

The regular meeting of the Norton City Council was held on Tuesday, November 16, 2010 at 6:00 p.m. in the Municipal Council Chambers with Mayor William Mays presiding.

Present: Mark Caruso, Joseph Hunnicutt, William Mays, Joseph Fawbush, and William Mays

Also Present: E. W. Ward, City Manager and Bill Bradshaw, City Attorney

The invocation was given by Father Tim Drake and was followed by the pledge of allegiance led by members of Boy Scout Troop No. 630.

Upon a motion by Councilman Caruso, seconded by Councilman Hunnicutt, and passed by unanimous vote, Council moved to adopt the minutes of the October 19, 2010 meeting as presented.

24865

Mayor Mays advised the City Manager has two items to be brought up for special recognition. The first is for the volunteers for the Norton Friends and Farmers Market and, secondly, to Peter Nauss, who, while working on his Eagle Scout Badge, volunteered to work on the Lost Creek Trail.

Mr. Ward advised that Mr. Nauss approached the City when the City purchased the property for the Lost Creek Trail wanting to volunteer to clean this property. Along with himself, other members of Troop 630 did invaluable work. The City Manager asked Mr. Nauss and the members of his troop to come forward to have some pictures made with City Council. Mr. Nauss spoke briefly to Council advising he chose this project to help his community and family since they have been hiking this trail.

24866

Mayor Mays thanked Mr. Nauss and his fellow troop members for the volunteer work they had done.

Councilman Caruso expressed his appreciation for the great job done by these individuals.

Those in attendance gave the members of the Scout Troop a standing ovation.

The City Manager had presented Council with a resolution honoring those who had volunteered to work on the Norton Friends and Farmers Market and had those members who were present to stand. Mr. Ward then read the resolution.

Upon a motion by Councilman Hunnicutt, seconded by Councilman Fawbush, and passed by the following unanimous vote: YES – Caruso, Hunnicutt, Fawbush, Roop, Mays – NO – None, ABSENT – None, Council moved to adopt A Resolution Recognizing the Volunteers Who Worked with the Norton Friends and Farmers Market. (Insert)

24867

Carman Cantrell, who served as chairman of this committee, spoke briefly to Council stating that Norton was blessed to have such community volunteers.

Mayor Mays advised that he had received many positive comments on the market from various locations and thanked Mrs. Cantrell and the volunteers for their hard work.

During the Mayor's call for visitors, Ms. Rita McReynolds, who represents the High Knob Task Force and the Board of Directors and Trustees that are involved in the rebuilding process of the this tower, spoke briefly to Council advising that they are \$29,000 short of their goal of \$580,000 to replace this tower. She thanked Council for their previous donation of \$5,000 and asked if they would consider an additional appropriation.

24868

Following a brief discussion, it was the consensus of Council to place this item on the agenda for the December 7<sup>th</sup> meeting for action.

Mayor Mays thanked Ms. McReynolds for her update to Council.

Sherry Adams, 327 Highland Avenue, spoke to Council regarding the school consolidation issue. She asked that should consolidation take place, the citizens of Norton be advised as to why we are participating and asked that consideration be given as to what affect consolidation would have on the students. She then thanked Council for their time.

Also speaking on the consolidation issue was Jim Adams, 1228 Park Avenue, N. W. and Linda Leonard, 423 Beech Street.

24869

Councilman Hunnicutt advised those present on the issue of regionalism. He stated that in the mid-1980's, Coeburn, Norton, and the Town of Wise came together and formed the C-N-W Regional Sewer Authority and this has been a successful venture for the entities involved. He stated that Norton should take a pragmatic approach on school consolidation.

A public hearing was held on An Ordinance Amending Section 20-52 of the City of Norton, Virginia Code as Pertains to the Annual Permit Fee Charged to Children Twelve (12) Years of Age and Under to Fish in the Upper Norton Reservoir.

Mr. Ward advised that this was recommended by Councilman Caruso and the only change is in Item 3 under A which states that children twelve and under, both resident and non-resident, can fish at no charge as long as they are accompanied by a licensed resident or non-resident over the age of twelve (12) years.

There were no questions or comments from Council prior to the public hearing.

Mayor Mays opened the public hearing.

Councilman Caruso stated he had been approached at the upper reservoir regarding this issue and felt it would help to market outdoor recreation activities for children.

