

City Council Meeting Packet



September 27, 2018

AGENDA

Norton City Council

September 27, 2018

6:00 P.M.

1. Roll Call
2. Invocation – Rev. Freddie Powers
3. Pledge of Allegiance
4. Approval of Minutes
 1. Meeting of September 4, 2018
5. Audience for Visitors
6. New Business
 - A. Recognition of the AmeriCorps River 3 Team Members Who Have Been Developing Trails in the Flag Rock Recreation Area.
 - B. Report from the 2018 Woodbooger Geo Trail that was held on Saturday, September 8th.
 - C. Request to Amend the FY 19 Fiscal Budget to Reflect the Required Local Match Based on Actual State Funding to Planning District One Behavioral Health Services.
 - D. Consideration of a Lease with the Norton City School Board for a Parcel Used by J. I. Burton High School.
 - E. Confirmation of a Check/Transfer in Excess of \$100,000.

- F. Closed Meeting as Per Section 2.2-3711 (A) (8) of the Code of Virginia as Amended, Consultation with Legal Counsel Employed or Retained by a Public Body Regarding Specific Legal Matters Requiring the Provision of Legal Advice by Such Counsel.
-
- 7. Comments by the City Manager, City Attorney, and City Council.
 - 8. Adjournment.

The regularly scheduled meeting of the Norton City Council was held Tuesday, September 4, 2018, at 6:00 p.m., in the Municipal Council Chambers with Mayor William Mays presiding.

Present: Mark Caruso, Robert Fultz, Jr., William Mays, Joseph Fawbush, and Delores Belcher

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

The invocation was given by Pastor Gary Hill and was followed by the Pledge of Allegiance led by Police Chief James Lane.

Upon a motion by Councilman Fawbush, seconded by Councilwoman Belcher, and passed by the following vote: YES – Caruso, Fultz, Mays, Fawbush, Belcher, NO – None, ABSENT – None, council moved to adopt the minutes of the August 21, 2018, meeting as presented.

There was no response to the Mayor's Call for Visitors.

Next, the city manager said each year the city likes to honor those employees who have reached a milestone in their career and tonight the city will be recognizing Mr. Gary Call and Sergeant Danny Hughes. Mr. Ramey said Gary Call has worked for the city in several capacities during his 40-year career and will be retiring on September 30, 2018.

On behalf of council, Mayor Mays presented Mr. Call with an award recognizing his 40 years of service to the citizens of Norton, and a photo was taken with council.

After the presentation, Mr. Call received applause and he thanked both past and present council members for the honor.

Next, the city manager said Sergeant Hughes served in the Norton Police Department for 13 years and retired June 30, 2018. Mr. Ramey said Sergeant Hughes was unable to attend tonight's meeting and that city administration will present Mr. Hughes his plaque at another date.

The next agenda item was the introduction of the AmeriCorps/National Civilian Conservation Corps Team River 3 that will be developing trails at Flag Rock Recreation Area.

City Trail Coordinator Shayne Fields shared with council that Team River 3 is currently building the Mockingbird Trail which is 1.2 miles long in the Flag Rock Recreation Area. Mr. Fields then asked team members to introduce themselves and note their hometown.

Mayor Mays thanked Team River 3 for their service to the country and for the work they are doing for the city.

Councilman Caruso thanked Team River 3 for their efforts in building a new economy in Southwest Virginia.

Council was given an update on the 2018 Woodbooger Geo-Trail scheduled for Saturday, September 8th by event organizers Rick Watts and Treavor Calhoun.

Mr. Watts informed council the National Geocaching Headquarters in Seattle, Washington contacted him and asked to change the Woodbooger Geo-Trail to a geo-tour. He said the event will now be a geo-tour which means the headquarters will provide some

advertising for the event. Mr. Watts said 100 geocachers have registered for the event and they expect approximately 200 visitors in Norton for the geo-tour.

