

The regular meeting of the Norton City Council was held on Tuesday, December 6, 2005 at 7:30 p.m. in Council Chambers with Mayor Robert Raines presiding.

Present: Jack Wallace, Robert Raines, William Mays, and Joseph Fawbush

Absent: Joseph Hunnicutt

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

Mayor Raines welcomed all those in attendance.

The invocation was given by Father Tim Drake.

At this time, Councilman Hunnicutt took his seat on Council.

21239

The pledge of allegiance followed the invocation and was led by Stan Wilson, John I. Burton High School Athletic Director.

Upon a motion by Joseph Hunnicutt, seconded by Joseph Fawbush, and passed by unanimous vote, Council moved to adopt the minutes of the November 15, 2005 meeting as corrected. In Paragraph #21236, the time of the tree lighting should have been 5:00 p.m. and the Christmas parade time should have been 6:00 p.m. These were reversed in the minutes presented to Council.

21240

Mayor Raines recognized Mr. Ron McCall, Chairman of the Norton City School Board, who, along with Stan Wilson, Athletic Director at John I Burton High School, spoke briefly to Council.

Mr. McCall introduced Coach Jim Adams who, in turn, introduced his assistant coaches and several of the seniors who are members of the football team. Mr. McCall also introduced Dr. Sessoms, Superintendent of Norton City Schools, Steve McElroy and Tim Cassell, members of the School Board.

Mr. Wilson advised Council that the football team will be playing for the state football championship Saturday, December 10th, in Harrisonburg, Va. He asked Council for financial assistance in the amount of \$6,500 to help defray the costs associated with this trip. The football team, cheerleaders, and band will be traveling to this game.

21241

Following a brief discussion and upon a motion by William Mays, seconded by Joseph Hunnicutt, and passed by unanimous roll call vote, Council moved to appropriate \$6,500 to help defray the costs associated with the costs incurred by the school in participating in the state football playoffs. These funds will come from Contingency.

Mayor Raines spoke briefly to the senior football players and advised them that they had shown their leadership abilities this year and were a credit to their school, community, and families. He further advised that Council wants to continue to participate in the school's accomplishments and encouraged them to do the best they can. He stated that they have brought success to themselves, their school, and the community.

Both Mr. Wilson and Mr. McCall thanked Council for their donation.

A public hearing was held to consider the adoption of an Ordinance of the City Council of the City of Norton, Virginia Enacting a Jail Processing Fee.

Mr. Ward advised that, at Council's request, this public hearing had been duly advertised.

This ordinance covers a processing fee of \$25 from any individual admitted to the regional jail following conviction within the City of a felony, misdemeanor or violation of a local ordinance of the City. The funds will be deposited with the City Treasurer for the City's General Fund.

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

Mayor Raines opened the public hearing.

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

Upon a motion by Joseph Hunnicutt, seconded by Jack Wallace, and passed by the following unanimous roll call vote: YES – Hunnicutt, Wallace, Mays, Fawbush, Raines, NO – None, ABSENT – None, Council moved to adopt An Ordinance of the City Council of the City of Norton, Virginia Enacting a Jail Processing Fee. (Insert)

Mr. Ward gave Council a brief update on the Big Stone Gap water shortage and the City of Norton's water supply.

Mr. Ward advised that there was not much change in either Big Stone Gap's or Norton's water supply. The City has been furnishing water to Big Stone Gap for 54 days at an average of 110,000 gallons per day. Through 9:00 a.m. today, the City has furnished Big Stone Gap a total of 5,975,000 gallons of water.

The City continues to hold its own and currently has 39.75 million gallons of water in our reservoir. Mr. Ward advised that the City Administration feels comfortable about the situation at this point and his recommendation is to continue to handle this situation as it has been.

Following a brief discussion, Mayor Raines thanked Mr. Ward for this update.

At Council's request, Mr. Ward brought back for consideration the Policy Authorizing the Buy-Back of Accumulated Sick Leave for City employees upon separation of service or retirement from the City.

Mr. Ward advised that, if adopted, this policy would cover an employee with 20 years of full time service. This policy would buy back time upon an eligible employee's separation of service or retirement at the following rates: the first 90 days of accumulated leave at a rate of \$15 per day, the next 60 days of accumulated leave at a rate of \$18 per day, and all days over 150 at a rate of \$40 per day. Exempt from participation in this policy would be the employees of the Department of Social Services and the Constitutional Officers and their staffs.

City Council has budgeted \$20,000 in the current budget to go toward this program.

