

The regularly scheduled meeting of the Norton City Council was held on Tuesday, January 5, 2010 at 6:00 p.m. in the Municipal Council Chambers with Mayor William Mays presiding.

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

Absent: Joseph Hunnicutt

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

The invocation was given by the City Manager and was followed by the pledge of allegiance led by Councilman Terry Roop.

Upon a motion by Councilman Fawbush, seconded by Councilman Caruso, and passed by unanimous vote, Council moved to adopt the minutes of the December 15, 2009 meeting as presented.

24578

Upon a motion by Councilman Caruso, seconded by Councilman Fawbush, and passed by unanimous vote, Council moved to adopt the minutes of the special called meeting of December 29, 2009 as presented.

The City Manager advised that it was an honor and privilege for him to present to Council, for adoption, A Resolution of the City Council of the City of Norton Expressing Appreciation to All City Employees and Volunteers for their Assistance as Pertains to the December 18th-19th Snow Storm.

Mr. Ward advised he had asked City Department Heads to be present tonight to receive the recognition they so deserve for their services to the citizens of Norton during this snow event. He advised that the department heads and their employees did an exemplary job. He then proceeded to read this resolution.

24579

Upon a motion by Councilman Roop, seconded by Councilman Fawbush, and passed by the following unanimous vote: YES – Caruso, Fawbush, Roop, Mays, NO – None, ABSENT – Hunnicutt, Council moved to adopt A Resolution of the City Council of the City of Norton Expressing Appreciation to all City Employees and Volunteers for their Assistance as Pertains to the December 18th-19th Snow Storm. (Insert)

Mayor Mays asked that a copy of this resolution be hung in the lobby of City Hall.

Mayor Mays then spoke briefly advising that the operations conducted within the City could not have run smoother and he was convinced that the City has the right people in the right positions after seeing how this snow event was handled.

Councilman Caruso stated that these individuals had done a magnificent job

Councilman Roop advised that the City was very blessed to have these employees working for them and expressed his deep appreciation.

Councilman Fawbush stated that he appreciated very much these individuals for putting the City above themselves and their families for the citizens of Norton.

A standing ovation was then given to all of the individuals present who had served the City and the citizens of Norton during this snow event.

During the Mayor's call for visitors, Mr. Owen Powers, Jr., 543 Bernice Drive, spoke to Council opposing the proposed rezoning of certain property on Bernice Avenue from Residential A (R-A) to Residential B (R-B).

2458

During Mr. Powers presentation to Council, Councilman Hunnicutt took his seat on Council.

24581

Also present and speaking in opposition to this rezoning was Billy Meade, 537 Bernice Drive, Sherry Smith, 519 Bernice Drive, Randy Miller, 553 Bernice Drive, and Gabriel Beason, 535 Bernice Drive. A letter of opposition was presented to City Council members from Ms. Patsy Dotson, 559 Bernice Drive.

24582

There were no further comments and Mayor Mays closed the audience for visitors.

Council had been presented in their packets An Ordinance of the City of Norton, Virginia Rezoning Certain Property on Bernice Avenue from Residential A (R-A) to Residential B (R-B).

At this time, Councilman Fawbush advised that he would abstain from any discussion or vote on this item due to personal reasons.

Mr. Ward advised that the City received a request on October 1, 2009 from Silver Birch Properties to rezone three lots located on Bernice Drive. This request was heard by the Planning Commission on November 12, 2009 and they recommended to City Council that this request be approved.

A public hearing was advertised and held at the December 15, 2009 meeting. During this meeting, Mr. Ward advised that the City Administration was not in support of this change for various reasons. After a brief discussion and a motion made and carried, it was the decision of Council to table any action on this item until the meeting of January 5, 2010.

24583

Councilman Roop advised that he and Councilman Caruso had gone to Bernice Avenue and talked to the residents there and looked at the lots in question. It was his opinion that he could not support this change in zoning.

Councilman Caruso also stated that he would not be in support of the zoning change.

Mayor Mays advised Council that they have an ordinance before them for action and called for a motion.

There being no motion on this ordinance, Mayor Mays declared this ordinance dead due to the lack of a motion.

Mayor Mays thanked all the residents of Bernice Drive for attending tonight's meeting and stating their feelings on this rezoning.

All of the residents of Bernice Drive thanked Council.

Michele Knox, the City's Parks and Recreation Director, presented Council with a brief PowerPoint presentation for the 2008-2009 Parks and Recreation Department.

She discussed with Council the various classes and special events held during this time period as well as environmental activities, recycling efforts, Flag Rock Report (camping, shelters), City Park Reservation Report as well as a three year revenue comparison. She further advised that there are plans to develop a trail which will run from the reservoir to the High Knob Tower.

24584

Ms. Knox then answered questions from Council members. Mayor Mays thanked her for tonight's update.