At this time, the meeting adjourned to view the geo-cache box installed outside council chambers by Mr. Watts and Mr. Calhoun. Mr. Watts advised the geo-cache box will be used in the 2018 Woodbooger Geo-tour.

Mayor Mays reconvened the meeting and thanked Mr. Watts and Mr. Calhoun for the update.

In their packets, council had a request from JGreat Entertainment to use the city's "Woodbooger" Service Mark for the purpose of writing a series of children's books in search of the Woodbooger.

Mr. Jahmal Potter, owner of JGreat Entertainment, explained his concept of writing the book series and his desire is to stress the importance of reading and encourage exploration of our area. He said to promote the book series he plans to visit schools and read to school age children. Mr. Potter said the book would contain a statement that the name "Woodbooger" was used with the express written consent of the City of Norton.

Upon a motion by Councilman Fawbush, seconded by Councilwoman Belcher, and passed by unanimous vote, council moved to approve JGreat Entertainment's request to use the service mark "Woodbooger" to write a series of children's books in search of the Woodbooger.

The city manager said at the July 17, 2018, council meeting members were informed that Norton Fire Department had received a grant to replace 24 self-contained breathing apparatuses (SBA's). He said the new SBA's have been received and are in service. Mr. Ramey said Fire Chief Todd Lagow has received a request from Wise Fire Department about possibly acquiring the city's surplus SBA's.

Fire Chief Lagow advised council the department's old SBA's were certified in March and were originally purchased with a grant. He said it would benefit Norton and Wise fire departments to have air packs that are compatible in the event the departments must work together.

The city attorney advised he could write a Bill of Sale for 23 air packs for a total of \$10 and include extensive disclaimers against warranty and liability and execute an indemnity agreement.

Mr. Ramey recommended the city attorney draw up a sales agreement and transfer the city's 23 air packs, additional canisters, and appurtenances to the Wise Volunteer Fire Department, LLC.

Upon a motion by Councilman Fawbush, seconded by Councilman Caruso, and passed by the following vote: YES – Caruso, Fultz, Mays, Fawbush, Belcher, NO – None, ABSENT – None, council moved to authorize the city manager to execute a Bill of Sale for the 21 air packs and appurtenances in the amount of \$10 to Wise Volunteer Fire Department, LLC.

Council was presented a Resolution Amending Authorization of the Pump and Haul Sewage Facilities to allow the permittee to make a refundable cash deposit instead of a letter of credit or cash bond.

Mr. Ramey said the city does not have to advertise this resolution because it is a policy and not an ordinance.

Mr. Bradshaw said this is an alternative way for the permittee to oblige the requirements and the method of payment is much easier to enforce should the city need to enforce an issue if not addressed properly.

Upon a motion by Councilwoman Belcher, seconded by Councilman Caruso, and passed by unanimous roll call vote, council moved to adopt a Resolution Amending Authorization of the Pump and Haul Sewage Facilities to allow the permittee to make a refundable cash deposit instead of a letter of credit or cash bond. (Insert)

In council's packets for their consideration was a lease with the Norton City School Board for a parcel used by John I. Burton High School.

The city manager said in researching Norfolk and Southern Railroad's easement renewal, it was discovered the city owns a piece of property at the end of the driving track at John I. Burton High School. Mr. Ramey said at some point the city purchased the property from Evans Distributing.

Superintendent Gina Wohlford added that Norton City School Board entered into an agreement with Norfolk and Southern Railroad regarding the easement that includes portions of the school parking lot, football field, tennis courts, and track. She said the school board thought they probably should enter into a lease with the city on the property at the end of the driving track.

Mr. Bradshaw said a lease between the city and the school board is the easiest option to allow the school to use the property. He explained that since the school is using the property at the end of the track the lease would switch liability back to the schools where it should be because they have control of the use of the property.

After a brief discussion it was the consensus of council to have the city attorney prepare a lease between the City of Norton and Norton City School Board for a parcel of property located at the end of the driving track at John I. Burton High School.

