

AGENDA

Norton City Council

February 3, 2015

6:00 P.M.

1. Roll Call
2. Invocation – Father Tim Drake
3. Pledge of Allegiance
4. Approval of Minutes
 1. Meeting of January 20, 2015
5. Audience for Visitors
6. New Business
 - A. Presentation of the Annual Report for the Parks and Recreation Department.
 - B. Update on the Special Election to Fill the Unexpired Term of Office of Terry L. Roop.
 - C. Update on the 2015 Legislative Reception in Richmond.
 - D. Consideration of a date for the 2015 Capital Improvement Meeting.
 - E. Confirmation of a Check(s)/Transfer(s) in Excess of \$100,000.
 - F. Closed Meeting to Discuss Personnel as Per Section 2.2-3711 (A) (1) of the Code of Virginia, as Amended.

1. Appointment to the Building Code Board of Appeals for a One (5) Year Term; Currently Stephen McElroy Whose Term Ends 2/18/2015.

To 2/18/2020

2. Appointment to the Cumberland Airport Commission; Currently Wally Witt Whose Term Ends 10/31/2017.

To 10/31/2017

3. Appointments (2) to the Norton Rescue Squad Board of Directors.

To 2/1/2016

7. Comments by the City Manager, City Attorney, and City Council.
8. Adjournment.

The regularly scheduled meeting of the Norton City Council was held on Tuesday, January 20, 2015 at 6:00 p.m. in the Municipal Council Chambers with Mayor William Mays presiding.

Present: Mark Caruso, William Mays, Joseph Fawbush, and Delores Belcher

Absent: Only four Council Members Were Present at this Meeting Due to Vacancy of Former Councilmember Terry Roop's Seat. Appointment Pending.

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

The invocation was given by the City Manager and was followed by the pledge of allegiance led by Police Chief James C. Lane.

Upon a motion by Councilman Caruso, seconded by Councilman Fawbush, and passed by unanimous vote, Council moved to adopt the minutes of the January 6, 2015 organizational meeting and the January 6, 2015 regularly scheduled meeting.

25381

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

25382

At this time, Mr. Ramey advised he would like to recognize some City employees who will be receiving their service pins for continuous years of service. In attendance and receiving 10 year pins were: Sammy Mullins of the Public Works Department and Sherry Jones of the Sheriff's Department; receiving a 15 year pin was Jerry Miller of the Public Works Department; receiving a 20 year pin was Julia Newsome of the Commissioner of Revenue's Office; and receiving a 25 year pin was Barbara Muir, the City Treasurer. Those not in attendance and receiving service pins were: Todd Lagow of the Fire Department and Emergency Services receiving a 10 year pin; Lisa Vanover and Margaret Asher of the Department of Social Services receiving 20 year pins. Mr. Ramey advised that this group of employees represented over 130 years of service.

25383

Following the presentation of these pins by Mayor Mays, who congratulated each recipient, a group photo was taken. Those present received a round of applause from all in attendance at the meeting.

The City Manager advised there was a board member who was to be recognized; however this individual could not be in attendance tonight and will be recognized at a later date.

A public hearing was held to consider financial encumbrances for the General Operating Fund for the year ending June 30, 2014 in the amount of \$347,416.

There being no questions or comments from Council prior to the public hearing, Mayor Mays opened the public hearing.

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

25384

Upon a motion by Councilman Fawbush, seconded by Councilman Caruso, and passed by unanimous roll call vote, Council moved to approve the financial encumbrances for the General Operating Fund in the amount of \$347,416 for the year ending June 30, 2014.

At this time, Mayor Mays advised he would like to amend the agenda adding Item 7-B - the Consideration of a Resolution Authorizing the Issuance and Sale of a General Obligation and Water and Sewer Revenue Bond in an Amount Not to Exceed \$483,695.

It was the consensus of Council for the agenda to be amended.

The City Manager advised he had received notification this week-end from our bond counsel that they are ready to move forward with the approval of the bond resolution for the Phase III Water Improvement Project.

Council is being asked to consider A Resolution Authorizing the Issuance and Sale of a General Obligation and Water and Sewer Revenue Bond in an Amount Not to Exceed \$483,695. The bond issue will be for a period of 30 years at an interest rate of .25%. Mr. Ramey advised this is the last step before construction begins. The total project budget is \$879,445 with forty five percent of this amount being a grant and the remainder is a loan. Bids came in under budget and a public hearing was held on December 16, 2014 at which time no action was needed.

There were no questions or comments from Council.

Upon a motion by Councilman Caruso, seconded by Councilman Fawbush, and passed by the following unanimous roll call vote: YES – Caruso, Fawbush, Belcher, Mays, NO – None, ABSENT – None, Council moved to adopt A Resolution Authorizing the Issuance and Sale of a General Obligation and Water and Sewer Bond in an Amount Not to Exceed \$483,695. (Insert)

Mr. Adam Wells of the Upper Tennessee River Round Table was present to provide Council an update on their activities. This non-profit organization, which protects the Clinch, Holston, and Powell Rivers in Virginia originated in 1999 and has donated office space in Abingdon, Virginia with Carol Doss serving as Executive Director of this group.

