

The regularly scheduled meeting of the Norton City Council was held on Tuesday, May 19, 2009 at 6:00 p.m. in the 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 Rev. Ken Taylor followed by the pledge of allegiance led by Jeff Lester, a reporter with the Coalfield Progress.

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, 2009 meeting as presented.

24275

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

24276

A public hearing was held on An Ordinance Adopting the Budget for the City of Norton, Virginia for the Fiscal Year of July 1, 2009 Thru June 30, 2010 Appropriating Funds for All Contemplated Expenses of the City for the Fiscal Year and Placing Levies Upon All Real Estate, Personal Property and Bank Stock, Licenses, Fees, User Charges, and All Other Levies as Previously Imposed or Modified Herein.

Mr. Ward gave a brief PowerPoint presentation on the proposed budget and advised that it had been a difficult year with the cuts from the state. He commended City department heads and staff who had made cuts where they could without cutting services. The public hearing has been duly advertised and no action is required by Council at tonight's meeting.

The 2009-2010 budget totals \$21,113,729 and includes a five cent increase to the Cigarette Tax which will raise it to fifteen cents. This will generate approximately \$50,000 in revenue. There is also Revenue Recovery Fee for the Norton Fire Department which will generate approximately \$30,000 in revenue. Real Estate and Personal Property Tax Rates will remain the same as in 2008-2009.

24277

This budget also includes a two percent Cost of Living Raise for all City employees, a step increase for eligible employees and an increase in health insurance rates.

There is a twenty five cent increase in the water rates both inside and outside the City.

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

Mayor Mays opened the public hearing.

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

A public hearing was held on An Ordinance of the City Council of the City of Norton, Virginia Amending Section 23-302 of the Norton City Code as Pertains to the Amount of Levy on the Cigarette Tax.

24278

Mr. Ward advised this ordinance, if adopted, will increase the cigarette tax from ten cents to fifteen cents per pack.

Mayor Mays opened the public hearing.

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

Upon a motion by Councilman Fawbush, seconded by Councilman Roop, and passed by the following unanimous roll call vote: YES – Caruso, Fawbush, Roop, Mays, NO – None, ABSENT - Hunnicutt, Council moved to adopt An Ordinance of the City Council of the City of Norton, Virginia Amending Section 23-302 of the Norton City Code as Pertains to the Amount of Levy on the Cigarette Tax. (Insert)

The City Manager advised that Council had held a public hearing on the Norton City Schools Proposed 2009-2010 Budget at their last meeting. He further advised that Dr. Lee Brannon, Superintendent of the Norton City Schools, was present to answer any questions Council may have on their budget which totals \$7,589,857 with a local share of \$1,996,370.

24279

Upon a motion by Councilman Caruso, seconded by Councilman Fawbush, and passed by unanimous roll call vote, Council moved to adopt the Norton City Schools 2009-2010 Budget as presented. (Insert – Councilman Roop’s Declaration/Disclosure of Personal Interest)

In their packets, Council had been presented with A Resolution Providing for Retiree Health Insurance Coverage Through a Blended Rate Program.

Mr. Ward advised that, if adopted, this resolution would allow future retirees to continue on the City’s health insurance coverage until age 65 at the same premium as employees are paying; however retirees will pay the entire premium. While employed, the employee pays 20% and the City pays 80% of the premium.

24280

Upon a motion by Councilman Fawbush, seconded by Councilman Caruso, and passed by the following unanimous roll call vote: YES – Caruso, Fawbush, Roop, Mays, NO – None, ABSENT – Hunnicutt, Council moved to adopt A Resolution Providing for Retiree Health Insurance Coverage Through a Blended Rate Program. This resolution will go into effect July 1, 2009. (Insert)

Council had been given a copy of A Resolution Providing Health Insurance Coverage for Members of City Council.

Mr. Ward advised that the Local Choice does offer this as a special class for City Council members while they are serving on City Council.

Upon a motion by Councilman Caruso, seconded by Councilman Fawbush, and passed by the following unanimous roll call vote: YES – Caruso, Fawbush, Roop, Mays, NO – None, ABSENT – Hunnicutt, Council moved to adopt A Resolution Providing Health Insurance Coverage for Members of City Council. This resolution will go into effect July 1, 2009. (Insert)

24281

In their packets, Council had been given a copy of a Policy Adopting an Identity Theft Prevention Program.