Council had been presented with a Proclamation Declaring September 14, 2018, "International Walk to School Day" in the City of Norton.

Upon a motion by Councilman Fawbush, seconded by Councilman Fultz and passed by unanimous vote, council moved to adopt a Proclamation Declaring September 14, 2018, "International Walk to School Day" in the City of Norton. (Insert)

The next agenda item was the discussion of the September 18th city council meeting.

The city manager advised he would be attending a Virginia Department Transportation Workshop September 18th - 20th and he wanted to inform council he would not be in attendance at the meeting.

After a brief discussion, it was the consensus of council to reschedule the September 18th meeting to Thursday, September 27th. Council members also decided to cancel the October 2nd meeting because of the Virginia Municipal League Conference that is scheduled that week.

Council had one check to confirm. The check was to BB&T Governmental Finance Payment Processing, dated July 11, 2018, in the amount of \$123,007.12 to cover the Debt Service on the 11th Street Bridge (Viaduct).

Upon a motion by Councilman Fawbush, seconded by Councilman Caruso, and passed by unanimous roll call vote, council moved to confirm the check to BB&T Governmental Finance Payment Processing as stated above.

In comments from the City Manager:

The latest trail maps had been printed and a copy was placed at their desks. He also had banners printed to be placed in several businesses and city staff will use them when the city tables during various events.

Mr. Ramey said he provided council with the August traffic counts for Flag Rock Recreation Area and Route 619.

He said upcoming activities in the city include the 2018 Woodbooger Geocache, Bengé's Revenge Bike Challenge, High Knob Hellbender, Cloudsplitter 100 Ultra Trail Race, and the Woodbooger Festival.

The following comments were made by council members:

Councilman Fultz noted that the runners for the Cloudsplitter 100 bring a support team with them to the event. He said these individuals have a positive impact on the economy because they shop and eat in the area. He noted last year several of the support members came to his aid station at the High Knob Tower to check on the progress of their runner.

Councilwoman Belcher said the city has excellent emergency service personnel.

Councilman Fawbush concurred with Councilwoman Belcher and said the city provides the citizens of Norton with many services that other localities do not provide their residents.

Councilman Fawbush said Jahmal Potter of JGreat Entertainment will broaden the market on the Woodbooger Festival and turn it from a recreational event into a tourism event.

He said he is working with Sam DeLoach of Mountain Empire Cryptic Research Organization (MECRO) from Kingsport, Tennessee, and they will be participating in this year's Woodbooger Festival.

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

CITY OF NORTON, VIRGINIA

William Mays, Mayor

ATTEST:

Clerk of Council

OUR MISSION

To strengthen communities and develop leaders through team-based national and community service.

Who Are We?

AmeriCorps National Civilian Community Corps (NCCC) is a full-time, residential program for young adults ages 18 to 24 who develop leadership skills and strengthen communities by working together in teams to complete a variety of service projects. In their teams of 8-10 members, they complete projects that focus on helping communities whether it be responding to disasters or improving urban/rural development. At the end of the program, members receive the Segal AmeriCorps Education Award which is to be used towards four-year institutions.

CONTACT INFORMATION

Campus Mailing Address:

2715 Confederate Avenue, Vicksburg,
Mississippi, 39180

Campus Office:

Phone: 601-6304040
Fax: 601-630-4071

Regional Director:

Kathy Hopson-Ricks
Email: mhopson-ricks@cns.gov
Phone: 601-630-4041

Unit Leader:

Mark Weaver
Email: wwweaver@cns.gov
Phone: 202-4895244

Team Leader:

Christy Folk
Email: river.tl.folk@gmail.com
Phone: 407-744-5565

Team Media:

