

The regularly scheduled meeting of the Norton City Council was held on Tuesday, May 19, 2015 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 of Norton Attorney

The invocation was given by Rev. Kenneth Taylor and was 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 May 5, 2015 meeting as presented. 25513

There was no response to the Mayor's call for visitors. 25514

A public hearing was held to solicit input on a Real Estate Tax Levy of \$0.90 per \$100.00 of assessed valuation of all taxable real estate, mobile homes, and public utilities with improvements thereon. This proposed increase will generate an estimated \$120,000 in revenue in 2016 and \$240,000 in 2017.

The City Manager advised Council had authorized him to advertise this public hearing and it has been duly advertised. With revenue continuing to decline, Council felt it was necessary to increase revenue. Via a PowerPoint presentation, he advised that the previous increase was made in 2007 for the 2008 budget and was \$0.80 per \$100.00 of assessed valuation.

Mr. Ramey advised he would be happy to answer any questions Council may have. 25515

There being no questions, Mayor Mays opened the public hearing.

There being no public comment, Mayor Mays closed the public hearing.

During questions/comments from Council, Councilman Caruso stated he was concerned that there were no other revenue enhancements other than tax increases. He further stated he didn't think the City can tax itself out of the economic slump by this measure. He stated that Council needed to work fast on new economic strategies.

Mayor Mays thanked the City Manager for this presentation.

A public hearing was held to solicit input on an Ordinance of the City Council of the City of Norton, Virginia Amending Article II. Vehicle License Fee; Section 13-37 of the Norton City Code. If adopted, this ordinance will increase the fee from \$20.00 to \$25.00 on each vehicle. 25516

Mr. Ramey advised this increase on the Vehicle Tax will require an ordinance due to the fact that the current rate is in the City Code. This proposed new rate will generate an estimated \$15,000 in new revenue. The current rate of \$20.00 was established in 2013.

Mayor Mays opened the public hearing.

There being no public comment, Mayor Mays closed the public hearing.

There were no questions or comments from Council.

Upon a motion by Councilman Fultz, seconded by Councilman Fawbush, and passed by the following unanimous roll call vote: YES – Caruso, Fultz, Fawbush, Belcher, Mays, NO – None, ABSENT – None, Council moved to adopt An Ordinance of the City Council of the City of Norton, Virginia Amending Article II. Vehicle License Fee; Section 3-37 of the Norton City Code. (Insert)

A public hearing was held on An Ordinance of the City Council of the City of Norton, Virginia Amending Article IX. Cigarette Tax; Section 23-302 of the Norton City Code.

Mr. Ramey advised this ordinance will also modify the City Code and will increase the tax by \$.10 per pack and will generate an estimated \$50,000 in revenue. This tax was last increased in 2009 for budget year 2010 by \$.05 to \$.15.

Mayor Mays opened the public hearing.

There being no public input, Mayor Mays closed the public hearing.

There were no comments from Council.

25517

Upon a motion by Councilman Fultz, seconded by Councilman Fawbush, and passed by the following unanimous roll call vote: YES – Caruso, Fultz, Fawbush, Belcher, Mays, NO – None, ABSENT – None, Council moved to adopt An Ordinance of the City Council of the City of Norton, Virginia Amending Article IX. Cigarette Tax; Section 23-302 of the Norton City Code. (Insert)

A public hearing was held to solicit input on the proposed 2015-2016 budget for the City of Norton.

Mr. Ramey gave a brief PowerPoint presentation on the proposed budget breaking in down by its various funds.

The General Operating Fund totals \$9,478,187 and proposes revenue enhancements of Real Estate Tax Increase of \$0.10, Cigarette Tax Increase of \$0.10, Vehicle License Tax Increase of \$5.00, Parks and Recreation Fee Increases in camping fees from \$15.00 to \$20.00 per night, Norton City Park Shelters-a fee of \$20.00, Discretionary Funded Agencies cut by 10%, Reduced Tourism Committee Funding by \$1,500, and increased Fish Stocking by \$1,500. He then gave an overview advising there is a 2% Cost of Living Raise for employees and advised there is a modified health insurance plan to absorb a 9.4% rate increase, and step increases for qualifying employees among other items.

