

The regularly scheduled meeting of the Norton City Council was held Tuesday, August 17, 2021, 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 Sarah Davis

Also Present: Fred L. Ramey, Jr., City Manager and Interim City Clerk

Prior to the invocation, Mayor Fawbush informed council of the passing of former city employee Geraldine O'Bryan, who served as City of Norton deputy treasurer, and Robert Isaac, who was a City of Norton Planning Commission member and was very active in the community.

The invocation was given by Councilman Robert Fultz, and the Pledge of Allegiance was led by Norton City Police Department First Sergeant Greg Mays.

Upon a motion by Councilman Mays, seconded by Councilwoman Davis, and passed by the following vote: YES – Mays, Davis, Fawbush, NO – None, ABSENT – None, ABSTAIN – Caruso and Fultz, council moved to adopt the minutes of the August 3, 2021, council meeting as presented.

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

A public hearing was held to receive public input on An Ordinance Creating and Designating a Central Absentee Precinct to be Located in the Registrar's Office at the Norton Community Center at 201 Park Avenue N.E.

Mr. Ramey explained that Section 24.1-712, requires the establishment of one or more central absentee voter precincts in the courthouse or other public buildings for the purpose of receiving, counting, and recording absentee ballots cast in the city. State code also states that each precinct shall have at least three officers of election. The city manager said the public hearing was duly advertised and noted that Registrar Marie Muir and Electoral Board Member Mike Brown were in attendance to answer questions from council.

Mayor Fawbush opened the public hearing.

There being no public comments, the mayor closed the public hearing.

Councilman Caruso asked for a brief explanation of central absentee voter precinct procedures.

Registrar Marie Muir explained that the absentee voter precinct will process all absentee votes separate from the voting precinct, and three officers of election will have to be hired to work in the absentee voter precinct.

Mr. Brown said the three officers of election will work from the time polls open election day until polls close and absentee voter precinct votes are tabulated, approximately five hours.

Mr. Ramey said there will be two voting reports - one from the precinct and another from the absentee voter precinct.

Councilman Caruso also asked for an explanation of vote-by-mail procedures.

The registrar said that 95 percent of the city's voter applications arrive online or by mail. She said those applications are processed and the ballots go out that day.

Mr. Brown explained that registered voters no longer have to have an excuse for why they can't vote on election day to be able to receive an absentee ballot.

The registrar noted that it is the registrar's job to give everyone who is registered to vote in Norton the opportunity to vote.

Following discussion on voting and absentee voting procedures, Councilman Caruso thanked the registrar, Mr. Brown and the Electoral Board for everything they do.

The mayor said he can understand why people would like to complete the ballot in the privacy of their own homes and not have to leave their houses.

The registrar noted that voting costs are rising because of these changes. She said voters can also call the registrar's office and request to have an election official come to their car outside the precinct so they can vote in their car. She said quite a few early voters utilized the curbside voting service, adding that curbside voting in 2020 was very busy.

The city manager noted that Coronavirus Aid, Relief, and Economic Security (CARES) Act funds were used last year to rent a tent for curbside voting.

Councilman Fultz thanked Ms. Muir for her years of service and said council appreciates everything she has done for the city. He also thanked Mr. Brown for his service to the city.

Mr. Brown reminded council the Retirement Reception for Marie Muir will be held from 5:30 to 7:30 p.m., Monday, August 30, 2021, at the Hotel Norton.

Upon a motion by Councilman Caruso, seconded by Councilman Fultz, and passed by the following roll call vote: YES – Mays, Fultz, Fawbush, Caruso, Davis, NO – None, ABSENT – None, council moved to adopt An Ordinance Creating and Designating a Central Absentee Voter Precinct to be Located in the Registrar's Office at the Norton Community Center at 201 Park Avenue N.E. (Insert)

Under new business, discussion regarding possible redevelopment of property owned by J. W. Construction Company and located along US 23 Southbound near Exit 2 was tabled because J. W. Construction Company Owner Jerry Wharton could not attend tonight's meeting as planned.

Mr. Ramey said Mr. Wharton will address council about this matter at one of council's September meetings.

Contained in packets for consideration by council was a revised draft of the Vacant Home Demolition/Replacement Program that included a language modification requested by council. Rather than payments being made by the city to the contractor(s) hired by the property owner, the new draft states that once the qualifying invoice has been reviewed and approved, a check will be written to the property owner for the amount of the qualifying invoice(s), not to exceed \$7,500, within 30 days from receipt.