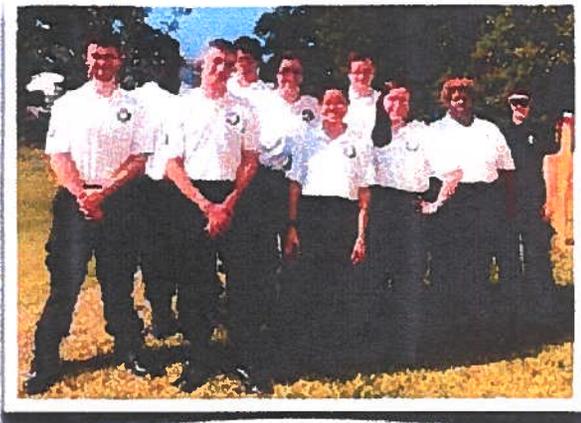
Jared Cooper
Email: bayou.tlcooper@gmail.com
Phone: 769-203-1923

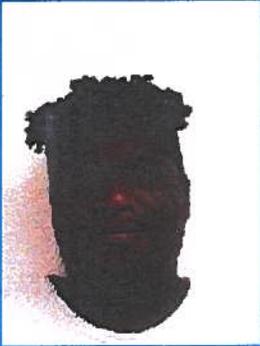
River 3



AmeriCorps Pledge

I will get things done for America. To make our people safer, smarter, and healthier. I will bring Americans together to strengthen our communities. Faced with apathy, I will take action. Faced with conflict, I will seek common ground. Faced with adversity, I will persevere. I will carry this commitment with me this year and beyond. I am an AmeriCorps member, and I will get things done.





Cornelius Sanders

St. Louis, MO
Shirt Size: 2X
Graduated from Marquette High School with a diploma and Job Corps with carpenter certification.

I play the guitar and like Cheez-Its. I listen to a lot of music.



Najhalique Whitaker

Fresno, CA
Shirt Size: 2X
Took high school/college courses. Interests in technical trades (customer service culinary arts).

I like to color, breathe air, play card games, and listen to music.



Annie Stein

Seattle, WA
Shirt Size: Small
Graduated from University of Washington majoring in Environmental Science and Anthropology.

I like to swim and love to play the cello.



Christy Folk
Kissimmee, FL

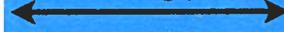
Shirt Size: Medium
Graduated from Wilkes Honors College of Florida Atlantic University. I love mountains and musicals. I've written 200+ song parodies.



Keith Stafford
Voorhees, NJ

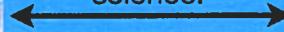
Shirt Size: Large
Graduated from Penn State majoring in Information Sciences and Technology.

I like programming, and eating pizza.



Alex Shackleton
Burnsville, MN

Shirt Size: Medium
Graduated from Luther College majoring in Biology and Chemistry. I like watching the NHL, exercise, and science.



Stephen Bullock
Richmond, VA

Shirt Size: Medium
Went to Banner Christian School and Liberty University to study Psychology.

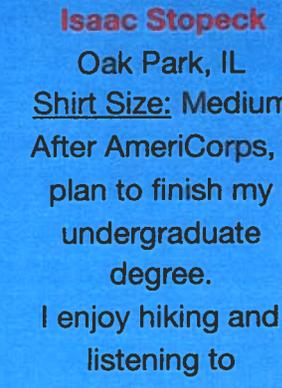
I love sports and people.



Sage Savola-Di Gregorio

Maplewood, NJ
Shirt Size: Medium
Graduated from Columbia High School.

I love to play the violin and field hockey. I enjoy running and surfing.



Isaac Stopeck

Oak Park, IL
Shirt Size: Medium
After AmeriCorps, I plan to finish my undergraduate degree.

I enjoy hiking and listening to podcasts.



Haylee Smith

Hampton, VA
Shirt Size: Medium
I have an Associates degree in Social Science and want to pursue a career in wilderness medicine.



I played field hockey for 8 years. I love food and music.