The Enterprise Fund totals \$2,852,244 which represents an increase of \$100,225. There will be a \$.25 increase to the base water structure going from \$4.30 to \$4.55 inside the City; from \$8.60 to \$9.10 outside the City, an increase of the water deposit from \$80.00 to \$100 for residents, and a reconnect fee increase from \$25.00 to \$50.00.

25518

The Social Services Operating Fund totals \$1,206,846 which results in an increase of \$98,604. The local appropriation for this is \$328,865 which is an increase of \$35,000 from the 2015 budget.

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

Mayor Mays opened the public hearing.

Speaking briefly to Council was Mr. Lann Malesky, 1113 Va. Ave., NW, the City's representative on the Lonesome pine Regional Library Board of Trustees. He advised that he spoke to Council on April 7th urging the restoration of the 10% cut to the library

last year. Now the City is proposing a second cut of an additional 10%. He stated that all of the discretionary agencies fund cuts totals \$9,747 which is 1/10 of 1% of the City's budget. He suggested that Council use the \$25,000, being proposed to support a possible hospitality training program at Burton High School, to put this 10% back to the agencies plus repay the library the \$4,850 that was cut from last year's allocation. Also, an additional \$4,850 that was cut last year from the library can be returned for a total of \$14,597 leaving \$10,400 from this \$25,000 for a possible hospitality training program to be used for other programs. He then thanked Council for their time and attention.

There were no further public comments and Mayor Mays closed the public hearing.

Following a brief discussion, the Mayor advised the budget will be on the June 2, 2015 agenda for adoption and that Council had heard Mr. Malesky's request and would give it some consideration.

A public hearing was held to solicit input on the proposed 2015-2016 fiscal budget for the Norton City Schools. Via a PowerPoint presentation, Mr. Ramey gave Council an update on the school's budget and advised that a public hearing had been held. The budget is based on an ADM of 815. He further advised that Dr. Perrigan was present tonight to answer any questions.

Following a brief discussion and upon a motion by Councilman Fawbush, seconded by Councilwoman Belcher, and passed by unanimous roll call vote, Council moved to Adopt a 2015-2016 fiscal budget for the Norton City Schools in the amount of \$2,300,481, which represents a reduction of \$25,000 from the School Board recommended budget, and to amend the budget by the end of the fiscal year so as to reflect the actual average daily membership at March 31, 2016 as accepted by the Virginia Department of Education.

25519

Elijah Roop, Health and Physical Education Teacher, and Mrs. Wohlford, Principal of Norton Elementary and Middle School, were in attendance to seek Council's permission to permanently utilize the old Norton City Swimming Pool area for a new intermediate playground. Mr. Roop displayed a layout of how the park would be constructed for Council's review.

Mr. Roop advised this playground would be constructed in three stages after site preparation and they would like to proceed with Phase I to be in operation by August of this year.

Following a discussion, the City Manager advised that the City Administration would evaluate what to take out of the filter room at the swimming pool location and, after this decision is made, he would analyze what affect this would have on the school's schedule for this project. It is a complicated process and options would need to be explored. Councilman Caruso stated he would like for the City Attorney and Administration to prepare a contract for Council's review on June 2, 2015.

25520

Mr. Ramey advised Council that Mr. Roop is the school's coordinator for the International Walk to School Day.

Mr. Roop thanked Council for their time tonight.

Mr. Ramey advised that the City began purchasing water from the Wise County PSA in 1972 and since that time, there have been multiple updates to the agreements. This proposed contract stipulates that the wholesale water rate will be \$3.50 per 1,000 gallons of water with an estimated annual minimum purchase of 11,430,000 gallons. It will also terminate all previous agreements. The wholesale water rate can be changed by either party or by arbitration. This contract was read and approved by the PSA Board this month.

The City Attorney advised he had read this agreement and made some changes.

Upon a motion by Councilman Fawbush, seconded by Councilman Fultz, and passed by unanimous roll call vote, Council moved to adopt A Contract for the Sale of Water Between the City of Norton and the Wise County Public Service Authority with the effective date of July 1, 2015. (Insert)

In their packets, Council had a copy of a Contract for the Sale and Purchase of Water Between the City of Norton and the Wise County Public Service Authority for the Sale and Purchase of Water Between the City of Norton and the Wise County Public Service Authority for a Term Beginning June 1, 2015.

