

The regularly scheduled meeting of the Norton City Council was held on Tuesday, July 16, 2013 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: Fred L. Ramey, Jr., City Manager and Bill Bradshaw, City Attorney

Prior to the invocation by Rev, John Ellington, Mayor Mays asked for a moment of silence in memory of Randy "Doc" Castle, who recently passed away. Mr. Castle was Chairman of the City of Norton Highway and Safety Commission for many years, a local businessman, and former teacher and coach who will be greatly missed by our community. Following the invocation, Police Chief James C. Lane led the pledge of allegiance. 25853

Upon a motion by Councilman Caruso, seconded by Councilman Fawbush, and passed by unanimous vote, Council moved to adopt the minutes of the June 18, 2013 meeting as presented. 25854

During the Mayor's call for visitors, Mr. Jim Campbell, Poplar Street, Norton, spoke briefly to Council regarding the Norton Lions Community Center, Inc. He advised this non-profit organization would like to renovate their building on Kentucky Avenue to include a kitchen and dining room. Having a donor who will donate \$20,000 of the \$40,000 needed for this project, he is soliciting donations. He asked that Council take no action tonight; however he asked that this project be considered for a donation from the City. 25855

Mrs. Terri Caruso, 128 – 10<sup>th</sup> Street, spoke to Council regarding the rain event of July 1<sup>st</sup> during which the culvert beside her home failed and her finished basement again was flooded. She had been to Council in 2000 when this same event happened and was advised at that time that the City was going to solicit a grant to fix the problem.

During Mrs. Caruso's presentation, Councilman Hunnicutt took his seat on Council. 25856

Mrs. Caruso had pictures of the damage to her home and these were shown to Council via a PowerPoint presentation. Mrs. Caruso stated she is begging Council to do something to eliminate this problem as her home is being destroyed.

Others present and speaking on this rain event was Debbie Caudill, 120 – 10<sup>th</sup> Street, who had 17"- 18" inches of rain, which contained sewage, in her back yard; Mr. Greg Pilkenton, speaking on behalf of his father, M. D. Pilkenton, who also resides on 10<sup>th</sup> Street and who had 3' of water in his basement, advised that the storm drain is 8"-9" higher than the alley. He felt a berm could be installed to help eliminate some of this problem. He respectfully asked that Council do something to eliminate this problem; and Ron Gilliam, whose wife owns the Office Advantage on Park Avenue. He stated that they also got flooded again. 25857

Councilman Hunnicutt stated he also got flooded in his office on Park Avenue. He felt if Park Avenue could be milled down, it would help with this problem.

The City Manager advised that the problem the Carusos are experiencing is due to several factors including the reduction in the size of a pipe and construction over this same pipe.

At this time, Mayor Mays amended the agenda to bring Item 7-C to the agenda as Items 6-A-1 - An Update on the Recent Excessive Rain/Flooding Event.

Mr. Ramey advised that on July 1<sup>st</sup> beginning at approximately 6:30 p.m. and running for thirty plus or minus minutes, there was a rainfall amount that at the maximum rainfall rate was 4-4 1/2" per hour. Park Avenue at 6<sup>th</sup> & 7<sup>th</sup> Streets was temporarily closed.

Via a PowerPoint presentation, the City Manager showed a review of downtown drainage including open ditches, drain piping, arch pipes, and round pipes.

He then advised that Council had authorized a study to be done on this problem in 2006 and that the total estimate from our engineers on this project was 4.8 million dollars. All the funds that were available were loans with the exception of a \$150,000 grant. It was determined that the City could not afford to take on these loans due to the City's financial status at that time.

Following a lengthy discussion, it was the consensus of Council for the City Manager to have the engineers come back and look at the 10<sup>th</sup> Street area again and to make recommendations as to what can be done that would help our citizens and business owners and have them come and speak with Council at the next council meeting in August.

Mayor Mays advised that all of Council was frustrated regarding this situation and all Council members expressed their concerns to those citizens present. They stated that they would continue to attempt to find a solution to this problem.

A public hearing had been duly advertised and was held on a Virginia Department of Health Water Project and A Resolution Authorizing the Issuance and Sale of A General Obligation and Water and Sewer Revenue Bond in an Amount Not to Exceed \$826,400 of the City of Norton and Providing for the Form, Details and Payment Thereof .

The City Manager gave Council a brief synopsis on this Phase I Water Improvement Project advising that the total project cost is \$1,652,800. Half of this amount or \$826,400 is a loan for 30 years at 3.0% and \$826,400 is a grant. This project covers areas of Virginia Avenue, 11<sup>th</sup> Street, Park Avenue, Frog Level and portions of Spruce and Pine Streets.

Mayor Mays opened the public hearing.

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

Upon a motion by Councilman Fawbush, seconded by Councilman Hunnicutt, 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 Authorizing the Issuance and Sale of a General Obligation and Water and Sewer Revenue Bond in an Amount Not to Exceed \$826,400 of the City of Norton and Providing for the Form, Details, and Payment Thereof. (Insert)

Council had been presented with A Resolution and Code of Conduct to accept a grant from USDA Rural Development in the amount of \$25,000 for a police vehicle. This grant comes with a local match of \$8,560 to purchase equipment for this vehicle which will be used as a transport vehicle for the Sheriff's Department. The \$8,560 will come from Unappropriated Reserves.

