

**City Council  
Meeting Packet**



**September 3, 2019**

## AGENDA

Norton City Council

September 3, 2019

6:00 P.M.

1. Roll Call
2. Invocation – Rev. Gary Hill
3. Pledge of Allegiance
4. Approval of Minutes
  1. Meeting of August 20, 2019
5. Audience for Visitors
6. Public Hearings:
  - A. **Public Hearing to Receive Public Comments Regarding an Ordinance to Authorize Maintenance, Fees, and Rules and Regulations Governing the Highland Cemetery.**
    1. Public Hearing
    2. Comments by City Council
    3. Consideration by Council
  - B. **Public Hearing on an Ordinance Amending Chapter 20 – Reservoir, to Make it Unlawful to Possess a Gasoline Powered Engine or Petroleum-Based Products, Except in the Designated Parking Area and Access Roads within the Reservoir Area.**
    1. Public Hearing
    2. Comments by City Council
    3. Consideration by Council

**C. Public Hearing to Receive Public Comments Regarding the Proposed Rural Development Application to Purchase of Two Emergency Vehicles Using a Loan/Grant Package from Rural Development.**

- 1. Public Hearing**
- 2. Comments by City Council**
- 3. Consideration by Council**

**7. New Business**

- A. Update from the Lonesome Pine Regional Library.**
- B. Proclamation Declaring September as Library Card Sign-Up Month.**
- C. Confirmation of a Check/Transfer in Excess of \$100,000.**
- D. Closed Meeting for Personnel as Per Section 2.2-3711 (A) (1) and Section 2.2-3711 (A) (3) of the Code of Virginia as Amended, Discussion or Consideration of the Acquisition of Real Property for a Public Purpose, or of the Disposition of Publically Held Real Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiating Strategy of the Public Body.**
  - 1. Appointment to the Spearhead Trail Blazers for a Three Year Term.**

To 5/1/22

- 8. Comments by the City Manager, City Attorney, and City Council.**
- 9. Adjournment.**

The regularly scheduled meeting of the Norton City Council was held Tuesday, August 20, 2019, at 6:00 p.m., in the Municipal Council Chambers with Mayor Joseph Fawbush presiding.

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

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

The invocation was given by Pastor Ken Taylor and was followed by the Pledge of Allegiance led by Suthers Masonic Lodge #259 members.

Upon a motion by Councilman Caruso, seconded by Councilman Mays, and passed by the following vote: YES – Mays, Fultz, Fawbush, Caruso, and Belcher, NO – None, ABSENT – None, council moved to adopt the minutes of the August 6, 2019, meeting as presented.

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

Mr. Ramey said Danny Culbertson, president of Norton Youth Sports Foundation (NYSF), was in attendance to provide an update on NYSF's effort to purchase new football equipment for the Norton Youth Football League.

Mr. Culbertson informed council that NYSF had raised approximately \$16,000, and that the foundation was able to purchase new football equipment and uniforms for 69 youths. He provided council with a handout that showed the new uniforms and equipment, and said next year the foundation hopes to build new bathroom facilities with storage at the Norton Little League field. Mr. Culbertson said NYSF will provide council with an engineer drawing that depicts the proposed bathroom facilities incorporating the city's new sidewalk, and he thanked council for their donation to NYSF.

After brief discussion, council thanked Mr. Culbertson for the work the foundation is doing for Norton youth.

Council had been presented in their packets with a Resolution to Honor and Congratulate the Suthers Masonic Lodge #259, Chartered on December 21, 1894, on its 125<sup>th</sup> Anniversary.

Mr. Ramey said lodge members provided him with the history of the organization and a resolution was prepared to honor and recognize the 125th Anniversary of Suthers Masonic Lodge #259. He said Junior Warden Monty Marshall and lodge members were present and that Mr. Marshall would provide council with an update on the lodge's activities.

Mr. Marshall asked lodge members to introduce themselves with each member providing their length of service in the lodge and their position. After introductions, Mr. Marshall told council the lodge had been inactive for many years and just recently started fundraising again. He said fundraising has allowed the lodge to sponsor Norton Little League for the past three years, participate in the Brown Bag program for two years, and provide Christmas for 15 families on last year's Christmas Angel Tree. Mr. Marshall said the lodge wants to be good stewards of Norton, and he mentioned the lodge is working to improve the exterior of the lodge building.

Mr. Ramey added that the lodge reached out to the city to be included in the Façade Improvement Program and that lodge members provided the refreshments for the unveiling of the refurbished Coca-Cola sign event August 20th.