During discussion on this item, Mayor Raines advised that he would like to see the account covering this policy more solvent and would like for Council to appropriate another \$20,000 in the upcoming 2006-2007 budget; therefore he would like to have the effective date on this policy as July 1, 2006. After this 2006-2007 budget appropriation, Council would need to budget an additional \$5,000-\$10,000 annually to cover this policy.

Also during discussions on this item, Council determined that they would like this policy to read that an employee must have 20 years of continuous full time service to the City excluding military duty or FMLA.

Upon a motion by Joseph Fawbush, seconded by Joseph Hunnicutt, and passed by unanimous roll call vote, Council moved to adopt the Buy-Back of Accumulated Sick Leave Policy with the changes as discussed tonight upon an eligible employee's separation of service or retirement from the City. These changes are that the employee must have 20 years of continuous full time service to the City excluding military duty or FMLA and the effective date will be July 1, 2006.

Mr. Ward advised Council that the City has periodically received complaints about cats running loose in the City and the lack of regulations to control them. He stated that the most common complaint is that of property damage. The City is currently very limited in its regulatory authority to control cats. Pet owners and citizens do have some rights and responsibilities as per Section 4-4 of the Norton City Code. This code section states that no person shall suffer or permit any animal owned by him to go upon the land of any other person and to damage or destroy any garden, shrub, grass, or other property or to litter or defecate thereon. This code section further states that any property owner may issue a warrant against the owner of the animal and the warrant shall be heard by the General District Court. Mr. Ward then proceeded to explain the results should there be a conviction.

21245

He then presented Council, via a PowerPoint presentation, with some additional optional regulations for their consideration along with issues that may result in the enforcement of these regulations. He advised that the enforcement would be difficult as the City only has a part time Animal Warden and these regulations would not cover stray cats.

Following a brief discussion, the City Manger advised that this information is brought to Council tonight for their review.

Mayor Raines thanked Mr. Ward for his presentation and advised Council members to log their ideas and thoughts on this topic as it will come before them again.

Council had been presented with a check in the amount of \$280,000 made payable to the Norton City Schools for approval.

Upon a motion by Joseph Hunnicutt, seconded by Joseph Fawbush, and passed by unanimous roll call vote, Council moved to approve a check in the amount of \$280,000 to the Norton City Schools.

21246

Upon a motion by Joseph Hunnicutt, seconded by Joseph Fawbush, and passed by unanimous roll call vote, Council moved to go into closed meeting as per Section No. 2.2-3711 (A) (1) of the Code of Virginia, as amended.

21247

Mayor Raines declared Council in closed meeting.

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

21248

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

21249

Mayor Raines opened the floor for nominations to the Mountain Empire Community College Board to fill an unexpired term to June 30, 2008.

Joseph Fawbush nominated Robert Isaac to this Board.

21250

Upon a motion by William Mays, seconded by Jack Wallace, and passed by unanimous vote, Council moved that the nominations cease.

Mayor Raines declared Robert Isaac appointed to the Mountain Empire Community College Board to fill an unexpired term to June 30, 2008.

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

Thanks are being extended to Mrs. Barbara Caruso for decorating Veterans Park for the holiday with red, white, and blue lights.

The Mayor was in receipt of a letter from the Insurance Service Office advising that the City has a new ISO Rating Class of 5/9, which is an improvement from the current rating of 6/9. This new rating is a result of a three-day evaluation, which was recently held. This improved rating should help lower insurance premiums to businesses and citizens in the City.

21251

In comments from the City Attorney, Mr. Bradshaw advised that the Norton Industrial Development Authority had closed on the R. O. Goad Property on Park Avenue.

21252

In comments from Council, Mayor Raines advised that the next scheduled council meeting is on December 20th and since this is in the middle of the Christmas season, he would like Council's input on whether to hold this meeting or cancel it.

21253

Upon a motion by William Mays, seconded by Joseph Hunnicutt, and passed by unanimous vote, Council moved to cancel the regularly scheduled meeting of December 20th.

Councilman Hunnicutt wished good luck to the John. I. Burton Raiders football team in the upcoming state championship game.

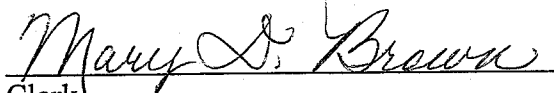
21254

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

CITY OF NORTON, VIRGINIA


B. Robert Raines, Mayor

ATTEST:


Clerk