Upon a motion by Councilman Fawbush, seconded by Councilman Hunnicutt, 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 the Governing Body of City of Norton, Virginia (Insert) 25860

Following the Closed Meeting portion of the meeting, Councilman Fawbush amended this motion which stated that the City Manager is to be authorized to execute any documents regarding this resolution. This was again seconded by Councilman Hunnicutt, and approved by Council. (This will also be noted in the closed meeting section in the minutes.)

Council had been presented with a Code of Conduct from the USDA Rural Development for the acceptance of a \$25,000 grant for the new vehicle for the Sheriff's Department. 25861

Upon a motion by Councilman Hunnicutt, seconded by Councilman Caruso, and passed by unanimous roll call vote, Council moved to adopt a Code of Conduct from the USDA Rural Development for the acceptance of a \$25,000 grant for a new vehicle for the Sheriff's Department. (Insert)

Council had before them a request for a budget amendment in the amount of \$33,560 for a USDA Rural Development Grant for a new vehicle for the Sheriff's Department. Mr. Ramey advised that Council at their December 4, 2012 meeting authorized the City Administration to apply for a USDA Rural Development grant for the purchase of a new emergency vehicle. The City has recently been advised that they have been awarded this grant. 25862

Upon a motion by Councilman Fawbush, seconded by Councilman Hunnicutt, and passed by the following unanimous roll call vote: YES – Caruso, Hunnicutt, Fawbush, Roop, Mays, Council moved to approve a budget amendment in the amount of \$33,560 for a USDA Rural Development Grant.

In their packets Council had copies of transfers to the Norton City Schools in the amount of \$325,643 to cover debt service.

Upon a motion by Councilman Fawbush, seconded by Councilman Hunnicutt, and passed by unanimous roll call vote, Council moved to approve a transfer in the amount of \$325,643 to the Norton City Schools to cover debt service. (Insert – Councilman Roop's Disclosure Statement) 25863

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 pr Section No. 2.2-3711 (A) (1) of the Code of Virginia as amended. 25864

Mayor Mays declared Council in closed meeting.

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

Mayor Mays declared Council back in open meeting.

25865

The Clerk polled each member of Council as to the Certification of Closed Meeting with each answering yes. Councilman Hunnicutt also advised that he had told the City Manager that there was an opening for a Chairman for one of the City's other committees; however no discussion or action took place on this.

25866

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)

The City Manager advised he had been advised by the Clerk that an amendment needs to be made to the motion on the Resolution of the Governing Body of the City of Norton, Virginia giving authorization to him to execute all documents pertaining to this USDA Rural Development Grant for a new emergency vehicle for the Sheriff's Department. Councilman Fawbush amended his prior motion to include "and authorize the City Manager to execute all documents regarding this grant". This was again seconded by Councilman Hunnicutt and approved by Council.

25867

Mayor Mays opened the floor for nominations to the 9<sup>th</sup> District Development Financing, Incorporated for an unexpired term which will expire January 31, 2014.

Councilman Caruso nominated Fred Ramey.

2586

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

Mayor Mays declared Fred Ramey appointed to the 9<sup>th</sup> District Development Financing, Incorporated for an unexpired term which will expire January 31, 2014.

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

The City has received ROW Certification from VDOT on the Safe Routes to School Project and have now formally submitted a request to advertise the project for bids.

He has been working with the contractor on the High Knob Tower Project and advised that they now want to remove 2,000 cubic feet of material from the "borrow" site at Flag Rock rather than the 500 cubic feet that was requested in December. It was the consensus of Council to allocate the 2,000 cubic feet rather than the 500 cubic feet of material from the "borrow" site.

The Fantastic Friday Event is planned for Friday, July 19<sup>th</sup> and this activity has been well received.

The Engineering Camp for Grades 9-10 will be held from July 22<sup>nd</sup> through July 26<sup>th</sup> as well as the Sports Camp.

An Open House for Senator Kaine's Office will be held on Saturday, July 20<sup>th</sup> at 1:30 p.m. Council, along with the Police Department and Sheriff's Office, are invited to attend.

The July Retail Sales Report has been received and a copy of it has been placed on Council members' desks.

He was in receipt of an e-mail from Dr. Comer, Superintendent of the Norton City Schools, inviting Council to tour the renovation work being done at J. I. Burton High School. This tour is planned after the School Board Meeting on August 12<sup>th</sup> beginning at approximately 7:00 p.m. He further advised that they would be happy to have a joint meeting with Council, as previously suggested by Councilman Caruso, following the tour.

25869

He will be leaving in the morning for vacation and will return to the office next week.

In comments from the City Attorney, he advised he was still working on the tax sale; however this one is moving slower than previous ones.

25870

In comments from Council, Mayor Mays advised that he would like to suspend the first meeting in August and have only the regularly scheduled meeting on August 20, 2013. It was the consensus of Council to do so. He also suggested that Mr. Ramey attempt to schedule a joint meeting with the School Board for September 9<sup>th</sup>.

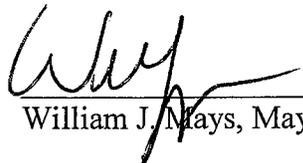
25871

At this time, the City Attorney announced that he will be in attendance at the August 20<sup>th</sup> meeting unless the birth of his first grandchild should take place around this time.

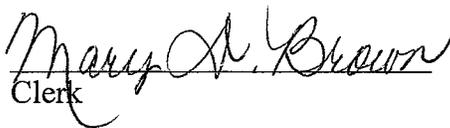
25872

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

CITY OF NORTON, VIRGINIA

  
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William J. Mays, Mayor

ATTEST:

  
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Clerk