24870

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

Upon a motion by Councilman Caruso, seconded by Councilman Hunnicutt, and passed by the following unanimous roll call vote: YES – Caruso, Hunnicutt, Fawbush, Roop, Mays, NO – None, ABSENT – None, Council moved to adopt An Ordinance Amending Section 20-52 of the City of Norton, Virginia Code as Pertains to the Annual Permit Fee Charged to Children Twelve (12) Years of Age and Under to Fish in the Upper Norton Reservoir as corrected by Councilman Hunnicutt. (In Item 3 under A, the word "only" should be after the word fish". (Insert)

The City Manager advised that as of November 9<sup>th</sup>, the City had a total reservoir capacity of 54 million gallons. He advised that the City is holding its' own and we have

been having some rain. We continue to purchase water from the Wise County PSA and the Town of Big Stone Gap. Residents are still being encouraged to conserve water.

24871

Mayor Mays added that it was good to have these revenues from which we can purchase water and thanked Mr. Ward for this update.

Dr. Jeff Comer, Superintendent of Norton City Schools, spoke briefly to Council and showed a PowerPoint presentation on the Quality School Construction Bonds (QSCB's) and advised the deadline for applying for these bonds was Friday, November 19<sup>th</sup>. He advised that there is a total of 229.5 million dollars available with a cap of \$15 million per school division. He then advised that Norton City Schools would like to apply for a HVAC and electrical system upgrade/renovations and Science Lab renovation at J. I. Burton High School totaling \$2,575,000.00. The annual debt repayment for fifteen years would be \$171,666.00. He further advised that their goal is to pay for these projects without asking for additional revenue from the City. Dr. Comer stated he is willing to answer any questions Council may have.

24872

Councilman Roop asked why a new roof for J. I. Burton could not be included with these projects. Dr. Comer stated that they could apply for additional funds to cover the roof.

Following a brief discussion, it was the consensus of Council for Dr. Comer to file the necessary applications for Quality School Construction Bonds for the two projects presented and one covering a new roof at J. I. Burton High School.

Mr. Ron McCall, Chairman of the Norton City School Board, addressed Council regarding the issue of school consolidation. He advised that the School Board had talked with Wise County School Board on October 21<sup>st</sup> regarding a two school on one site plan. After that meeting, the Wise County School Board and the Wise County Board of Supervisors each passed resolutions adopting this concept.

Chairman McCall advised Council that the School Board wants to make sure that they are not out of line to talk with the Wise County School Board.

24873

Councilman Roop advised that this issue will be the largest decision made by the Norton School Board and City Council; therefore both need to have answers to specific questions and appropriate information supplied to them.

Mayor Mays advised that the City Council has always been open minded to discussion with Wise County on a variety of topics, including school consolidation. Councilman Fawbush advised that he concurred with Mayor Mays but before any decisions could be made, Council would need something in writing.

Following a brief discussion, it was the consensus of Council for the City of Norton School Board to continue discussions with the Wise County School Board on school consolidation.

Mayor Mays, Chairman McCall, and Councilman Roop thanked those who spoke tonight on this topic. Mr. McCall also stated that all questions brought up tonight by Councilman Roop will be answered.

In their packets, Council had been supplied with copies of A Memorandum of Understanding Between the Virginia Information Technologies Agency (VITA) and the

County of Dickenson, Virginia, the County of Lee, Virginia, the County of Wise, Virginia, and the City of Norton, Virginia.

Mr. Ward advised that the City has been working for the past several years for a regional solution to E-911 and has discussed this with Council a couple of times in past CIP meetings. Tonight, the City Administration is seeking Council's authorization to sign the Memorandum of Understanding as presented in their packets and authorization to sign a second Memorandum of Understanding that is not yet drafted.

The City Manager explained the Memorandum of Understanding as presented to Council and advised that it had been approved by Wise County on November 15<sup>th</sup>, will be adopted by Lee County tonight, and Dickenson County next week. He further advised these localities had been awarded a grant in the amount of \$950,000 plus an additional funding of up to \$637,613 which equates to over one and one half million dollars to upgrade and share CPE and CAD equipment and connectivity for the enhanced 911 systems.

The second Memorandum of Understanding is one between the localities that has not yet been drafted. It will detail the relationship between the City and the other localities for various items. Due to VITA's timeline, the City Administration is asking for authorization to execute this once it is prepared and approved by the City Attorney.

