

City Council Meeting Packet



December 4, 2018

AGENDA

Norton City Council

December 4, 2018

6:00 P.M.

1. Roll Call
2. Invocation – Rev. Roger Sloce
3. Pledge of Allegiance
4. Approval of Minutes
 1. Meeting of November 13, 2018
5. Audience for Visitors
6. Public Hearing
 - A. A Public Hearing to Receive Public Comments Regarding a Proposed Ordinance Recodifying Chapter 6 (Elections) of the City Code.
 1. Public Hearing
 2. Comments by City Council
 3. Consideration by Council
7. New Business
 - A. Update on the Woodbooger Children’s Book Series.
 - B. Overview of the Virginia Alcohol Safety Action Program (VASAP).

- C. Discussion About the January 2019 Meeting Schedule.
- D. Confirmation of a Check/Transfer in Excess of \$100,000.
- E. Closed Meeting for Personnel as Per Section 2.2-3711 (A) (1) of the Code of Virginia as Amended.
 - 1. Appointment to the Norton Social Services Advisory Board, Currently Tim Ray Adams Whose Term Expires 11/15/18.

To 11/15/22
 - 2. Appointment to the PD1 Community Services Board, Currently Delores Belcher Whose Term Expires 12/31/18.

To 12/31/21
 - 3. Evaluation of the City Manager.
- 8. Comments by the City Manager, City Attorney, and City Council.
- 9. Adjournment.

The rescheduled meeting of the Norton City Council was held Tuesday, November 13, 2018, at 6:00 p.m., in the Municipal Council Chambers with Mayor William Mays presiding.

Present: Mark Caruso, Robert Fultz, Jr., William Mays, Joseph Fawbush, and Delores Belcher

Also Present: Fred L. Ramey, Jr., City Manager, and Bill Bradshaw, City Attorney

The invocation was given by Life Scout Chaplain Dominic Sluss of Boy Scout Troop 301 and was followed by the Pledge of Allegiance led by Councilman Mark Caruso.

Upon a motion by Councilwoman Belcher, seconded by Councilman Fultz, and passed by the following vote: YES – Caruso, Fultz, Mays, Fawbush, Belcher, NO – None, ABSENT – None, council moved to adopt the minutes of the October 16, 2018, meeting as presented.

There was no response to the Mayor's Call for Visitors.

Mr. Ramey informed council that Eagle Scout Candidate Anthony Hamilton of Boy Scout Troop 301 was in the audience to present members with his Eagle Scout Project.

Eagle Scout Candidate Anthony Hamilton advised that he is requesting council's permission to construct an informational kiosk at the trailhead at the Upper Norton Reservoir as part of his Eagle Scout Project. He said he would plan, develop, and provide leadership skills to fellow scouts, and the project would be supervised by Scoutmaster Teddy Huff. Mr. Hamilton said all labor will be donated and he is accepting monetary donations for the materials.

After a brief discussion and upon a motion by Councilman Caruso, seconded by Councilman Fawbush, and passed by unanimous vote, council moved to approve the request to build an informational kiosk at the trailhead located at the Upper Norton Reservoir.

Mayor Mays then signed documentation authorizing Eagle Scout Candidate Anthony Hamilton to construct an informational kiosk for his Eagle Scout Project and a photo was taken with council members.

At this time, Mayor Mays asked Scoutmaster Teddy Huff to come forward to receive a Community Leadership Award. Mayor Mays presented a plaque to Scoutmaster Teddy Huff for his dedicated service to empower scouts to be successful troop leaders, future leaders of the community, and for the troop's projects that have enriched the area and the City of Norton.

Following the presentation, a photo was taken with council members and Boy Scout Troop 301. Both the mayor and council members thanked Scoutmaster Teddy Huff for the work he is doing, and applause was given to Scoutmaster Huff.

The next agenda item was a request to schedule a public hearing to consider an ordinance to recodify Chapter 6 – Elections of the Norton City Code.

The city manager advised council the city code needs to be updated to reflect previous actions taken by council to combine the former east and west precincts into one voting precinct and to move the polling place for city elections from City Council Chambers at 618 Virginia Avenue, N.W., to the Norton Community Center at 201 Park Avenue, N.E. Mr. Ramey said public hearings were held regarding each of these actions but the city code was never updated. The city attorney has drafted an ordinance for your review that will rectify the previous oversights and allow for Chapter 6 – Elections of the City Code to be updated to reflect councils' previously approved actions.

Mr. Bradshaw stated the draft ordinance confirms city code to reality and should have been done when the previous actions were taken.

Upon a motion by Councilman Fawbush, seconded by Councilman Caruso, and passed by unanimous vote, council moved to authorize the city manager to advertise a public hearing to consider an ordinance recodifying Chapter 6 – Elections of the Norton City Code.