Mr. Ward advised that the FTC, in conjunction with several other agencies, has issued regulations or red-flags requiring financial institutions and certain creditors to develop and implement an Identity Theft Prevention Program as part of the Fair and Accurate Credit Transactions Act of 2003. The deadline to have this policy in place has been

extended to May of 2009. The City must provide for the identification, detection, and response to patterns, practices, or a specific act that could indicate identity theft.

The City Manager further advised that the Virginia Municipal League has been working on this for a year and have developed a model policy which is the same as the one Council has in their packets.

24282

The City Attorney advised that this is a good policy and he would encourage adoption of same.

Upon a motion by Councilman Roop, seconded by Councilman Caruso, and passed by unanimous roll call vote, Council moved to adopt the Identity Theft Prevention Program. (Insert)

Council had a request for a budget amendment to the 2008-2009 General Fund Budget in the amount of \$25,000.

Mr. Ward advised that the City now has an opportunity to purchase a used 2006 Ford F-550 all-wheel drive truck which has a 37 foot bucket for a price, as of today, of \$44,000. Therefore the budget amendment would need to be in the amount of \$24,000 rather than \$25,000. The existing truck that the City has is a 1982 GMC truck with a 35 foot bucket which had to be taken out of service. He further advised that \$20,000 has been budgeted and not expended this year for Public Works equipment. This amount plus the \$24,000 budget amendment, which will be taken from Unappropriated Reserves, will pay for the truck.

24283

Following a brief discussion and upon a motion by Councilman Fawbush, seconded by Councilman Roop, and passed by unanimous roll call vote, Council approved the request for a budget amendment in the amount of \$24,000 to the 2008-2009 General Fund Budget for the purchase of a 2006 Ford F-550 all-wheel drive truck from Old Dominion Power Company.

In their packets Council had a request for funds in the amount of \$292,393.65 to the Norton City Schools to cover the Norton Elementary School Renovation/Additions Project expenditures to Quesenberry's, Incorporated in the amount of \$286,393.65 and to Thompson and Litton, Incorporated in the amount of \$6,000.

24284

Upon a motion Councilman Fawbush, seconded by Councilman Caruso, and passed by unanimous roll call vote, Council moved to approve a request for funds in the amount of \$292,393.65 to cover the Norton Elementary School Renovation/Additions Project expenditures as specified above.

Upon a motion by Councilman Caruso, seconded by Councilman Fawbush, 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 the acquisition of real property as per Section No. 2.2-3711 (A) (3) of the Code of Virginia, as amended.

24285

Mayor Mays declared Council in closed meeting.

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

24286

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 Caruso, seconded by Councilman Fawbush, and passed 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)

24287

Mayor Mays opened the floor for nomination of a Student Representative to the Wise County/City of Norton Youth Services Board for a four year term which will expire on May 2, 2013.

Councilman Roop nominated Channing West to be appointed to this Board.

24288

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

Mayor Mays declared Channing West appointed to the Wise County/City of Norton Youth Services Board as a Student Representative for a four year term which will expire on May 2, 2013.

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

The City offices will be closed on Monday, May 25, 2009 for the Memorial Day holiday.

The Animal Vaccination Clinic held on May 9th at J. I. Burton High School Parking Lot had 58 dogs and 39 cats inoculated.

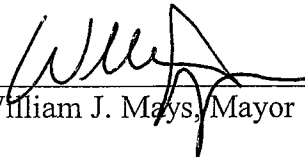
2428

The Sewer Summit will be held on Thursday, May 21, 2009 at UVA-Wise at 9:00 a.m.

He and Mr. Ramey had met with representatives of the Wise County PSA on the Josephine Sewer Project. The City should be in a position to bring an agreement to Council for consideration at the next meeting.

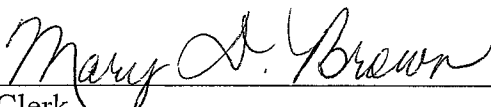
There being no further business to come before the Council, the meeting adjourned.

CITY OF NORTON, VIRGINIA



William J. Mays, Mayor

ATTEST:



Clerk