Following a brief discussion and upon a motion by Councilman Fawbush, seconded by Councilman Hunnicutt and passed by the following vote: YES – Hunnicutt, Fawbush, Roop, Mays, NO – Caruso, ABSENT – None, Council authorized the City Manager to execute the Memorandum of Understanding as presented in their packets tonight between the City, the Counties of Lee, Dickenson, Wise and the Virginia Information Technologies Agency and the perspective Memorandum of Understanding that the City Administration will prepare. (Insert)

Council had been presented in their packets A Resolution of Governing Body of the City of Norton and a Code of Conduct in order that the City can accept a grant from the USDA Rural Development in the amount of \$200,000 for E-911 equipment.

Mr. Ward advised that these funds will cover a generator for City Hall, two consoles with power supplies and a recorder.

Upon a motion by Councilman Roop, seconded by Councilman Caruso, and passed by the following unanimous roll call vote: YES – Caruso, Hunnicutt, Fawbush, Roop, Mays, NO – None, ABSENT – None, Council moved to adopt A Resolution of Governing Body of the City of Norton and a Code of Conduct. (Insert)

In their packets, Council had a request for a refund of 2010 personal property taxes in the amount of \$19.84 for Marsha Stacy.

Upon a motion by Councilman Caruso, seconded by Councilman Roop, and passed by unanimous roll call vote, Council moved to approve a refund in the amount of \$19.84 to Marsha Stacy for 2010 personal property taxes.

Council had A Resolution of Governing Body, Extract of Minutes, Certificate of Incumbency included in their packets. This resolution covers a lease/purchase agreement for a new residential garbage truck in the amount of \$115,838.63. The City Attorney is

working on the paperwork that covers this lease/purchase and advised that he found nothing legally objectionable to it.

Mr. Ward advised that this was funded in the CIP meeting last spring and is a lease to own piece of equipment.

24877

Upon a motion by Councilman Fawbush, seconded by Councilman Hunnicutt, and passed by the following unanimous roll call vote: YES – Caruso, Hunnicutt, Fawbush, Roop, Mays, NO – None, ABSENT – None, Council moved to adopt A Resolution of Governing Body, Extract of Minutes, Certificate of Incumbency. (Insert)

Upon a motion by Councilman Hunnicutt, seconded by Councilman Caruso, and passed by unanimous vote, Council moved to go into closed meeting to discuss personnel as per Code Section 2.2-3711 (A) (1) of the Code of Virginia, as amended.

24878

Mayor Mays declared Council in closed meeting.

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

24879

Mayor Mays declared Council back in open meeting.

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

24880

Mayor Mays opened the floor for nominations to the Social Services Advisory Board for a four year term which will expire on November 15, 2014.

Councilman Hunnicutt nominated Marty Adkins to be reappointed to this Board.

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

24881

Mayor Mays declared Marty Adkins reappointed to the Social Services Advisory Board for a four year term which will expire on November 15, 2014.

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

The City offices will be closed for one-half a day on Wednesday, November 24, and all day Thursday, November 25, and Friday, November 26 for the Thanksgiving holiday.

On Thursday, December 2nd, a Christmas luncheon will be held from 12:00 to 1:30 for City employees at the Norton Community Center and will be catered by Celebrate.

24882

The Christmas Tree Lighting will be held at 5:00 on Sunday, December 5<sup>th</sup> at the Hotel Norton followed by the parade at 6:00.

The 2011 Legislative Reception in Richmond will be held on January 20, 2011. Council members should advise him or Mr. Ramey if you will be attending.

Financial Disclosure Forms will be mailed out on December 1, 2010.

A Pre-Bid Conference was held today on the Upper Reservoir Project with 15 contactors in attendance. The bid opening will be on December 2<sup>nd</sup> at 2:00 p. m. in Council Chambers.

There were no comments from the City Attorney.

24883

In comments from the Council, Councilman Roop noted that the sales tax revenues had increased in October and hoped that it would continue to increase.

Councilman Fawbush commended all those re-elected to their Council seats and pointed out that his name was listed as James E. Fawbush rather than Joseph E. Fawbush on the Affidavits forwarded to Richmond.

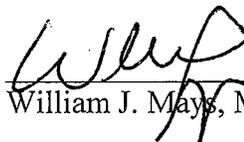
24884

Councilman Caruso stated he had worked hard on the Lost Creek Trail System along with some men from the University of Virginia's College at Wise. One hundred tons of rock and trees have been removed and the system is starting to look good. The City will need to do some work on it.

Mayor Mays advised he will not be able to attend the tree lighting on December 5<sup>th</sup>. He also advised that he had attended the Advanced Citizens Police Academy Graduation recently and enjoyed it.

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

CITY OF NORTON, VIRGINIA

  
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William J. Mays, Mayor

ATTEST:

  
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Clerk