In line with Ms. Knox's presentation tonight, the City Manager advised that An Ordinance of the City Council of the City of Norton Establishing Fees for Parks and Recreation for the 2010 Year had been prepared. He noted that there are increases in fees for Community Center rentals, shelter rentals and camping fee at Flag Rock. Included in fees for the Flag Rock camping is a yearly camping pass at a price of \$750.00.

24585

Following a brief discussion and upon a motion by Councilman Hunnicutt, 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 An Ordinance of the City Council of the City of Norton Establishing Fees for Parks and Recreation for the 2010 Year without the \$750.00 annual pass to camp at Flag Rock. (Insert)

Council had a request for the authorization to accept a transfer of real property from the Norton Industrial Development Authority (NIDA) as pertains to the Hawthorne Water System. Mr. Ward advised copies of three deeds, which were prepared by the City Attorney, were included in Council's packets. If authorized by Council, these deeds will transfer the ownership of the water system and the property it is situated on in the hands of the City. These deeds cover the following: 1. Real Property for a Water Tank behind Norton Commons Shopping Center. 2. Permanent easement right-of-way of 2.652 acres for water transmission line. 3. Real Property for a Water Pump Station located on Hawthorne Drive.

24586

Following a brief discussion and upon a motion by Councilman Hunnicutt, seconded by Councilman Caruso, and passed by unanimous vote, Council moved to accept these properties and easements as presented and authorized the Mayor to sign said deeds.

Council had copies of two transfers to the Norton City Schools in their packets. The first is in the amount of \$180,000 to cover payroll and fringe benefits and the second is in the amount of \$459,652.17 for the Norton Elementary School Project.

24587

Upon a motion by Councilman Hunnicutt, seconded by Councilman Fawbush, and passed by unanimous roll call vote, Council moved to approve the two transfers as stated above to the Norton City Schools. Insert (Councilman Roop's Disclosure Form)

Upon a motion by Councilman Fawbush, seconded by Councilman Roop, and passed by unanimous roll call vote, Council moved to go into closed meeting to discuss personnel as per Section No.2.2-3711 (A) (1) of the Code of Virginia, as amended and Consultation with Legal Counsel as pertains to probable litigation as per Section No. 2.2-3711 (A) (7) of the Code of Virginia, as amended.

24588

Mayor Mays declared Council in closed meeting.

During the closed meeting, Councilman Hunnicutt left his seat on Council.

24589

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

24590

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

24591

Mayor Mays opened the floor for nominations to the Appalachian Juvenile Commission for a two year term which will expire on November 30, 2011.

Councilman Caruso nominated Kyle Redman to this Commission.

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

24592

Mayor Mays declared Kyle Redman appointed to the Appalachian Juvenile Commission for a two year term which will expire on November 30, 2011.

Mayor Mays opened the floor for nominations to the Southwest Virginia EMS Council for a one year term which will expire on January 31, 2011.

Councilman Fawbush nominated Todd Lagow to be appointed to this Council.

24593

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

Mayor Mays declared Todd Lagow appointed to the Southwest Virginia EMS Council for a one year term which will expire on January 31, 2011.

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

The annual Financial Disclosures Form are due January 14th or before. The normal date is January 15th; however that will be a holiday for City employees.

The accounting firm of Thrower Blanton and Associates will present the audit at Council's next meeting.

The budget process has started and work has begun on capital projects. Following a brief discussion, the date of March 12, 2010 was selected as the date for the Annual CIP Meeting. Lunch is to be held at 11:00 and the meeting should start at Noon at the Inn in Norton.

24594

In comments from the City Attorney, Mr. Bradshaw advised that:

The last tax sale on his docket has had a Special Commissioner Hearing and a report has been issued. It has now been filed with the Circuit Court Clerk and has been there for the recommended period of time. There have been no comments or objections filed to this; so he will be going before the Court to try to get permission to sell this property. He has talked with the City Treasurer and she has a few more properties lined up and he will proceed to take care of those.

24595

In comments from Council:

Councilman Roop advised he has enjoyed serving on Council and looks forward to another year.

Councilman Fawbush stated it has been a pleasure, Council had done some good things this year with the elimination of decals and water meter deposits; however this upcoming budget year will be a bad one.


Councilman Caruso stated Council now needs to focus on the budget with expectations of the worst case scenario from the State; however, he looks forward to the challenge.

Mayor Mays stated the City has a good administration.

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

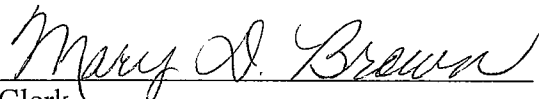
24596

CITY OF NORTON, VIRGINIA



William J. Mays, Mayor

ATTEST:



Clerk