In packets for council consideration was a request from the Commissioner of Revenue to authorize a refund of erroneously assessed 2018 Personal Property Taxes in the amount of \$118.07 to VW Credit Leasing, LTD.

Mr. Ramey said the Commissioner of Revenue has concluded that a vehicle assessed for 2018 personal property taxes for VW Credit Leasing, LTD., is garaged in Wise County, so a refund in the amount of \$118.07 to VW Credit Leasing, LTD., is warranted under these circumstances.

Upon a motion by Councilwoman Belcher, seconded by Councilman Fawbush, and passed by unanimous roll call vote, council authorized a refund for erroneously assessed 2018 personal property taxes to VW Credit Leasing, LTD., in the amount of \$118.07.

Council had one check to confirm. The check was to U. S. Bank Operations Center dated September 10, 2018, in the amount of \$101,670.01, to pay 2013 Water Refinancing Bonds.

Upon a motion by Councilman Caruso, seconded by Councilman Fawbush, and passed by unanimous roll call vote, council moved to confirm the check to U. S. Bank Operations Center, 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 2.2-3711 (A) (1) of the Code of Virginia, as amended.

Mayor Mays declared council in closed meeting.

The city attorney was excused at this time.

Upon a motion by Councilman Caruso, seconded by Councilwoman Belcher, 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 Fawbush, seconded by Councilman Caruso, and passed by unanimous vote, council moved to adopt A Resolution of the Certification of Closed Meeting. (Insert)

Mayor Mays opened the floor for nominations to the Southwest Virginia Alcohol Safety Action Program (VSAP) Board for a three-year term to expire December 1, 2021.

Councilman Caruso nominated James Lane to be reappointed to the VSAP Board for a three-year term to expire December 1, 2021.

Upon a motion by Councilwoman Belcher, seconded by Councilman Fultz, and passed by the following vote: YES – Caruso, Fultz, Mays, Fawbush, Belcher, NO – None, ABSENT – None, council moved that the nominations cease.

Mayor Mays declared James Lane reappointed to the Southwest Virginia Alcohol Safety Action Program (VASAP) Board for a three-year term to expire December 1, 2021.

In comments from the city manager:

Mr. Ramey thanked Girl Scout Troop 1066 for placing American flags at the Tipple Hill Intersection and Veterans Park downtown in honor of Veterans Day.

He said city administration held a bid opening today in Council Chambers for Phases I and II of the Clear Creek and Josephine Waterline Replacement Projects and that the bids are being reviewed by the city's engineer The Lane Group, Inc.

Mr. Ramey said Thrower, Blanton, and Associates are currently auditing the city's records and hope to be completed by the end of December.

He placed at each member's desk the October traffic counts for High Knob and the latest monthly financials. Mr. Ramey noted the traffic counter for Flag Rock Recreation area has been sent for repairs.

Mr. Ramey said upcoming activities in the city include the Dairy Queen Turkey Trot 5K planned Thanksgiving Day, the city's Tree Lighting Ceremony planned from 5:30 – 7:30 p.m., Saturday, December 1st, in Veterans Park located at 746 Park Avenue, N.W., and the city's Christmas parade is scheduled at 6:00 p.m., Saturday, December 2nd.

The following comments were made by council members:

Councilman Fultz inquired if council will be meeting on Tuesday, January 1, 2019.

Mr. Ramey said council should consider having a short Reorganizational Meeting sometime in the beginning of January. He suggested members look at their calendars and make a formal decision to reschedule the January 1st meeting at the next council meeting on December 4.

Councilman Fultz said he received a card from a mother of one of the participants in the Cloudsplitter Ultra 100 Trail Race. He said she visited with him and volunteers at one of the aid stations and then he read her card for council members. Councilman Fultz said they were pleased to spend time in our beautiful city and appreciated the warm welcome of city administration and volunteers.

Councilwoman Belcher commended the Electoral Board and poll workers of the recent election for their efficient and professional running of the voting polls. She noted the next election the city should provide meals for those working the voting polls. Councilwoman

Belcher said Mike Brown, chairman of the Electoral Board, said they provided their own meals for this election because there was no funding available in the budget.

Mr. Ramey said historically, the city has always provided meals and he would check on this request.

Councilwoman Belcher said it was good to speak with citizens at the polls and she thanked the city's emergency services for their commitment to serve the community.

Councilman Fawbush echoed Councilman Fultz's comments about visitors in the city and said everyone needs to offer tourists assistance by answering questions they may have about our area because we are all stewards of our community.

He informed council members that Jahmal Potter's book, *Where is the Woodbooger?* is published and is available online at Amazon.com. He said News 5 WCYB Television Station (WCYB-TV) will be interviewing Mr. Potter about his children's book at noon on Friday, November 16th. Councilman Fawbush said the Woodbooger will attend the interview with Mr. Potter and he will be wearing a t-shirt promoting Flag Rock Recreation Area.

Councilman Fawbush congratulated Mayor Mays and Councilwoman Belcher on their reelection to council.

