

The regularly scheduled meeting of the Norton City Council was held on Tuesday, June 15, 2010 at 6:00 p.m. in the Municipal Council Chambers with Mayor William Mays presiding.

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

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

The invocation was given by Rev. John Ellington and was followed by the pledge of allegiance led by Police Captain James C. Lane.

Upon a motion by Councilman Caruso, seconded by Councilman Hunnicutt, and passed by unanimous vote, Council moved to adopt the minutes of the June 1, 2010 meeting as presented.

24758

During the Mayor's call for visitors, Mr. Donald Purdie of Wise, spoke briefly to Council as a representative of the Wise County – City of Norton Committee of 100 asking Council to talk with Wise County and open up channels of communication on the consolidation of schools issue.

Prior to the meeting, Mr. Purdie had presented each member of Council with the Mission Statement of the Wise County – City of Norton Committee of 100.

24759

Councilman Hunnicutt advised Mr. Purdie that the City Council is not anti-consolidation and that there are a lot of factors and a lot of unanswered questions. City Council has participated by means of their representatives, Mr. Roop and Mr. Ward, along with members of the City of Norton School Board, in meetings with the Wise County School Board. He further advised that if there is no benefit to the City of Norton, why should the City join in the consolidation.

Following a brief discussion, Mr. Purdie thanked Council for their time.

A public hearing was held on an amendment to the 2009-2010 City of Norton General Fund Budget in the amount of \$268,248 to appropriate various grant funds received during the year.

Mr. Ward advised that information on the various projects are included in Council's packets. He also advised that the City had been informed that they will be receiving approximately \$48,000 in Federal funds as a reimbursement for expenses incurred during the December snow storm. He then advised if there were any questions, Mr. Shupe or he would be happy to answer them.

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

24760

Mayor Mays opened the public hearing.

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

Upon a motion by Councilman Roop, seconded by Councilman Caruso, and passed by unanimous roll call vote, Council moved to approve an amendment to the 2009-2010 City of Norton General Fund Budget in the amount of \$268,248 to appropriate various grant funds received during the year.

Mr. Ward gave Council a brief update on the School Consolidation Study Committee advising that no additional meetings had been held. He advised that the Wise County Board of Supervisors on June 11, 2010 funded only \$42,000,000 for the Wise County School Board and did not approve the 3 schools on 1 site plan. However, both boards have stated they are willing to meet.

24761

The City Manager stated, that due to the absence of any dialogue, he foresees nothing to be brought to Council and asked if Council wanted him to continue to bring this item back on each agenda. He further advised that the City Administration is keeping an open dialogue with Wise County.

Following a brief discussion, it was the consensus of Council for the City Manager to eliminate this item on future agendas unless the School Consolidation Study Committee should have meetings.

Council had been presented with A Resolution of the City Council of the City of Norton, Virginia Requesting the Virginia Department of Transportation to Make Improvements to the Hawthorne Drive Intersection.

Mr. Ward advised that at Council's last meeting, he was directed to prepare a resolution to VDOT on the signal and improvements project to the Hawthorne Intersection due to the recent fatality there.

He advised Council that the City has been informed by the Bristol Regional Office of VDOT that this signal has been approved and that construction should begin in the fall. Due to receiving this information, Mr. Ward asked Council if they want to proceed with the adoption of the resolution.

24762

Following a brief discussion and upon a motion by Councilman Caruso, seconded by Councilman Roop, 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 City Council of the City of Norton, Virginia Requesting the Virginia Department of Transportation to Make Improvements to the Hawthorne Drive Intersection with copies to go to our elected representatives. (Insert)

In their packets, Council had been given a copy of A Resolution of Authorization to Pick-up the Employee's Contribution to VRS Under Sub Section 414(h) of the Internal Revenue Code for Plan 2 Employees.

Mr. Ward advised the General Assembly, in an effort to help localities, passed legislation that would allow the localities to have any new employees hired after July 1, 2010 pay any or all of their 5% contributions.

24763

Upon the recommendation of the City Administration and upon a motion by Councilman Fawbush, 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 A Resolution of Authorization to Pick-up the Employee's Contribution to VRS Under Sub Section 414(h) of the Internal Revenue Code for Plan 2 Employees, which states the City will pay the 5% member contributions for its Plan 2 Employees. (Insert)

Council had been furnished a copy of the 2010-2011 budget of the Norton Industrial Development Authority (NIDA).

Mr. Ward advised that this budget totals \$787,704.00 which is less than the current budget. This budget was approved by NIDA at its regular meeting of May 3, 2010. Due to a note NIDA has with Powell Valley National Bank dated March of 1994, City Council must approve their budget.

24764

Following a brief discussion and upon a motion by Councilman Fawbush, seconded by Councilman Hunnicutt, and passed by unanimous roll call vote, Council moved to approve the 2010-2011 budget of the Norton Industrial Development Authority.