The Vacant Home Demolition/Replacement Program seeks to offer an incentive to existing property owners and potential homeowners to demolish older dilapidated homes and rebuild a new home within a timely manner on the same lot or parcel. The \$15,000 allocated to this program will provide funding for two deferred loans of up to \$7,500 each per unit demolished.

Councilwoman Davis pointed out a grammatical error in the first paragraph on the second page of the draft that should be corrected.

Updating council on the status of the Dilapidated Home Demolition Program discussed at the last council meeting, Mr. Ramey said it is very possible that within the next 30 days funding for the Dilapidated Home Demolition Program will be expended. He said that if interest is shown he may address council to request additional funding for the program.

After a brief discussion and upon a motion by Councilman Mays, seconded by Councilman Fultz, and passed by the following unanimous vote: YES – Mays, Fultz, Fawbush, Caruso, Davis, NO – None, ABSENT – None, council moved to approve the Vacant Home

Demolition/Replacement Program as presented with a grammatical change to the program draft.
(Insert)

The city manager said before he provided council with an update on city funding from the 2021 Rescue Plan Act Coronavirus State and Local Fiscal Recovery Fund (CSLFRF) he wanted to update council on rising COVID-19 cases in the LENOWISCO Planning District with case information just released to administrators by LENOWISCO Planning District Commission. Via a PowerPoint presentation, the city manager showed council COVID-19 case statistics for July through August 14, 2021, for Lee, Scott and Wise counties and the City of Norton. He noted that a COVID-19 update hasn't been provided to council since June 30, 2021, when the State of Emergency in the Commonwealth was lifted.

LENOWISCO COVID-19 statistics for July 2021 showed cases in Norton totaled 15 with 6 of those being 0-18 years, while Wise County cases totaled 133 with 21 of those being 0-18 years. LENOWISCO District cases in July totaled 245, 45 being 0-18 years.

LENOWISCO COVID-19 case statistics for Norton from August 1-14, 2021, totaled 30 with 13 being 0-18 years, while Wise County cases for the same period totaled 150 with 31 being 0-18 years. LENOWISCO District cases for half of August totaled 341, 83 being 0-18 years.

He said that when he stopped tracking COVID-19 cases in Norton the end of June the number of COVID-19 cases in Norton totaled 330. In comparison to the July and August statistics, the city manager noted this shows a 10 percent increase in cases.

The city manager said City of Norton COVID-19 death and hospitalization totals have not increased since June 30, 2021. He said he has resumed putting Norton's COVID-19 case statistics on the city's website and Virginia Department of Health (VDH) COVID-19 information contains additional statistical data that wasn't included before, such as age groups.

City Engineer Stephen McElroy told council the number of cases by vaccination status showed that 98 percent of the new COVID cases are unvaccinated or partially vaccinated people. Additionally, Mr. McElroy reported that VDH data indicates that less than one tenth of one percent are breakthrough cases, breakthrough hospitalizations or breakthrough deaths. He noted that these statistics indicate vaccinations appear to be working.

The city manager said he received a press release today from the LENOWISCO Health District encouraging people to get vaccinated which has been placed in the news section of the city website. He also said he provided this rising case information to Norton City Schools Superintendent Dr. Gina Wohlford.

Councilwoman Davis asked if the city is doing anything to encourage or incentivize vaccinations.

Mr. Ramey said the city has and continues to partner with the health department in bringing in mobile COVID-19 vaccination clinics to the city. He noted that a mobile VDH vaccination clinic will be offering free vaccinations Friday night at the High Knob Outdoor Festival. He said the health department has talked about the potential of reinstating drive-through vaccination clinics but nothing has been scheduled yet.

The city manager said the latest VDH vaccination statistics for Norton indicate that 3,340 vaccinations have been administered, 1,910 with one vaccination, and 1,521 fully vaccinated.

Mr. McElroy said VDH statistics show vaccination rates are accelerating once again.

Councilwoman Davis said some businesses and institutions are paying for COVID-19 testing for unvaccinated employees for a certain period of time and after that time the cost of the testing will be the responsibility of the unvaccinated employee.

The city manager reported that the 2020 Coronavirus Aid, Relief, and Economic Security (CARES) Act funding review is still ongoing, but he is confident the review report will be issued soon and the city can move forward.

He said the city continues to receive information about 2021 Rescue Plan Act Coronavirus State and Local Fiscal Recovery Fund (CSLFRF) and what can be done this year about how this funding can be spent. He said city administration is creating a list of potential projects for how to spend the funding. Rather than having a Saturday workshop, he suggested an evening council meeting in the next couple of weeks to discuss these potential projects so preliminary engineering can be initiated to get these projects started faster. He said infrastructure projects that include water, sewer and storm drainage are more easily identified as qualifiable projects.