He briefly discussed with Council their mission and vision and gave an overview of their services and products. Being a recipient of a Department of Environmental Quality Grant that was scheduled to run out in December of 2014, they received an extension until July 2015 in order to allocate all Septic Repair Money. There is a need to fill a funding gap from early March to late June and he asked Council for a contribution of \$1,000 to help with this gap.

Following a brief discussion during which Mr. Ramey advised this group has worked well with the City's Parks and Recreation Department and the City's association with them and the UVA-Wise Group on the River Walk Project will help in securing grants.

Upon a motion by Councilman Caruso, seconded by Councilman Fawbush, and passed by unanimous roll call vote, Council moved to contribute \$1,000 from contingency to the Upper Tennessee Round Table to continue their efforts until June of 2015.

Mayor Mays, along with other members of Council, thanked Mr. Wells for the job they are doing and asked that Council continue to be updated.

In their packets, Council had a copy of a transfer to the Norton City Schools in the amount of \$172,154 to cover debt service.

Upon a motion by Councilman Caruso, seconded by Councilwoman Belcher, and passed by unanimous roll call vote, Council moved to approve a transfer payable to the Norton City Schools in the amount of \$172,154. 25388

Upon a motion by Councilman Fawbush, seconded by Councilman Caruso, 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 and Section 2.2.-3711 (A) (7) of the Code of Virginia as amended to discuss consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal counsel. 25389

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. 25390

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. She then read A Resolution of the Certification of Closed Meeting. Upon a motion by Councilman Caruso, seconded by Councilwoman Belcher, and passed by the following unanimous vote: YES – Caruso, Fawbush, Belcher, Mays, NO – None, ABSENT – None, Council moved to adopt A Resolution of the Certification of Closed Meeting. (Insert) 25391

Mayor Mays opened the floor for nominations to fill the vacancy on City Council with said term expiring on December 31, 2015.

Councilman Fawbush nominated Robert Fultz, Jr. 25392

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

Mayor Mays declared Robert Fultz, Jr. appointed to fill the unexpired term on City Council which will expire December 31, 2015.

The City Attorney advised that he has petitioned the Wise County Circuit Court to have a special election for this position during the fall election dated November 3, 2015.

Mr. Fultz will have to supply disclosure forms, be sworn in by the Clerk's Office, and receive copies of the Virginia Freedom of Information Act, Virginia Conflict of Interest Act, and the Virginia Public Records Act. Once this has been done, we will have a new Councilman by the next meeting date.

The Mayor opened the floor for appointments to the Norton Redevelopment and Housing Authority for four year terms which will expire on January 28, 2019.

Councilman Caruso nominated Renee Robinson and T. J. Flanary to be reappointed to this Authority. 25393

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

Mayor Mays declared Renee Robinson and T. J. Flanary reappointed to the Norton Redevelopment and Housing Authority for five year terms which will expire on January 28, 2019.

Mayor Mays opened the floor for nominations to the City of Norton Highway Safety Commission for two year terms which will expire January 31, 2017.

Councilwoman Belcher nominated Fred McConnell, Bruce Rose, Gary Call, and Danny Holt to be reappointed to this Commission

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

Mayor Mays declared Fred McConnell, Bruce Rose, Gary Call, and Danny Holt be reappointed to the City of Norton Highway Safety Commission for two year terms which will expire December 31, 2017.



25394

Mayor Mays advised Council had reviewed A Memorandum of Understanding between the City and the Norton Rescue Squad.

Upon a motion by Councilman Caruso, seconded by Councilman Fawbush, and passed by unanimous vote, Council authorized the Mayor to sign the above Memorandum of Understanding between the City of Norton and the Norton Rescue Squad.

25395

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

He had passed out a copy of the most recent retail sales report.

The City has advertised a request for proposals for the City's real estate reassessment services. Proposals are due back in February and Council can advise him if they would like to review the proposals or would like for the City Administration to do so. This will be brought up at the next meeting as action needs to be taken as soon as possible.

25396

Councilman Caruso and he will be representing the City at the Legislative Reception in Richmond on Thursday, January 22nd.



In comments from the City Attorney, he advised he is ready to start on some additional tax sales. He has four or five on which he is receiving correspondence.

25397

In comments from Council:

Councilwoman Belcher extended thanks to the City Manager and advised he is a great teacher and is looking over the City. Also the street lights on the Safe Routes to School Project look great.

Councilman Fawbush extended thanks to the City Manager, City Attorney, and Finance Director for the job they are doing and also asked that everyone keep the family of Judy Miller, Norton's Commissioner of Revenue, and her family in their prayers due to the loss of her husband on Thursday of last week.

25398

Mayor Mays wished Councilman Fawbush good luck on his upcoming surgery on Friday, January 23rd.

Councilman Caruso stated his hopes of an upward trend had been broken with the sales tax revenue having gone down this past month.

He further advised he would like to have the support of Council to have the City Administration do some research on ATV Ordinances for consideration at a future date.

