

The regularly scheduled meeting of the Norton City Council was held on Tuesday, October 6, 2009 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 Dr. Jeff Comer, Superintendent of the Norton City Schools.

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

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

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A public hearing was held on A Resolution Authorizing the Issuance and Sale of a General Obligation Bond in an Amount Not to Exceed \$1,514,370 of the City of Norton and Providing for the Form, Details and Payment Thereof.

Mr. Ward advised that the City has been working on this project for sometime and has secured a 20 year loan at 0% interest from the Department of Environmental Quality for Phase I of the Guest River Sewer Project which will allow an upgrade from the old Ramsey Sewer Treatment Plant back to the old Maxim Engineering Building. Boring Construction Company had the low bid of approximately \$1,442,000.

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.

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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 A Resolution Authorizing the Issuance and Sale of a General Obligation Bond in an Amount Not to Exceed \$1,514,370 of the City of Norton and Providing for the Form, Details, and Payment Thereof. (Insert)

A public hearing was held on a request by the Norton City Schools for an amendment to the 2009-2010 budget in the amount of \$294,258 of which \$280,823 is for a History Grant and \$13,435 is for a Gear-Up Grant.

Mayor Mays asked that Mr. Ron McCall, Chairman of the Norton City School Board, come forward and introduce to Council the new Superintendent of the Norton City Schools.

Mr. McCall introduced Dr. Jeff Comer, the newly appointed Superintendent to City Council. Dr. Comer advised that he is looking forward to working with City Council and gave them a brief update on the Norton Elementary School Project.

He then briefly discussed with the Council the amendment before Council tonight and answered questions from Council.

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 Caruso, and passed by unanimous roll call vote, Council moved to amend the 2009-2010 Norton City Schools Budget in the amount of \$294,258 of which \$280,823 is for a History Grant and \$13,435 is for a Gear-Up Grant. (Insert – Councilman Roop’s Disclosure)

Council had been presented in their packets a Water Report from Tommy Roberts, Superintendent of the City of Norton Water Plant. As of October 1, 2009, the City had a combined total of 106.7 million gallons of water in both reservoirs. This is compared to 67 million gallons on October 2, 2008. During the past three weeks, the City has received 4.5 inches of rain; therefore Mr. Ward advised that he does not think this item needs to continue as a regular agenda item.

In their packets, Council had been presented with an updated version of the Utility Deposit Policy with changes that were made at their previous meeting.

Mr. Ward advised the policy states that water customers in the City will not have to pay a meter deposit if they are the legal owner of the real property at the location where service is being requested and must reside there. Also, the location of the property must be within the corporate limits of the City. Mr. Ward then discussed the other changes in the policy and advised that a refund of past deposits will be given in the form of a credit on a water bill. This policy will become effective January 1, 2010.

Upon a motion by Councilman Caruso, seconded by Councilman Fawbush, and passed by unanimous vote, Council moved to adopt the City of Norton Utility Deposit Refund Policy. (Insert)

Dr. Terrance Suarez, President of Mountain Empire Community College, spoke briefly to Council giving them an update of happenings at the college. He advised that they had been undergoing re-certification by the Southern Association of Colleges and Schools for the past six months. He feels positive about the outcome of this process. He presented Council members with a handout and advised he would be willing to answer any questions Council may have.

Mayor Mays thanked Dr. Suarez for his semi-annual report and Dr. Suarez, in turn, thanked Council for the opportunity to be here.

Dr. David Prior, Chancellor the University of Virginia’s College at Wise, spoke to Council to discuss activities at the college. He presented Council members with a handout which showed the various capital projects being done or proposed at the college. He then discussed the AIMS Scholar Program, which is done in partnership with Mountain Empire Community College.

During his presentation, Dr. Prior commended Councilman Caruso for helping the college establish a ROTC Program.

Following a brief discussion, Dr. Prior advised he would answer any questions Council may have.

Both Councilman Roop and Councilman Caruso thanked Dr. Prior and Dr. Suarez for all the colleges have done for the students in the area.

Mayor Mays thanked Dr. Prior for his update.

Council had been presented with a request for a Special Use Permit for Home Hardware located at 568 Park Avenue. They are requesting to use the sidewalk in front of their store on October 16th from 7:00 a.m. to 4:00 p.m. for the purpose of displaying their line of products (Lodge Cast Iron) as part of their Customer Appreciation Day. In case of rain, another date will be selected. Mr. Ward advised that the City Administration requests favorable consideration on this request by Council.