Mr. Ramey told council that City Finance Director Jeff Shupe is looking into lost revenue recovery due to COVID-19 as well as investigating the possibility of purchasing consulting services to help the city pre-qualify for some of these American Rescue Plan Act funded projects. He said the consultation services would be a second opinion on what the city identifies as qualifiable projects.

Mr. Shupe noted that these project guideline rules are still interim rules.

After a discussion about possible evening meeting dates for council to conduct a workshop to discuss possible projects that would qualify for funding from the American Rescue Plan Act Fund, the consensus of council was to conduct a workshop at 6 p.m., Tuesday, August 24, 2021, in council chambers.

Mr. Ramey said he would inform the press about the workshop and put the meeting on the website.

Included in packets for council consideration was a transfer to Norton City Schools dated July 22, 2021, in the amount of \$250,000 to cover July 2021 payroll expenditures.

Upon a motion by Councilman Caruso, seconded by Councilwoman Davis, and passed by the following roll call vote, YES – Mays, Fultz, Fawbush, Caruso, Davis, NO – None, ABSENT – None, council moved to confirm the transfer to Norton City Schools, as stated above.

Prior to the closed meeting, Mr. Ramey advised the mayor and council that Section 2.2-3711 (A) (7) of the Code of Virginia, as amended, for Consultation with Legal Counsel and Briefings by Staff Members or Consultants Pertaining to Actual or Probable Litigation, Where Such Consultation or Briefing in Open Meeting Would Adversely Affect the Negotiating or Litigating Posture of the Public Body would not be discussed in closed meeting tonight as indicated on the agenda.

Upon a motion by Councilman Fultz, seconded by Councilman Mays, and passed by the following unanimous roll call vote: YES – Mays, Fultz, Fawbush, Caruso, Davis, NO – None, ABSENT – None, council moved to go into closed meeting for Personnel as per Section 2.2-3711 (A) (1) of the Code of Virginia, as amended.

Mayor Fawbush declared council in closed meeting.

Upon a motion by Councilman Mays, seconded by Councilwoman Davis, and passed by the following vote, YES – Mays, Fultz, Fawbush, Caruso, Davis, NO – None, ABSENT – None, council moved to go back into open meeting.

Mayor Fawbush declared council back in open meeting.

Mr. Ramey polled each member of council as to the Certification of Closed Meeting with each answering yes. The city manager then read A Resolution of the Certification of Closed Meeting.

Upon a motion by Councilman Mays, seconded by Councilwoman Davis, and passed by the following unanimous vote, YES – Mays, Fultz, Fawbush, Caruso, Davis, NO – None, ABSENT – None, council moved to adopt A Resolution of the Certification of Closed Meeting. (Insert)

No action was taken by council on appointments to the Mountain Empire Regional Business Incubator Board and to the Norton Industrial Development Authority.

In comments from the city manager:

Mr. Ramey said 2020 U. S. Census information has been partially released and according to those statistics, Norton's population is 3,687, which is a decrease of 271 from the 2010 U.S. Census population statistic of 3,958. He said he thinks community participation in the 2020 census was more successful than any other census because of the city's extensive outreach efforts that included the city's social media accounts, newspapers, and television.

He said one of the most concerning statistics from the census shows that 30,000 people left 10 Virginia counties/cities from Wytheville to the western tip of the state. He said population in the Norton area was down six percent, while the majority of counties and cities in Upper East Tennessee such as Johnson City and Kingsport had large increases.

The city manager said Treasurer Barbara Muir informed him that personal property and real estate tax tickets for the second half of 2021 would be mailed later this week.

He announced that placed on council desks was a copy of an award the City of Norton Water Treatment Plant received recently. He said the award is the 2020 Excellence in Water Works Operations Gold Award and indicates that the water treatment plant met the Virginia Optimization Program Standards for Clarification, Filtration and Backwash for 2020.

Also on council desks was an opportunity zone publication in which the city is included. Mr. Ramey explained that the entire City of Norton had been approved as an opportunity zone and the Norton Alcoholic Beverage Control Store relocation was the first opportunity zone project in the area. He said the program is a capital gains advantage program and is an opportunity for anyone that has capital gains they are willing to invest. He said the publication is sent to businesses and companies looking for investment opportunities, but individuals with capital gains can invest in opportunity zone projects, as well.

Mr. Ramey showed PowerPoint photos of the new Expo Center signs that were installed two weeks ago on the western and eastern sides of the Expo Center by Snyder Signs. He said an expo sign was also installed on the stone wall in front of Sugar Hill Cidery. The signs were paid for by the Norton Industrial Development Authority.