Mr. Ramey advised this contract is the same as the contract previously adopted tonight except it is for the period of one month.

Upon a motion by Councilman Fawbush, seconded by Councilwoman Delores Belcher, and passed by unanimous roll call vote, Council moved to adopt An Interim Contract for the Sale And Purchase of Water Between the City of Norton and the Wise County Public Service Authority. (Insert)

Council had been given a copy of a Joint Water Cutoff Policy Pertaining to Shared Customers in Which the Customer is Serviced by One Utility for Water and Another Utility for Sewer.

Mr. Ramey advised that the City has customers who live outside the City. Some are water customers and are on PSA Sewer and vice versa. During discussion on this policy, the point was brought up about a Joint Cut-Off Fee. They are seeking the City to cut off water service if one of their sewer customers doesn't pay their bill, and same for PSA's customers if a City water bill has not been paid. The reconnect fee will be \$50.00 and will be paid to the property party – either the City or the PSA. Should Council agree with this, the City Manager will work out the details as to how this will be done.

Following a discussion and upon a motion by Councilman Fultz, seconded by Councilwoman Belcher, and passed by unanimous vote, Council authorized the City Manager to negotiate and execute on behalf of the City, a Joint Water Cutoff Policy on such terms and conditions as he may find accessible.

Council had been given a copy of A Resolution Supporting the Initiative to Designate State Route 72 for Inclusion in the National Scenic Byway System.

The City Manager advised this is the result of an e-mail he had received from Jack Kennedy and that this would cover Route 72 from Coeburn to Dungannon. He further advised that Wise County has delayed action on this due to a zoning matter. If the City does support this, there is a possibility of eventually getting Route 619 included

Upon a motion by Councilman Caruso, seconded by Councilwoman Belcher, and passed by the following unanimous vote: YES – Caruso, Fultz, Fawbush, Belcher, Mays, NO – None, ABSENT – None, Council moved to adopt A Resolution Supporting the Initiative to Designate State Route 72 for Inclusion in the National Scenic Byway System. (Insert) 25524

Upon a motion by Councilman Fawbush, seconded by Councilman Fultz, 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. Mayor Mays declared Council in closed meeting. 25525

Upon a motion by Councilman Fawbush, seconded by Councilman Fultz, and passed by unanimous vote, Council moved to go back into open meeting. Mayor Mays declared council back in open meeting. 25526

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 with each answering yes. Upon a motion by Councilman Caruso, seconded by Councilwoman Belcher, and passed by the following unanimous vote: YES – Caruso, Fultz, Fawbush, Belcher, Mays, NO – None, ABSENT – None, Council moved to adopt A Resolution of the Certification of Closed Meeting. (Insert) 25527

Mayor Mays opened the floor for nominations to the Department of Social Services Advisory Board for four year terms which will expire on May 22, 2019.

Councilman Caruso nominated Lann Malesky and Ann Holbrooks to be appointed to this Board.

Upon a motion by Councilman Fawbush, seconded by Councilman Fultz, and passed by unanimous vote, council moved that the nominations cease. 25528

Mayor Mays declared Lann Malesky and Ann Holbrooks appointed to the Department of Social Services Advisory Board for four year terms which will expire on May 22, 2019.

Mayor Mays opened the floor for an appointment to the Kids Central (Head Start) Board for a three year term which will expire on May 31, 2018.

Councilwoman Belcher nominated Mary Hagy to be reappointed to this Board. 25529

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

Mayor Mays declared Mary Hagy reappointed to the Kids Central (Head Start) Board for a three year term which will expire on May 31, 2018.

Mayor Mays opened the floor for a nomination to the Board of Zoning Appeals for a five year term which will expire on June 2, 2020.

Councilman Fawbush nominated William Hutchinson. 25530

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

Mayor Mays declared William Hutchinson nominated to the Board of Zoning Appeals and his name shall be submitted to the Wise County Circuit Court for appointment.

Mayor Mays asked the City Attorney to prepare documents to submit to the Circuit Court.

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

City Hall will be closed on Monday, May 25th in observance of the Memorial Day Holiday.

He has passed out the first Semi-Annual Statement of Economic Interest Forms that need to be filled out and returned to the City Clerk by June 15th.

