

The regularly scheduled meeting of the Norton City Council was held on Tuesday, January 7, 2014 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: Fred L. Ramey, Jr., City Manger and Bill Bradshaw, City Attorney

The invocation was given by Rev. John Ellington and was followed by the pledge of allegiance led by Police Chief James Lane.

Mayor Mays spoke briefly stating he hoped everyone had a Merry Christmas and wished all a happy and healthy new year.

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

26001

During the Mayor's call for visitors, Jeff Sturgill, along with Marilyn and Bill Maxwell, of 900 Ridge Avenue, spoke to Council regarding a revocable permit issued to Eddie and Adrienne Fultz in 2008 for use in parking and expanded in 2013 to allow a utility building to be placed on a paper street behind the Maxwell's home. They stated they are being denied access to the back side of their property due to the installation of a utility building in May of this year. They asked that Council either rescind or revoke the permit and have Mr. Fultz move the utility building. Mr. Sturgill also stated that the Maxwells were not notified during this process and they would like to have affirmative action by Council on this.

26002

The City Manager showed pictures of the property in question with the building situated on it and its proximity to the Maxwell's property.

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

26003

Following a lengthy discussion and advice from the City Attorney, the item was tabled for thirty (30) days until the weather is moderated and, by consensus of Council, the City Manager is to arrange a meeting with the Fultzs and Maxwells on site and see if this problem can be settled in an amicable way for both parties. Mr. Ramey advised he would be happy to do so.

26004

The City Manager stated that 99% of revocable permits have no problems; however, he does think there is a need to contact any adjoining property owners in the future.

Mr. Sturgill advised this is acceptable with the Maxwells.

The City Manager advised he will have an update for Council at the February 4th meeting.

Mr. Ramey advised that our reservoirs are full and overflowing with a combined capacity of 124 million gallons in both lakes. Monitoring will continue; however, this will no longer be a regular agenda item.

26005

Mr. Ramey advised he was in receipt of a request from Mike Brown, Chairman of the City of Norton Electoral Board, on behalf of the Board and poll workers, seeking Council's consideration on relocating the City's voting precinct from the City's Council Chambers to the Community Center.

Mr. Brown spoke briefly to Council advising the positive aspects of this move. He advised that he had discussed this with Dr. Jeff Comer, Superintendent of the Norton City School System, Police Chief James Lane, and Michael Wampler, Director of Mountain Empire Older Citizens Agency. All advised they would be happy to work with the City. Also, Jim Wright of the Junction Center for Independent Living had inspected the facility and advised it had passed as viable according to the Americans with Disabilities Act. A copy of Mr. Wright's findings was presented to each Council member.

26006

Mr. Brown stated some electrical outlets would need to be replaced in the Community Center and a couple of lights in the parking lot need to be replaced.

Following this presentation, Mr. Brown advised he would be willing to answer any questions from Council.

The City Attorney advised he would look into the changes of the Voting Rights Act to see if approval needs to be made by the Justice Department. He does not anticipate any problem but will advise Council before a public hearing is scheduled.

Council was advised that the only cost to the City would be the issuance of new voter registration cards and postage to mail them.

Also present tonight were Board members Delores Belcher, Lisa Powers, and Assistant Registrar Ann Minor.

Mayor Mays thanked all for their service to the City.

A presentation of the 2013-2014 audit was made by Tamara Greear of the firm, Thrower, Blanton, and Associates, P. C. She expressed thanks to the City's administration and staff for the assistance on this audit and advised that it was completed on time. Copies of the audit were presented to Council members.

She advised the City received a clean audit; however there were a few minor findings regarding paper work, which have been corrected.

26007

Following her brief summary, she advised that this is a lengthy document and if any member of Council has a question regarding it, she will be glad to answer any questions they may have.

During this presentation of the audit, Mr. Hunnicutt left the meeting.

26008

Mr. Ramey advised this document will be used in the budget process. Mayor Mays thanked Ms. Greear for the presentation.

Councilman Roop asked about the cost of the audit and was advised that the cost is approximately \$25,000 which is shared by both the School Board and Social Services.

26009

Mr. Ramey advised that Council had been given a copy of a draft resolution in their packets on the Pump and Haul request from Paul Ison.

Mr. Ramey, via a PowerPoint presentation, showed Council the location of this coal tipple and advised it did not have access to the City's sewers. He advised this draft resolution meets the Health Department's guidelines; however it needs to be approved by Council prior to being sent to the Health Department for approval. He then gave a brief summary of this resolution advising it would be renewable every two years. The City Attorney advised that he was pleased with the resolution and Mayor Mays advised that Mr. Ramey and Mr. Bradshaw had been very thorough on the various conditions contained in this document.

Following a discussion on this, Council changed the amount of the initial fee to \$500 and renewal permit fee every two years to \$300.

26010

Councilman Fawbush advised that Council may need to look at raising all fees at the annual CIP Meeting. The City Manager advised that all rates should be looked at annually.