The city manager asked council members to contact him if they plan to attend the annual Virginia Municipal League Conference October 3-5, 2021, in Leesburg, Virginia.

Mr. Ramey said he was approached about a year ago by James Madison University professor about participating in a Historic United States Geological Survey Imagery Project which was free. Via a PowerPoint presentation, the city manager explained that the university had black and white imagery taken in 1969 of communities throughout the Commonwealth and colorized the imagery. He said having access to the 1969 imagery would be useful to the city and could be geo-connected to the city's global imaging system. He noted the imagery project didn't cost the city anything; all the city had to do was indicate interest in obtaining the imagery.

He said he anticipates that the AmeriCorps/National Civilian Community Corps (NCCC) Team will arrive by the end of August and will attend the next council meeting.

For council review, the city manager provided copies of an August 8, 2021, Bristol Herald Courier editorial regarding the 1951 Norton Little League All-Star Team. He informed council that the city has received three donations for the purchase and installation of the Norton Little League All-Star Team commemorative marker, and the city is mailing donors a thank-you letter and a donation receipt. He said he has also received phone calls from people requesting information about how to donate to the project.

Mr. Ramey gave council copies of the latest Retail Sales Tax Report and flyers on the High Knob Outdoor Festival scheduled for August 16-21, 2021. One of the flyers showcased a new festival event, a downtown block party, featuring live music by The Thomas Cassell Band and The Soulamanders. The downtown block party on Park Avenue from 7th to 8th Streets will take place from 6 to 9 p.m., Friday, August 20.

Other upcoming events noted by the city manager included: Flag Rock Bio-Blitz, August 28; Mountain Fork Half Marathon, September 19; High Knob Hellbender 10K, October 2; Woodbooger Festival, October 2; Cloudsplitter 100, October 16.

He reported that as of August 15, 173 participants from 31 states, the District of Columbia and two countries (Panama (2) and Peru (3)) have registered for the Cloudsplitter. He reported that so far, 76 participants have registered for the 100-mile event, which is a qualifying event for the Ultra-Trail du Mont Blanc in Europe. Mr. Ramey said an aid station at Bark Camp Lake is still needed for the Cloudsplitter if any group is interested in volunteering.

The following comments were made by council members:

Councilman Fultz said Meet the Raiders Night will be held at 6:30 p.m., Thursday, August 19, at Lawson-Fitchko Stadium. In the event of rain, the event will be moved indoors. The Jamboree is set to begin at 5 p.m., Friday, August 20, with the John I. Burton High School Raider Football Team playing at 8 p.m. and 9 p.m.

Councilman Mays said he was truly saddened with the passing of Robert Isaac and so many people did not realize what Mr. Isaac did for this community. He said Mr. Isaac was an unsung hero, was always our go-to guy and will be missed.

Councilman Caruso said Mr. Isaac was like family to the Caruso family and will be missed. He said Mr. Isaac was a great American, served his country in the military and was a downtown businessman who willingly served when asked to do so. He wished the Isaac family the best.

Mayor Fawbush informed council that former City Dispatcher Gary Jones passed away August 16 and requested prayers for the family.

He said the expo center signs are excellent and he is glad to see the project completed. He also said he is eager for work on the second floor of the expo center to begin.

The mayor said he is looking forward to the High Knob Outdoor Festival and the Woodbooger Festival Committee is in contract negotiations with a major entertainer. He said the draft contract was sent to him to sign, but after consulting with the city manager and city attorney, Mr. Fawbush said it was determined that the city manager should sign the contract. The mayor requested action by council to authorize the city manager to sign the final contract once the contract is completed and for the city to pay the \$2,500 deposit for the entertainment.

The city manager explained that the Woodbooger Festival Committee conducts fundraising for the event, but the city also contributes financially to the event.

Upon a motion by Councilman Mays, seconded by Councilman Caruso, and passed by the following roll call vote: YES – Mays, Fultz, Fawbush, Caruso, Davis, NO – None, ABSENT – None, council moved to authorize the city manager to sign the entertainment contract for the Woodbooger Festival once completed and for the city to pay the \$2,500 deposit for the entertainment.

The mayor said the city attorney recommended that the Woodbooger Festival Committee form a separate entity, such as a Woodbooger Festival, LLC, for the purpose of executing contracts for the event. He said action on the city attorney's advice will take place at a later date.

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

CITY OF NORTON, VIRGINIA



Joseph Fawbush, Mayor

ATTEST:



Fred Ramey, Jr., Interim Clerk of Council