Christy Folk

With Sincere Appreciation for Your
Contribution as Part of the AmeriCorps
NCCC: Southern Region River 3 Team
Assigned to Develop Trails in the
Flag Rock Recreation Area.

August – October 2018

Presented By

Norton City Council

September 27, 2018



Alex Shackleton

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Annie Stein

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Cornelius Sanders

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Haylee Smith

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Isaac Stopeck

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Keith Stafford

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Najhalique Whitaker

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Sage Savoia-Di Gregorio

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Stephen Bullock

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August – October 2018

Presented By

Norton City Council

September 27, 2018



Inter-Office Memo

To: Mayor and City Council
From: Fred L. Ramey, Jr., City Manager *FR*
CC:
Date: September 24, 2018
Re: 2018 Woodbooger Geo Trail

The 2nd Annual Woodbooger Geocache event was held in the Flag Rock Recreation Area on Saturday, September 8th. The event organizers plan to provide City Council with an update from this year's event.

Thank You.



1941 PARK AVENUE S.W. • P.O. BOX 1130 • NORTON, VA 24273 • (276) 679-5751 • FAX (276) 679-5754

MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES FOR LEE, SCOTT AND WISE COUNTIES AND THE CITY OF NORTON

August 8, 2018

Fred L. Ramey, Jr.
City Manager, City of Norton
P.O. Box 618
Norton, VA 24273

Dear Fred:

Per our phone conversation, I am submitting a request for additional local match. When the initial request was made in February, The Department of Behavioral Health and Developmental Services (DBHDS) had not provided us with the information needed to determine an accurate 10% match as required by §37.2-509 of the Code of Virginia.

Once we received the notification regarding the amount of state dollars for FY 2019, our match requirement was under 10%. We have recalculated the amount needed from your locality to be in compliance. Below is a table detailing City of Norton's portion of state funds and total amount of local matching funds. The table also details the total state dollars, the CSB has received. The additional match needed from your locality is \$1,430

	Local Dollars	FY 2019 Match Amt	Additional Amt Requested
Norton City			
Total State Funds	167,855		
Local Matching Funds	<u>18,680</u>	17,250	1,430
Total State and Local	186,535		
% Local Match	10%		
Total Local Dollars		17,250	1,430
FY 2019 Actual State Funds	4,196,374		
Local Match	<u>467,000</u>		
Total State and Local Funds	4,663,374		
Total Local Match %	10%		

Once we have received funding through the 3rd quarter of FY 2019, we will review the amount of state dollars received to determine if additional match is required.

Thank you for careful consideration of this matter. If you have any questions, please call me at 276.679.5751

Sincerely,

Donna Stanley
Financial Officer

ATHLETIC FACILITY LEASE

This is an Athletic Facility Lease (“Lease”) made and entered into effective October ____, 2018, by and between the CITY OF NORTON, VIRGINIA, a political subdivision of the Commonwealth of Virginia, (“Lessor”) whose address is P. O. Box 618, Norton, Virginia 24273 and NORTON CITY SCHOOLS, a political subdivision of the Commonwealth of Virginia, (“Lessee”) whose address is 22 Tenth Street, NW, Norton, Virginia 24273.

In consideration of the mutual promises contained herein, the parties have agreed as follows:

1. Offer and Acceptance. Lessor leases to Lessee, and Lessee hires from Lessor, the right to occupy and use the premises described herein, subject to the terms and conditions contained in this Lease.
2. Leased Premises. The real property covered by this Lease is shown on Norton City Tax Map as _____.
3. Term. The term of this Lease shall be for a period of forty (40) years from the effective date hereof, provided that either party may terminate this Lease on the next anniversary of the effective date by giving written notice to the other not less than ninety (90) days prior to the next anniversary of the effective date (“Termination Date”).
4. Rental. As rent for the premises, Lessor shall pay Lessee the sum of One Dollar (\$1.00) per year payable in advance. The first payment shall be made upon execution of this Lease, the receipt of which is hereby acknowledged. Further payments shall be made on or before the then upcoming anniversary of the effective date.
5. Use of Property. The Leased Premises may be used by the Lessee for the purposes of

constructing, maintaining and operating athletic facilities for J. I. Burton High School and such other incidental uses not inconsistent therewith.

