

The regularly scheduled meeting of the Norton City Council was held on Tuesday, January 15, 2013, in the Municipal Council Chambers at 6:00 p.m. with Mayor William Mays presiding.

Present: Mark Caruso, William Mays, Joseph Fawbush, and Terry Roop

Absent: Joseph Hunnicutt

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

The invocation was given by Rev. Ken Taylor followed by the pledge of allegiance led by Councilman Mark Caruso.

Upon a motion by Councilman Fawbush, seconded by Councilman Caruso, and passed by unanimous vote, Council moved to adopt the minutes of the January 8, 2013 organizational meeting as presented.

25658

Upon a motion by Councilman Caruso, seconded by Councilman Fawbush, and passed by unanimous vote, Council moved to adopt the minutes of the January 8, 2013 regularly scheduled meeting as presented.

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

25659

Mr. Russell Byrd of Comcast Cable, was present at tonight's meeting regarding their request for the City to consider de-regulation of their basic cable, installation, and equipment rates.

Mr. Ramey advised that Council, at their last meeting, asked to table this request until the next meeting. Mr. Byrd advised he would forward additional information for Council and did so. The City Manager advised that the purpose tonight is for Council to have the opportunity to ask any follow-up questions of Mr. Byrd that they may have.

25660

Members of Council stated they wanted the citizens of Norton to be able to have a lower priced tier of cable channels and could only do so with the de-regulation.

During the early part of this discussion, Councilman Hunnicutt took his seat on Council.

25661

Following a lengthy discussion during which City Attorney Bradshaw advised Council that they had to decide whether they feel there is ample competition for Comcast and if they do, then they can de-regulate. If they feel there is not ample competition, then they should keep the regulation they currently have. Upon a motion by Councilman Fawbush, seconded by Councilman Caruso, and passed by a unanimous roll call vote, Council moved to authorize the City Manager to send a letter to the FCC advising of Council's decision to de-regulate Comcast's basic rates.

25662

Councilman Roop thanked Mr. Byrd for answering Council's questions and Mayor Mays advised him that Council appreciates the service Comcast provides.

In their packets Council had a Resolution of Support of the Crooked Road Organization's Effort to Pursue National Heritage Area Designation Through the National Park Service and the U. S. Congress.

Mr. Ramey advised this was on Council's last agenda and was tabled due to the amount of information to be reviewed by Council.

He further provided a list of the governing bodies and entities that have adopted a resolution or provided letters of support. Councilman Caruso had inquired as to what area is included in this request. Mr. Ramey presented a PowerPoint slide which showed the footprint of the total area, including 19 counties and 4 cities, that this designation would encompass.

Present tonight is the Executive Director of the Crooked Road, Mr. Jack Hinshelwood.

Councilman Caruso had several questions for Mr. Hinshelwood. Based on Mr. Hinshelwood's response to one of Councilman Caruso's questions about potential land use regulation, Councilman Hunnicutt offered the following suggestions for the wording to the proposed legislation: "Nothing in this Act grants any power of zoning or land use, including, but not limited to, hunting, mining, farming, timber harvesting, and fishing..." Following a lengthy discussion and upon a motion by Councilman Roop, seconded by Councilman Hunnicutt, and passed by the following unanimous vote: YES – Caruso, Hunnicutt, Fawbush, Roop, Mays, NO – None, ABSENT - None, Council moved to adopt the resolution as amended. (Insert)

25663

Mr. Hinshelwood then advised Council of an article that will appear in Garden and Gun magazine's next edition and advised of his attendance at the American Bus Association Conference held recently in Charlotte.

Mayor Mays thanked Mr. Hinshelwood for his attendance at tonight's meeting as did Councilman Caruso.

In Council's packet was a request by the Scott County Telephone Cooperative to use City right-of-way to extend its fiber network thru Wise County, Lee County, and the City of Norton. It will provide the backhaul network for the Verizon Wireless 4G updated in the aforementioned localities. They would like to install a cabinet for electronic equipment with an approximate 9'x9' foot print in the Virginia Avenue/Pine Hill area of the City. Mr. Ramey showed Council a picture of a cabinet that will be located in this area and also a map showing the vicinity where it will be located.

25664

Following a brief discussion and upon a motion by Councilman Fawbush, seconded by Councilman Hunnicutt, and passed by unanimous vote, Council moved to approve a Special Use Permit for the Scott County Telephone Cooperative for the purpose of installing a cabinet for electronic in the Virginia Avenue/Pine Hill area of the City.

Mr. Ramey advised Council that during the 2012 budget process, the City Administration was asked to bring back personal property taxing options for Council's review. He asked Jeff Shupe, Director of Finance, to work on this project and Mr. Shupe will make his presentation tonight to Council via a PowerPoint presentation.

25665

Mr. Shupe then discussed with Council the Decal Tax that was eliminated in November of 2009 and effective for 2010 with a \$28,500 net loss of revenue to the City.