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Upon a motion by Councilman Caruso, seconded by Councilman Fawbush, and passed by unanimous vote, Council moved to approve a Special Use Permit for Home Hardware.

Mr. David Rose of Davenport and Company was present at tonight's meeting to discuss with Council the potential financing options for the Norton Elementary School Debt and the City Maintenance and Public Works Building.

Mr. Rose advised that the City has a \$7,500,000 Bond Anticipation Note with Sun Trust Bank that matures in December of this year that covers the NES Project. The City will be required to refinance this existing obligation by this time.

Mr. Rose further advised that the City is considering a potential new Public Works Facility which, in order to fund, they will need to borrow \$2,000,000. By working with City Staff, they have evaluated the City's existing debt structure and cash flows to develop a strategic Plan of Finance. He then presented Council members with copies of this plan.

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He discussed with Council the goals and objectives of the \$7,500,000 note take out and gave their recommendation which is issuing a privately placed 5-Year Callable Note with First Bank and Trust Company, a local bank, at a rate of 3.86% for the five year period. This rate will expire on November 5, 2009.

Mr. Rose advised Council of the goals and objectives for financing the \$2,000,000 new money for a Public Works Facility as well as a financing strategy.

Following a lengthy discussion, the City Manager advised Council that no action needed to be taken tonight on either of these financing options; however the debt for the Norton Elementary School needs to be addressed prior to December of this year.

Mr. Ward advised that several members of Council as well as himself and Mr. Ramey will be attending the Virginia Municipal Conference on the date of Council's next regularly scheduled meeting, October 20th. He further advised that Election Day is the same day as the first meeting in November.

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Upon a motion by Councilman Fawbush, seconded by Councilman Roop, and passed by unanimous vote, Council moved to cancel the October 20th and November 3rd meetings and reschedule a meeting to be held on October 27th.

In their packets, Council had a request to approve transfers and check to the Norton City Schools in the amount of \$465,000 for accounts payable, payroll, and fringe benefits; \$497,380.60 to the Norton City Schools for the Norton Elementary School

Project, and \$115,769.38 to the U. S. Bank Operations Center for the semi-annual debt service payment.

Upon a motion by Councilman Caruso, seconded by Councilman Fawbush, and passed by unanimous roll call vote, Council moved to approve the transfers and check as listed above. (Insert – Councilman Roop’s Disclosure)

Council had two requests for refunds of erroneously assessed personal property taxes from the Commissioner of the Revenue. The first request is for Mr. James Peters in the amount of \$53.42 and the second request is for Mr. Columbus Osborne in the amount of \$45.79.

Upon a motion by Councilman Caruso, seconded by Councilman Roop, and passed by unanimous roll call vote, Council moved to approve the two refunds as stated above.

Upon a motion by Councilman Fawbush, seconded by Councilman Caruso, 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 Investment of Public Funds for Wastewater Infrastructure Improvements as per Section No 2.2-3711 (A) (6) of the Code of Virginia, as amended, and the Consideration of the Acquisition of Real Property for a Public Purpose as per Section No. 2.2-3711 (A) (3) of the Code of Virginia, as amended.

Mayor Mays declared Council in closed meeting.

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

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 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)

In comments from the City Manager, Mr. Ward advised that City offices will be closed on Monday, October 12th for the Columbus Day holiday.

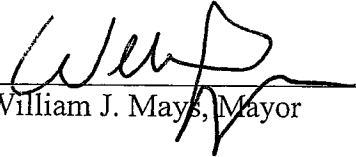
In comments from City Council, Councilman Roop advised that following the last council meeting, members of Council went for a tour of the City’s Water Plant. He commended Tommy Roberts, Water Plant Superintendent, for the well-kept and clean facility.

He further advised that, at Council’s previous meeting, they had allocated funds for the “LET FREEDOM RING - A Salute to American Veterans” activity at the Wise County Airport on October 8th – 11th. Two or three classes from J. I. Burton High School will be in attendance at this activity on Friday, October 9th.

There were no comments from the City Attorney.

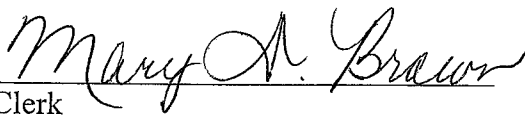
There being no further business to come before the Council, the meeting was adjourned.

CITY OF NORTON, VIRGINIA



William J. Mays, Mayor

ATTEST:



Clerk