor Mays advised that the Board of Plumbing Examiners is not a working board any more that it should be taken off the City's roster.

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

The Norton Fire Department responded within a minute to a fire in Big Stone Gap to assist their Department with a major structure fire. Our Department had 16 firefighters and 5 units on the site and the remainder of Norton's Department was standing by here.

A Pre-Construction Conference for the Safe Route to Schools Project was held today. Hopefully, bids will be received in October.

The Blue Star Memorial Byway Marker Ceremony is planned for Saturday, September 21st at 11 am in the Veterans' Memorial Park. Council members planning to attend should advise Mrs. Brown who will, in turn, notify the Garden Club.

He has handed out the most recent Retail Sales Tax Update for Council's review.

At the suggestion of Vice Mayor Fawbush, the City Staff has been working on a Community Welcome Packet that will be provided to new residents and businesses to the City. He handed out draft copies of this document for Council's review and suggestions.

There were no comments from the City Attorney.

In comments from Council, Councilman Roop thanked the Fire Department for the display of the large American Flag on September 11, 2013.

He also appreciated the City Manager acknowledging the good work done by individuals in the Parks and Recreation Department by sending them a thank you note.

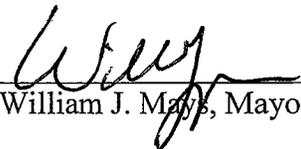
Councilman Fawbush thanked the City Manager and all employees who worked on this Community Welcome Packet.

2592

Mayor Mays advised he will be in attendance at the Blue Star Memorial Byway marker Ceremony on Saturday, September 21st, and accepting it for the City.

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

CITY OF NORTON, VIRGINIA



William J. Mays, Mayor

ATTEST:



Clerk