No replacement revenue has been added to offset this loss. Also discussed was tangible Personal Property Tax. Mr. Shupe showed various selected towns with their decal versus license fees with an average rate as well as various taxing processes.

Following his presentation, Mr. Shupe answered questions from Council members.

Councilman Fawbush advised Mr. Shupe that he appreciated the information and Mayor Mays stated that this good information should be kept for the CIP meeting.

The request for proposals (RFP) for auditing services for the City was the next item on the agenda.

Mr. Ramey advised it was time to solicit proposals for the fiscal years 2013 through 2015. Proposals will be received until February 22nd.

25666

After a brief discussion, a motion was made by Councilman Hunnicutt, seconded by Councilman Caruso, and passed by unanimous vote for the City Manager to advertise a Request for Proposals (RFP) for financial auditing services for the City.

In their packets, Council had a request for one water tap for Spotswood Road in the Esserville section of the County for Jonathon Ryan Davis.

Upon a motion by Councilman Fawbush, seconded by Councilman Hunnicutt, and passed by unanimous vote, Council moved to approve one water tap for Mr. Davis at the above location with the stipulation that this approval is good for a six month period and will expire at the end of that time if not used.

25667

Council had a copy of a check for approval in the amount of \$104,237.50 made payable to Wells Fargo.

Upon a motion by Councilman Hunnicutt, seconded by Councilman Fawbush, and passed by unanimous roll call vote, Council moved to approve a check made payable to Wells Fargo dated 1/3/13 in the amount of \$104,237.50.

25668

Upon a motion by Councilman Hunnicutt, seconded by Councilman Caruso, and passed by unanimous roll call vote, Council moved to go into closed meeting to discuss personnel as Per Section 2.2-3711 (A) (1) of the Code of Virginia as amended and disposition of publically held real property where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the City as per Section 2.2-3711 (A) (3) of the Code of Virginia as amended.

25669

Mayor Mays declared Council in closed meeting.

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

25670

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. The Clerk then read A Resolution of the Certification of Closed Meeting. Upon a motion by Councilman Hunnicutt, seconded by Councilman Caruso, 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)

25671

Mayor Mays opened the floor for nominations to the Building Code Board of Appeals for a five year term which will expire January 17, 2018.

Council Hunnicutt nominated T. J. Flanary to be reappointed to this Board.

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

Mayor Mays declared T. J. Flanary reappointed to the Building Code Board of Appeals for a five year term which will expire January 17, 2018.

25672

Mayor Mays opened the floor for nominations to the Norton Redevelopment and Housing Authority for a four year term which will expire on January 28, 2017.

Councilman Caruso nominated Margaret McAfee to be reappointed to this Authority.

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

Mayor Mays declared Margaret McAfee reappointed to the Norton Redevelopment and Housing Authority for a four year term which will expire on January 28, 2017.

25673

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

After one and one-half years, the upper reservoir is once again full. He then showed photos that were taken today.

The Coalfield Regional Legislative Reception will be January 17th at the Omni in Richmond. Councilman Caruso, Councilman Fawbush, Jeff Shupe, and he will be attending. Mr. Ramey added that he may not be in attendance if services for Mike Tate are held during this time. He advised Council that Mike Tate passed away today due to a tragic accident and asked that all keep Mr. Tate and his family in their thoughts.

City offices will be closed on Friday, January 18th due to the Lee-Jackson holiday and Monday, January 21st in observance of the Martin Luther King, Jr. holiday. Garbage pick-up schedules have been advertised in the newspapers, web page, and Facebook.

25674

The City Attorney had no comments.

25675

In comments from City Council, Councilman Roop commended the City Manager and his staff on the Upper Dam Project.

Councilman Hunnicutt advised the City Administration should look to cut current expenditures out of the City's budget since the City is looking for additional revenue. The City Manager advised that has been done in the last budget process and will be done again in this budget process.

25676

Councilman Caruso advised he appreciated the form going out to agencies requesting funding from the City. He would like to see the returned forms before he will vote on funding. Mr. Ramey advised they will be back in on February 15th and Council members will have them for the CIP Meeting.

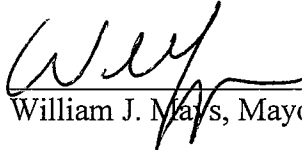
He also advised the City Administration that the Legion Park kiosks have been turned over to the City by the Norton Kiwanis Club. Mr. Ramey advised he was aware of this and they will be moved one at a time and he is working with the Tourism Committee on locations for them.

25677

He stated he felt the work at the dam has crippled the population of fish and when restocking, he would like to have reproducing bass, trout, and blue gill rather than stocking with sterile fish as is usually done. Councilman Roop agreed on this topic.

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

CITY OF NORTON, VIRGINIA



William J. Mays, Mayor

ATTEST:



Clerk