Mr. Marshall said members appreciate city council's recognition of their 125<sup>th</sup> Anniversary and noted it was good to be one of the oldest organizations in Norton. He said the lodge, in recognition of its 125<sup>th</sup> Anniversary, had 150 numbered coins made and members would like to present council with coin number 66. Mr. Marshall explained members chose coin 66 because 66 years ago Norton built a new high school and named it after Mr. John I. Burton, who was a past Master Mason of the Norton Masonic Lodge. Mr. Marshall said coin 66 was important to the lodge and members hope the coin will be special to the city.

A group photo was taken with council, and Mayor Fawbush thanked lodge members for the coin presentation to the city. He said it is a great honor to receive the coin and to have the Suthers Masonic Lodge #259 in the city, and especially downtown. He said council applauds your service and the work you do.

Upon a motion by Councilman Mays, seconded Councilman Caruso, and passed by unanimous vote, council moved to adopt the Resolution to Honor and Congratulate the Suthers Masonic Lodge #259, Chartered on December 21, 1894, on its 125<sup>th</sup> Anniversary. (Insert)

Included in council's packet to reconsider for possible city code modifications were two draft ordinances related to Highland Cemetery and Chapter 20 – Reservoirs.

Mr. Ramey said council reviewed the two ordinances at the July 16<sup>th</sup> and August 6<sup>th</sup> meetings and the draft ordinance for Highland Cemetery basically codifies that the city needs to establish rules and regulations that relate to the operation and maintenance of the cemetery and that council can establish fees by resolution.

Council had no further questions or discussion regarding the draft Highland Cemetery ordinance.

Mr. Ramey said the second draft ordinance is amending Chapter 20 – Reservoirs specifically regarding gasoline-powered watercraft on the reservoir. He said at the last meeting, the city attorney advised the reservoir included more area than just the watershed and reservoir at the city property. At this point, council had some concerns about the draft ordinance as written and asked Mr. Bradshaw to amend the draft ordinance and add language that would ensure a person fishing would not be in violation of the regulation if petroleum-based products were in his/her possession, but did not have the products outside of his or her vehicle or watercraft.

Mr. Bradshaw noted that he addressed council's concern and added language that gasoline-powered watercraft are permissible in the parking lot area of the reservoir and on the access roads within the reservoir. Mr. Bradshaw said the modification to the draft ordinance also included language that excluded emergency services operators or other governmental agencies, such as the Department of Game and Inland Fisheries (DGIF).

It was then the consensus of council to authorize the city manager to advertise public hearings on the two draft ordinances and place the items on the September 3<sup>rd</sup> council agenda.

The next item before council was a request to authorize a public hearing regarding the use of the United States Department of Agriculture, Rural Development (USDARD) funding for the purchase of emergency vehicles.

Mr. Ramey said city council has utilized USDARD funding for several years to purchase emergency vehicles through a partial loan/grant program. He said city administration recommends council continue using the USDARD funding loan/grant to continue the city's emergency vehicle replacement program.

It was the consensus of council to authorize the city manager to advertise a public hearing regarding the use of the United States Department of Agriculture, Rural Development (USDARD) funding for the purchase of emergency vehicles.

Also in packets for council consideration was a check to BB&T Governmental Finance Payment Processing, dated July 10, 2019, in the amount of \$124,731.52 to cover the payment of the 11<sup>th</sup> Street Bridge bond.

Upon a motion by Councilwoman Belcher, seconded by Councilman Fultz, and passed by the following unanimous roll call vote: YES - Mays, Fultz Fawbush Caruso, Belcher, NO – None, ABSENT – None, council moved to confirm the check to BB&T Governmental Finance Payment Processing, as stated above.

Upon a motion by Councilman Mays, seconded by Councilman Fultz, and passed by the following unanimous roll call vote: YES – Mays, Fultz, Fawbush, Caruso, Belcher, NO – None, ABSENT – None, council moved to go into closed meeting for Personnel as per Section 2.2-3711 (A) (1), and for the Discussion or Consideration of the Acquisition of Real Property for a Public Purpose, or of the Disposition of Publically Held Real Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiating Strategy of the Public Body as per Section 2.2-3711 (A) (3) of the Code of Virginia, as amended.

Mayor Fawbush declared council in closed meeting.

Upon a motion by Councilman Caruso, seconded by Councilman Fultz, and passed by unanimous vote, council moved to go back into open meeting.