Upon a motion by Councilman Roop, seconded by Councilman Fawbush, and passed by the following unanimous vote: YES – Caruso, Fawbush, Roop, Mays, NO – None, ABSENT – Hunnicutt, Council moved to adopt A Resolution of the City of Norton, Virginia Authorizing Pump and Haul Sewage Facilities. (Insert).

Mr. Ramey advised he would amend both the resolution and the agreement to cover the new charges.

In their packets, Council had been given a list of encumbrances as of June 30, 2013 to be carried over in the 2013-2014 budget in the amount of \$431,267. Mr. Ramey advised he was seeking permission to advertise a public hearing to carry over this money.

26011

Upon a motion by Councilman Fawbush, seconded by Councilman Roop, and passed by unanimous vote, Council authorized the City Manager to advertise a public hearing to cover encumbrances in the amount of \$431,267.

Mr. Ramey advised Council that they had held a joint meeting with the Norton School Board on September 9, 2013. Both boards have agreed to meet jointly again on budgets. He suggested this second joint meeting be held following Council's January 21st meeting. He had presented Council with a list of topics that can be discussed. Mayor Mays advised the list presented is a good list. Councilman Roop advised he would like to add on this list how they plan to maintain and sustain their enrollment.

26012

It was the consensus of Council to hold this meeting following Council's January 21st meeting and add Councilman Roop's topic to the discussion list. Mayor Mays advised should anyone else have any topics to add to this list, please advise the City Manager.

Council had two transfers to the Norton City Schools in the amount of \$240,000 and \$350,000 to cover November and December payrolls.

Upon a motion by Councilman Roop, seconded by Councilman Caruso, and passed by unanimous roll call vote, Council moved to approve the two transfers as specified above. (Insert – Councilman Roop's Disclosure Statement)

26013

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.

2601

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.

26015

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

26016

Mayor Mays opened the floor for nominations to the Southwest Virginia Health Advisory Authority for a four year term which will expire on December 31, 2017.

Councilman Roop nominated Debbie Ward to be appointed to this Authority.

26017

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

Mayor Mays declared Debbie Ward appointed to the Southwest Virginia Health Advisory Authority for a four year term which will expire on December 31, 2017.

Mayor Mays opened the floor for nominations to the Ninth District Development Financing, Incorporated for a two year term which will expire on January 31, 2016.

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

26018

Upon a motion by Councilman Fawbush, seconded by Councilman Roop, and passed by the following vote: YES – Fawbush, Roop, Mays, NO – NONE, ABSENT – Hunnicutt, ABSTAIN– Caruso (from Comment and Vote), Council moved that the nominations cease.

Mayor Mays declared Carol Caruso appointed to the Ninth District Development Financing, Incorporated for a two year term which will expire on January 31, 2016.

Mayor Mays advised Council that the annual disclosure statements are due in the City Clerk's office on January 15, 2014.

26019

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

The second phase of the Phase I Water Improvement Project will begin shortly. This is the 11th Street, Pine Street, and Spruce Street areas and a progress meeting will be held tomorrow. The first phase of this project has been completed and this allows us to eliminate purchases from the Wise County PSA for water in the Dorchester and Thackers Branch area.

26020

The Safe Routes to School Project is under contract with Thomas Construction Company of Johnson City, Tennessee. A Pre-Construction Conference will be held tomorrow and he will keep City Council advised of the progress.

He presented to Council tonight a copy of the official holiday schedule for 2014 which is the one the City will use throughout the year.

He advised letters have been sent out to the funded discretionary agencies who seek funds from the City annually. Councilman Caruso stated the library is a discretionary agency also to a point and should be sent a letter. Councilman Fawbush stated he felt everything should be on the table this year. Mayor Mays advised all of these will be considered at the CIP meeting. Following a brief discussion, Council is looking at holding this meeting on a Friday and Saturday, a two day meeting, versus the one long day meeting held in the past. Mr. Ramey advised he would give Council some dates to look over and will also send a letter to the library. He will also look over the list again.

Financial disclosure statements are due in the City Clerk's office January 15, 2014. Letters are now being sent out as a reminder and for those who do not have them in by the deadline, another letter will be sent out on the 16th.

The Regional Legislative Reception will be held in Richmond on January 16th at the Omni. If anyone plans on attending, please advise him.

There were no comments from the City Attorney.

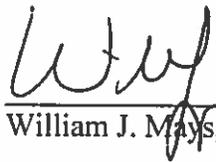
26021

In comments from Council, Councilman Roop wished everyone a happy new year.

26022

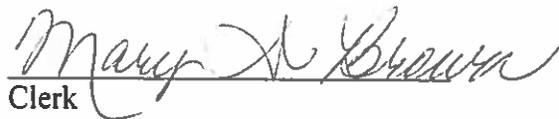
There being no further business to come before the Council, the meeting was adjourned.

CITY OF NORTON, VIRGINIA



William J. Mays, Mayor

ATTEST:



Clerk