He has given each member of Council a copy of the latest Retail Sales Tax Report.

He had given copies of the Parks & Recreation Class and Fun Summer Brochures. This will be sent home by all the students at Norton Elementary and Middle School. Ms. Knox did a good job on these classes and brochures.

He gave brief project updates on the following projects:

Safe Route to Schools Project – Crews are continuing to work seven days a week and will take off Memorial Day. Over 8,000 blocks have been laid. The goal is still to have the Department of Mines, Minerals, and Energy's portion completed or mostly completed by June 30th with the Virginia Department of Transportation portion to follow. He also showed slides via a PowerPoint presentation.

25531

Phase III Water Project – This is progressing well and there appears to be a difference in production at the Water Plant which means the replacement lines were needed. An eight inch line has been installed in and around the front of City Hall, 7th St., 9th St., Va. Ave., and 8th St. Water has been tested and is connected on the Terrace and 8th Street. They will be in the Virginia Avenue to 10th Street intersection next week and will enter connections on 8th Street leaving only the upper end of 10th to be worked.

3rd Street Subsidence – The dropping is continuing and it is almost certain to closed the down hill lane on 3rd Street. This could cause a traffic problem. The engineer from DMME is very concerned and this may result in the closing of 3rd Street entirely during construction.

In comments from the City Attorney, Mr. Bradshaw advised that he had prepared and filed a Trademark Application for the "Woodbooger" name. The application fee was \$275 and he advised this was the first step to protect the name.

25532

In comments from Council:

Councilwoman Belcher had no comments.

Councilman Fawbush advised he had attended a Craft Beer Summit in Abingdon recently and was advised there are obstacles as to having this type of business.

He advised that the meeting of 5/13/15 for the Woodbooger Event produced a lot of good ideas. More people are needed to work the event and they are working on a storyline. He advised of other publicity events that they are conducting. He also advised that there are USDA matching grants available by June 30th and more in October.

He attended the J. I. Burton Scholarship Program at the high school and was pleased with the scholarships given to the seniors. This is a good investment in our community.

Councilman Fultz advised tht graduation at J. I. Burton High School would be at 7:00 Friday, May 22nd in the Stan Wilson Gym at the high school. The last official day of school is May 29th.

He was impressed with the presentation for the playground at Norton Elementary and Middle School. He asked the City Manager if this area was not to be used, what other location would there be. Mr. Ramey advised it would be a section of the Little League Field. Councilman Fultz stated he was not opposed to the former pool site if everything can be worked out.

25533

Councilman Caruso stated that there is a 30 day time period to prepare a grant application for a Virginia Tourism Grant. Mr. Ramey advised that all information has to be known and it has to be a regional event. Councilman Caruso advised that the provisions have changed this year and the Heart of Appalachia or the County could support in order to get this grant that Councilman Fawbush had discussed. He asked that the Parks and Recreation Director contact his wife, Carol, a member of the Tourism Committee, and work on this grant application together.

He asked that Council give consent to the City Attorney to draft an ATV Ordinance to be reviewed at the June 2nd meeting and adopted no later than July 30th. He would also like for the City Attorney to prepare a resolution declaring the City of Norton as being ATV friendly to send to various ATV clubs. He feels that Council should direct the City Attorney to do this by the June 2nd meeting and bring it up for final approval at the June 16th meeting. Mr. Ramey advised that if given a copy of this resolution by the 2nd and 16th, then make any changes and hold a public hearing on it at the July 7th meeting.

A discussion then ensued regarding ATVs being allowed on Rt. 58 going to the 3 hotels in the area. The City Manger advised be did not think VDOT would allow it.


The City Attorney advised it would not be an ATV Ordinance. It would have to be an ORV Ordinance (Off Road Recreation Vehicle).

Councilman Caruso then asked for unanimous consent for the City Manager to proceed and Council gave this consent.

There were no comments from Mayor Mays.

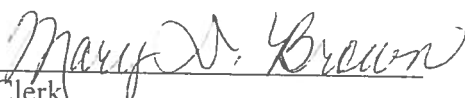
There being no further business to come before the Council, the meeting was adjourned.

CITY OF NORTON, VIRGINIA



William J. Mays, Mayor

ATTEST:



Clerk