Mayor Fawbush 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 Mays, seconded by Councilman Caruso, and passed by unanimous vote, council moved to adopt A Resolution of the Certification of Closed Meeting.  
(Insert)

Mayor Fawbush opened the floor for two nominations to the Norton Planning Commission for a four-year term each to expire on July 31, 2023.

Councilman Mays nominated Virginia Stokes and Tim Cassell to be reappointed to the Norton Planning Commission for a four-year term to expire on July 31, 2023.

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

Mayor Fawbush declared Virginia Stokes and Tim Cassell reappointed to the Norton Planning Commission for a four-year term each to expire on July 31, 2023

In comments from the city manager:

Mr. Ramey first informed council that the late Norton Mayor George E. Hunnicutt, Sr.'s, wife Mary Katherine Breeden Hunnicutt passed away on August 14<sup>th</sup>, the late councilman Roy Robert's wife Shirley Ann Stallard Roberts passed away on August 19<sup>th</sup>, and city board member Frank Gravely's wife Australia Gravely passed away on August 17<sup>th</sup>. Mr. Ramey told members the city sent flowers and condolences on behalf of council and city employees.

Mr. Ramey said the city had a major water leak around 5:30 a.m., this morning and lost approximately 90,000 gallons of water. He said the city's water plant notified city crews of the problem and employees were on site and stopped the leak within 35 minutes.

Mr. Ramey advised council that Craig Street had been reopened at council's request and that residents along Craig Street were either notified by flyer or contacted personally.

Mr. Ramey said he attended a Virginia Department of Transportation (VDOT) Scoping Meeting in Bristol regarding planned repairs to the Tipple Hill Bridge. He said the project is scheduled to go to bid in late 2020 and it will require the closure of one lane on each side of the bridge until completion.

He said an invitation soft opening is planned for Sugar Hill Cidery later this week and the grand opening is being planned so that state funding agencies involved in the downtown project can attend.

Mr. Ramey said the High Knob Outdoor Festival and the unveiling of the restored Coca-Cola Clock were successful and he wanted to thank all the volunteers and participants in those two events.

He said Blue Ridge Outdoor Magazine has included the city again in its annual "Top Adventure Town" competition. The competition is being promoted on social media and he encourages everyone to vote for the city. Also, St. Paul is included in the competition, but the town is in a different size category than Norton.

Mr. Ramey placed the latest Retail Sales Tax Report on council members' desks for review.

He said the city will be tabling this coming weekend in Johnson City, Tennessee, at the Meet the Mountains Event.

Mr. Ramey said the Woodbooger Geocache will be held Saturday, September 7th, the High Knob Hellbender and the Woodbooger Festival is scheduled for Saturday, October 5th, and the Cloudsplitter Ultra 100 Trail Race will take place Saturday, October 12th.

In comments from the city attorney:

Mr. Bradshaw said the city was scheduled to hold a delinquent tax sale on two properties, but prior to the sale one of the owners paid all delinquent city taxes, penalties, interest, and fees to the city treasurer before the sale opened. He said the other delinquent tax property sold and all back taxes and fees were collected.

At this time, Mr. Ramey said at the unveiling of the refurbished Coca-Cola sign event, the Kinsey Neon & Sign Company, Inc., had a sticker created that is a replica of the Coca-Cola sign and includes "Norton, Virginia" on the sticker. Mr. Ramey then presented each council member with a sticker.

Mr. Ramey said Ms. Billie Leho presented the city with a one-year swimming ticket for the Norton Municipal Pool for the 1937 Opening Season and it was signed by the secretary of the Norton Kiwanis Club and the mayor. He then passed around the souvenir ticket to council to view and said he would place the ticket with other artifacts that have been given to the city.

The following comments were made by council members:

Councilman Fultz said he is grateful for all the local ongoing events and he commends those individuals from the 1930's who had the Coke sign originally installed, the city, the new owner, and Kinsey Sign Company for working together to refurbish the Coca-Cola sign.

Councilman Fultz said the school year is off to a good start, and there is a football jamboree August 23<sup>rd</sup> at John I. Burton High School, and Meet the Raiders is scheduled for 7:00 p.m., August 26th.

Councilman Caruso praised the city's public works, police and fire departments for excellent work in repairing a major water leak downtown on August 20th. He said they worked efficiently and did a great job in getting the leak repaired quickly.

Councilman Caruso said he was given a suggested rendering of the lot on Park Avenue beside his business Pathfinders that depicted what the property could potentially resemble if renovated. He said after the meeting he would leave the drawing in chambers for council members to review and give their thoughts on the idea put forth by a citizen.