Mayor Mays asked the City Manager to research this.



Mayor Mays also asked for condolences to the Funk family of St. Paul and Wise County for the loss of Brock Funk this past week.

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

CITY OF NORTON, VIRGINIA

William J. Mays, Mayor

ATTEST:

Clerk



6-A

Inter-Office Memo

To: Mayor and City Council
From: Fred L. Ramey, Jr., City Manager *FR*
CC:
Date: January 30, 2015
Re: Annual Report of the Parks and Recreation Department

Parks and Recreation Director Shelly Knox will present the annual report of the Parks and Recreation Department at the February 3rd Council Meeting.

Thank You.

6-B

VIRGINIA:

IN THE CIRCUIT COURT FOR WISE COUNTY AND THE CITY OF NORTON
IN RE: WISE COUNTY AND THE CITY OF NORTON

CASE NO. CM15-41

WRIT OF ELECTION

THIS day came the City Council for the City of Norton, Virginia, by counsel, and moved the Court to issue a writ to hold a special election for the purpose of filling a vacancy on City Council, and the cause was argued by counsel.

It appearing to the Court from the petition filed herein and the representations of counsel that Terry L. Roop resigned from his position as a member of City Council effective at 11:59 p.m. on December 31, 2014, creating a vacancy on City Council; that the term of office from which Mr. Roop resigned will expire on December 31, 2016; that Section 24.2-226 of the Code of Virginia directs the circuit court to issue a writ of election to fill the vacancy created by such a resignation; and that the petitioners desire the special election to be held on the date of the next general election in November, namely, November 3, 2015.

It is accordingly ORDERED that writ of election be, and it is hereby, ISSUED. The election shall be held for the purpose of filling the unexpired term of office of Terry L. Roop, who has resigned, which term shall expire on December 31, 2016. The special election shall be held on November 3, 2015, the date of the next general election, at the same time and polling place or places established by law for the voters of the City of Norton.

The Clerk is directed to transmit a true copy of this writ of election to Lisa Powers, secretary to the City of Norton Electoral Board, 201 Park Avenue NE, P. O. Box 225, Norton,

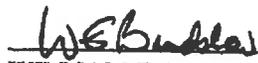
VA 24273, with a copy to Marie Muir, Registrar, at the same address. The secretary is DIRECTED to give public notice of the special election by posting a copy of this writ on the official website of the City of Norton or at not less than 10 public places or by having notice of the special election published once in the Coalfield Progress at least 10 days before the election, as required by Section 24.2-683 of the Code of Virginia.

Enter: 1-21-15, 2015.



JUDGE

Requested:


WILLIAM E. BRADSHAW
William E. Bradshaw, P.C.
P. O. Box 267
Big Stone Gap, VA 24219
Phone: 276-523-2428
Counsel for City of Norton
VSB #13212

Inter-Office Memo



6-C

To: Mayor and City Council
From: Fred L. Ramey, Jr., City Manager *FR*
CC:
Date: January 30, 2015
Re: 2015 Regional Legislative Reception Update

On January 22nd, Councilman Caruso and I were in Richmond for the Coalfield Legislative Reception. During the visit, various meetings were held with legislators and state agencies. Councilman Caruso will provide a report from the visit.

Thank You.



6-D

**Tentative
Budget Calendar
FY16 Fiscal Budget**

February 28th – Capital Improvement Project Meeting – Part I

March 21st – Capital Improvement Project Meeting – Part II

April 21st – School to Present Budget to City Council

April 21st – City Council Meeting
- Proposed Budget Work Session

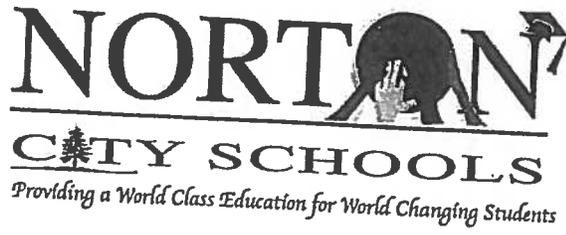
May 5th – City Council Meeting
- Public Hearing on School Board Budget
- Presentation of City Budget

May 19th – City Council Meeting
- Consideration of School Board Budget
- Public Hearing on City Budget

June 2nd – City Council Meeting
- Consideration of City Budget
- Approval of the Capital Improvement Program

NOTE: If there are revenue enhancements identified to be included in the FY16 Budget, there may be other public hearings required to be added to this tentative schedule.

SCHOOL BOARD
Sherry Adams, Chairperson
Mark Leonard, Vice-Chairperson
Carol Caruso
April Fletcher
Joseph Stallard



DIVISION SUPERINTENDENT
Keith Perrigan, Ed.D.
kperrigan@nortoncityschools.org
Phone 276.679.2330
Fax 276.679.4315

TO: Jeff Shupe
FROM:  Yvonne Isom, Finance Manager
SUBJECT: Request For Funds
DATE: January 29, 2015

6-E

The Norton City Schools request a deposit of City Funds in the amount of \$250,000.00 to cover payroll fringes.