Council had been given a copy of A Resolution of the City Council of the City of Norton Adopting a Five Year Capital Improvements Program. Mr. Ward advised that, by adoption of this resolution, the first year of projects will be funded in the upcoming budget.

Upon a motion by Councilman Caruso, 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 A Resolution of the City Council of the City of Norton Adopting a Five Year Capital Improvements Program.
(Insert)

Councilman Roop stated that in the 2011 – 2012 CIP there is a total of \$620,000 for the pool and in 2014-2015 there is \$2,000,000 for a Community Center Complex. He would like these two projects tied together. He further advised he would like to have a couple members of Council and the City Administration to go to other areas and see what type of swimming complex they have before the City decides on a definite plan.

24765

Councilman Caruso stated that maybe one of the hospitals would partner with the City on this project.

In their packets, Council had been given a draft copy of an Ordinance of the City Council of the City of Norton, Virginia Amending Section 20-31 of the Norton City Code as Pertains to Fishing in the Upper Reservoir.

Mr. Ward advised that Councilman Caruso had requested this action to be taken at a previous meeting. This ordinance will allow catch and release on all fish except trout.

24766

Following a brief discussion, it was the consensus of Council to proceed with this ordinance and for a public hearing to be advertised in July.

Council had copies of checks for approval in their packets. These checks were: A check to the Norton City Schools in the amount of \$250,000 to cover payroll and fringes; a check to Baker's Construction & Excavations in the amount of \$103,382.30 for Pay Request #2 on Benges Branch Interceptor Phase I; a check to Boring Contractors, Inc., in the amount of \$114,490.66 for Partial Pay Application #4 – Guest River Interceptor Project – Phase 2; and a check to Boring Contractors in the amount of \$148,715.67 for Partial Pay Application No. 4 Guest River Interceptor Project Phase 1.

24767

Upon a motion by Councilman Hunnicutt, seconded by Councilman Fawbush, and passed by unanimous roll call vote, Council moved to approve the four above mentioned checks to the Norton City Schools, Baker's Construction & Excavations, Boring Contractors, Inc., and Boring Contractors in the amounts as stated above.

(Insert – Councilman Roop's Disclosure Statement)

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 Code Section No. 2.2-3711 (A)) (1) of the Code of Virginia, as amended and the discussion and consideration of the acquisition of real property as per Section No. 2.2-3711 (A) (3) of the Code of Virginia, as amended.

24768

Mayor Mays declared Council in closed meeting.

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

24769

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).

24770

Mayor Mays opened the floor for nominations to the City of Norton Board of Zoning Appeals for five year terms which will expire on June 2, 2015.

Councilman Fawbush nominated Larry Coeburn and William Hutchinson to be nominated to the Wise County Circuit Court for reappointment to this Board.

24771

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

Mayor Mays declared that the names of Larry Coeburn and William Hutchinson be submitted to the Wise County Circuit Court for reappointment to the City of Norton Board of Zoning Appeals for five year terms which will expire on June 2, 2015.

The City Attorney will submit the necessary information to the Court for these appointments.

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

Council members had received invitations to the Lenowisco Planning District – Richmond in July on July 20, 2010 from 4:00 p.m. to 7:30 p.m. He advised that this is a regular council meeting date.

24772

Information has been sent out regarding the annual Virginia Municipal League Conference which will be held at Hampton Roads October 3 – October 5. He asked that Council members advise him as soon as possible if they will be attending.

At this time, Mayor Mays advised that the months of July and August are busy months with conflicts occurring. He would like to have only one meeting in each of these months. With the 4th of July holiday and the LPD Conference in Richmond on July 20th, he would like to schedule the July meeting for July 13th and have the August meeting on the regular meeting date of August 17th. Should some business come up, a called meeting could be scheduled.

24773

It was the consensus of Council to cancel one meeting in July and August and hold meetings on July 13th and August 17th.

In comments from the City Attorney, Mr. Bradshaw advised that he had run a notice of the list of property owners on the delinquent tax list. Two have paid up and two others have contacted him wishing to arrange a payment schedule. He will begin within the next couple of weeks to prepare notices of pending litigation which will be filed with the land records. Suits will be filed on anyone who has not paid up or made arrangements to pay very shortly after July 1st.

24774

Mayor Mays thanked the City Attorney for the work done on these delinquent taxes.

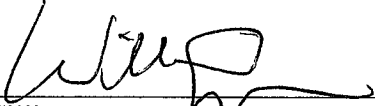
In comments from Council members, Mr. Roop advised he was glad to see the City go forward on blighted property issues and would like to see this work continued.

24775

There were no comments from other council members.

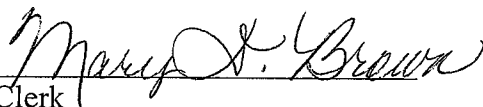
There being no further business to come before the Council, the meeting adjourned.

CITY OF NORTON, VIRGINIA



William J. Mays, Mayor

ATTEST:



Clerk