Mayor Fawbush echoed Councilman Caruso's comment on the city's public works and emergency services repair of the major water leak. He also commended city employees for rerouting water so residents would have water while the leak was being repaired.

He observed downtown today at the unveiling of the Coca-Cola sign event that citizens and businesses were proud of Norton and they enjoyed being downtown. He said Kinsey Neon & Sign Company was very proud of their refurbishment of the Coca-Cola sign and noted that the sign is a one-of-a-kind. Mayor Fawbush said the new sign owner Dr. Sturgill was proud to provide a place to hang the Coca-Cola sign and the electricity to light the sign. He thanked Mr. Ramey for all the involvement downtown and thanked Finance Director Jeff Shupe for keeping track of the various funds from various funding agencies.

Councilman Mays added all these projects start with a shared council vision and he wanted to commend council members and city administration for the ongoing work throughout the city.

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

CITY OF NORTON, VIRGINIA

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Joseph Fawbush, Mayor

ATTEST:

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Rebecca K. Coffey, Clerk of Council

**BEING AN ORDINANCE AMENDING CHAPTER 20 – RESERVOIR OF THE  
NORTON, VIRGINIA CODE OF ORDINANCES**

WHEREAS, the City reservoir is the main source of potable water for the citizens of Norton and customers of its Water Department, and

WHEREAS, the reservoir is used for fishing purposes as well as the City's primary source of potable water, and

WHEREAS, Council desires to protect the safety and integrity of the reservoir by prohibiting gasoline powered watercraft and liquid petroleum products at the reservoir,

NOW, THEREFORE, be it ORDAINED

1. That Chapter 20 of the City of Norton Code of Ordinances is hereby amended by the addition of Section 20-8 and 20-9 providing as follows:

Sec. 20-8. It shall be unlawful for any person present at the reservoir to possess a gasoline powered engine or watercraft or to possess any liquid petroleum-based products, except in the designated parking area and access roads within the reservoir.

Sec. 20-9. The foregoing section shall not apply to the emergency services operators or other governmental authorities, including but not limited to the Department of Game and Inland Fisheries.

2. This Ordinance shall be effective thirty days from the date of its adoption.

ADOPTED this \_\_\_\_\_ day of September 2019.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK



August 20, 2019

### **Notice of Public Hearing**

The City Council of the City of Norton, Virginia will hold a Public Hearing on Tuesday, September 3, 2019 at 6:00 PM in the Municipal Council Chambers located at 618 Virginia Avenue, N.W., Norton, Virginia. The purpose of the hearing is to receive public comments on an ordinance Amending Chapter 20, of the Norton City Code so as to make it unlawful to possess a gasoline powered engine or petroleum-based products within the reservoir area. A copy of the proposed ordinance will be available for inspection Monday through Friday between 8:30 A.M. and 5:00 P.M. in the City Manager's Office or available at [www.nortonva.gov](http://www.nortonva.gov). All attendance and comments at the meeting are encouraged and welcome.

Fred L. Ramey, Jr.  
City Manager

*This institution is an equal opportunity provider and employer.*

To the Coalfield: Please advertise in the Coalfield Progress on Friday, August 23<sup>rd</sup> and Friday August 30<sup>th</sup> 2019.

**BEING AN ORDINANCE DEALING WITH HIGHLAND CEMETERY**

WHEREAS, the City has previously accepted a donation of Highland Cemetery from its original developer, and

WHEREAS, Council deems it advisable to develop rules and regulations governing the use of Highland Cemetery.

NOW, THEREFORE, be it ORDAINED that

1. The City of Norton Code of Ordinances be amended by restating Chapter 26 thereof (previously reserved) to read as follows:

**CHAPTER 26 – HIGHLAND CEMETERY**

**26-1. Authority.**

The City may maintain and operate Highland Cemetery.

**26-2. Cemetery regulations.**

The City Manager may establish or authorize the establishment of rules and regulations for the operation and maintenance of Highland Cemetery. The rules and regulations may address such matters as descriptions of burial spaces and services, burial of indigent persons, and cremation procedures, and any other relevant matters.

**26-3. Fees.**

The City Council may establish, by resolution, fees for cemetery lots, burial spaces, and services in connection with interments and in connection with the maintenance and operation of Highland Cemetery. The fees shall be as set forth in the schedule of rates and levies adopted by the City Council. Copies of such schedule are on file in the office of the City Manager.