6. Improvements. Lessee may construct such improvements on the Leased Premises as are normally associated with athletic facilities. At the expiration or earlier termination of this Lease, Lessor shall have the option to notify Lessee to either remove any improvements from the Leased Premises or transfer ownership of any or all the improvements as the Lessor may elect.

7. Compliance with Laws. The Lessee shall comply with all state, federal and local laws, rules and regulations in connection with its use of the Leased Premises, including but not limited to safety regulations promulgated by any governmental authority with jurisdiction and construction standards promulgated by any governmental body having jurisdiction.

8. Insurance. Lessee shall at all times maintain liability insurance in full force and effect with combined limits of not less than Three Million Dollars (\$3,000,000.00) per occurrence and Three Million Dollars (\$3,000,000.00) in the aggregate. Lessee shall cause certificates of coverage to be delivered to Lessor, and Lessor shall be named as an additional insured on all such policy certificates. The certificates shall provide that no reduction in policy limits shall be effective unless Lessor shall have been notified not less than thirty (30) days prior to such change in coverage. In the event Lessee fails to comply with the requirements of this paragraph, Lessor may terminate this Lease on one (1) business day notice.

9. Notices. Any notice required by this Lease shall be effective when delivered by first-class mail, postage prepaid to the parties at the address set forth below:

If to Lessor:

City of Norton
Attn: City Manager
P. O. Box 618
Norton, VA 24273

If to Lessee:

Norton City Schools
Attn: Superintendant
22 Tenth Street, NW
Norton, VA 24273

10. No Assignment. The Lease may not be assigned, set over or subleased by the Lessee to any other party or parties without the prior written consent of Lessor, which may be withheld for any reason.

11. Miscellaneous. This Lease will be governed by and construed in accordance with the laws of the Commonwealth of Virginia. No amendment to this Lease will be effective unless in writing signed by the parties. This Lease contains the entire agreement between the parties hereto with respect to the subject matter hereof and supersedes any and all prior and contemporaneous discussions, negotiations or agreements between them.

IN WITNESS WHEREOF, the parties have caused this Lease to be executed by their duly-authorized representatives effective on the date first above written.

LESSOR:

CITY OF NORTON, VIRGINIA

By: _____
City Manager

ATTEST: _____
Clerk

LESSEE:

NORTON CITY SCHOOLS

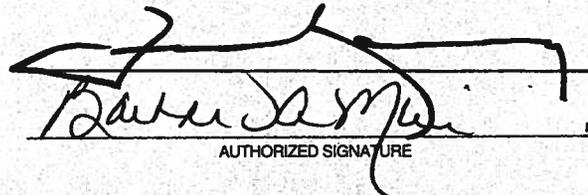
By: _____

WITNESS: _____

147516

INV. DATE	INVOICE#	G/L ACCT.#	GROSS AMOUNT	DISC. AMOUNT	NET AMOUNT
7/18/2018	V00200041	40-010-42030-80001	139,990.00	.00	139,990.00

8/01/2018	8960	147516	139,990.00	.00	139,990.00
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CITY OF NORTON GENERAL OPERATING FUND NORTON, VA 24273		THE FIRST BANK & TRUST NORTON, VA	68-446/514 147516 10
139 THOUSAND 990 DOLLARS 00 CENTS			
PAY TO THE ORDER OF:			
TRIAD FREIGHTLINER OF TENNESSEE, LLC P.O. BOX 5729 KINGSFORT TN 37663		DATE: 8/01/2018 AMOUNT: \$*139990.00	AUTHORIZED SIGNATURE: 

Details on Back. Security Features Included