2. This Ordinance shall be effective thirty days from the date of its adoption.

ADOPTED this \_\_\_\_\_ day of September 2019.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK



August 20, 2019

### **Notice of Public Hearing**

The City Council of the City of Norton, Virginia will hold a Public Hearing on Tuesday, September 3, 2019 at 6:00 PM in the Municipal Council Chambers located at 618 Virginia Avenue, N.W., Norton, Virginia. The purpose of the hearing is to receive public comments on an ordinance to authorize the maintenance, fees, and the development rules and regulations governing the use of Highland Cemetery. A copy of the proposed ordinance will be available for inspection Monday through Friday between 8:30 A.M. and 5:00 P.M. in the City Manager's Office or available at [www.nortonva.gov](http://www.nortonva.gov). All attendance and comments at the meeting are encouraged and welcome.

Fred L. Ramey, Jr.  
City Manager

*This institution is an equal opportunity provider and employer.*

To the Coalfield: Please advertise in the Coalfield Progress on Friday, August 23<sup>rd</sup> and Friday August 30<sup>th</sup> 2019.



August 20, 2019

### **Notice of Public Hearing**

The City of Norton hereby provides notice that a funding application with USDA, Rural Development for a proposed loan/grant to purchase two emergency vehicles. A public hearing on the proposed project will be held on September 3, 2019 at 6:00 pm. Anyone requesting information on this project or to offer comments should attend this meeting, which will be held in the City Council Chambers located at 618 Virginia Avenue NW, Norton, VA 24273.

Fred L. Ramey, Jr.  
City Manager

*This institution is an equal opportunity provider and employer.*

To the Coalfield: Please advertise in the Coalfield Progress on Friday, August 23<sup>rd</sup> 2019.

**City of Norton**

# Inter-Office Memo

**To:** Mayor and City Council  
**From:** Fred L. Ramey, Jr., City Manager *FR*  
**CC:**  
**Date:** August 20, 2019  
**Re:** Lonesome Pine Regional Library Update

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At our September 3<sup>rd</sup> meeting, Lonesome Pine Regional Library Director, Julie Short along with the City's appointee Ginnie Stokes, would like to provide City Council with an update on library activities and to highlight that September is Library Card Signup Month.

Thank You.

**Proclamation Declaring September 2019  
As Library Sign-Up Month**

**WHEREAS**, a library card is the most important school supply of all;  
and

**WHEREAS**, signing up for a library card is the first step towards  
academic achievement and lifelong learning; and

**WHEREAS**, libraries play an important role in the education and  
development of children; and

**WHEREAS**, library programs serve students of all ages, from early  
literacy to homework help to GED classes; and

**WHEREAS**, librarians lead the way in creating inclusive spaces and  
developing diverse collections for children and people of all  
backgrounds to connect and learn together; and

**WHEREAS**, libraries bridge the digital divide by providing a full range  
of information and services to children and adult learners; and

**WHEREAS**, libraries continue to transform and expand their services in  
ways that meet the needs of the communities they serve; and

**WHEREAS**, libraries open a world of infinite possibilities through  
resources and services to help people pursue their passions and give  
students the tools to succeed in school and beyond.

**NOW, THEREFORE, LET IT BE RESOLVED** that the Norton City Council,  
does proclaim September Library Card Sign-up Month in the City of  
Norton and encourage everyone to sign up for their own library card.

ADOPTED this 3<sup>rd</sup> day of September, 2019.

CITY OF NORTON, VIRGINIA

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Joseph Fawbush, Mayor

ATTEST:

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Rebecca K. Coffey, Clerk

150752

INV. DATE	INVOICE#	G/L ACCT. #	GROSS AMOUNT	DISC. AMOUNT	NET AMOUNT
6/05/2019	45492	40-010-41020-5407	462.81	.00	462.81
6/27/2019	45722	40-010-41020-5407	180,279.46	.00	180,279.46

7/10/2019	21450	150752	180,742.27	.00	180,742.27
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CITY OF NORTON  
 GENERAL OPERATING FUND  
 NORTON, VA 24273

THE FIRST BANK & TRUST  
 NORTON, VA

180 THOUSAND 742 DOLLARS 27 CENTS

PAY TO THE ORDER OF:

W-L CONSTRUCTION &  
 PAVING, INC.  
 P.O. BOX 277111  
 ATLANTA

GA 30284-7111

150752

88-448514

150752 10

Details on Back

AMOUNT: \$180742.27

DATE: 7/10/2019



Security Features Included

*Christy Wells*  
 AUTHORIZED SIGNATURE