Mayor Mays thanked the citizens of Norton for having confidence in him to re-elect him to city council and noted it has been a pleasure serving on council. He said the city has been blessed with good administrative leadership and we are blessed to live in the City of Norton.

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

CITY OF NORTON, VIRGINIA

William Mays, Mayor

ATTEST:

Clerk of Council

BEING AN ORDINANCE RECODIFYING CHAPTER 6 – ELECTIONS
OF THE CITY CODE

WHEREAS, Chapter 6 of the Code of the City of Norton deals with elections, and

WHEREAS, on March 14, 2014 Council approved a change in the polling place for City elections from City Council Chambers at 618 Virginia Avenue, NW to the Norton Community Center at 201 Park Avenue, NE, and

WHEREAS, the City presently has only one (1) voting precinct and election district, and

WHEREAS, Council’s decisions to combine the former east and west precincts and to move the polling place was never codified as an ordinance amending Chapter 6, and

WHEREAS, Council wishes to amend Chapter 6 to conform it to the current state of affairs

NOW, THEREFORE BE IT ORDAINED THAT

1. Present Sections 6-1 and 6-2 be, and they are, hereby repealed.
2. Section 6-1 as set forth below is hereby adopted:

“Sec.6.1-Boundaries. There shall be one (1) election district and voting precinct, whose boundaries shall be the City limits of Norton, Virginia.”
3. Present Section 6-3 shall be, and it is, hereby repealed.
4. Section 6-2 as set forth below is hereby adopted:

“Sec. 6-2. Voting Place. All City elections shall be held in the Norton Community Center located at 201 Park Avenue, NE.”
5. Section 6-4 be renumbered as Section 6-3.
6. Section 6-5 be, and it is, hereby repealed.
7. Section 6-4 as set forth below is hereby adopted:

“Sec. 6-4. Substitute Voting Place. Should the voting place established by this article be not available for any election, it shall be the duty of the electoral board to establish a substitute voting place as near to the one replaced as my be

practical. Such substitute voting place shall be discontinued as such whenever the original voting place may be again available for elections.”

ADOPTED: _____, 2018

MAYOR

ATTEST:

CITY CLERK

	<u>Present</u>	<u>Yes</u>	<u>No</u>
Delores Belcher	_____	_____	_____
Joseph Fawbush	_____	_____	_____
Mark Caruso	_____	_____	_____
Robert Fultz	_____	_____	_____
William Mays	_____	_____	_____



November 14, 2018

NOTICE OF PUBLIC HEARING

The City Council of the City of Norton, Virginia will hold a Public Hearing on Tuesday, December 4, 2018 at 6:00 PM in the Municipal Council Chambers located at 618 Virginia Avenue, N.W., Norton, Virginia. The purpose of the hearing will be to receive public comment on a proposed ordinance dealing with precincts and voting places for elections held in the City. The proposed ordinance will conform the City Code to actions previously taken by Council to set the number of voting precincts at one (1) and establish the polling place as the Norton Community Center. A copy of the proposed ordinance will be available for inspection Monday through Friday between 8:30 A.M. and 5:00 P.M. in the City Manager's Office or available at www.nortonva.gov. All attendance and comments at the meeting are encouraged and welcome.

Fred L. Ramey, Jr.

City Manager

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TO THE COALFIELD:

Please run in the Friday, November 16th and Tuesday, November 27th editions of the Coalfield.

FOOTNOTE(S):

--- (1) ---

Charter reference— Election of council members, § 3.4; election of constitutional officers, § 3.8

State Law reference— Elections, Code of Virginia, § 24.1-1 et seq.; establishment of precincts and voting places, § 24.1-36.

Sec. 6-1. - Boundaries of east precinct.

The east precinct of the city shall consist of that portion of territory within the boundaries of the city that lies east of the following line: Beginning at a point in the southern corporate line of the city on Stone Mountain at a point where the center line of 7th Street, if projected, would touch such corporate limits; thence from such point to the center of 7th Street and along the center line of 7th Street to the center of Virginia Avenue; thence east along the center line of Virginia Avenue to a point directly south of the western wall of the lobby of the Municipal Building, which wall as extended is the eastern wall of the council chambers; thence through the Municipal Building with this wall to the center of 7th Street north of the city jail; thence with the center of 7th Street to the center of 6th Street; thence with the center of 6th Street north to Chestnut Street; thence with the center of Chestnut Street and a line established by the projection of the center line of Chestnut Street to the northern corporate limits of the city.

(Code 1975, § 1-7)

Sec. 6-2. - Boundaries of west precinct.

The west precinct of the city shall consist of that portion of territory within the present boundaries of the city that lies west of the following line: Beginning at a point in the southern corporate line of the city on Stone Mountain at a point where the center line of 7th Street, if projected, would touch such corporate limits; thence from such point to the center of 7th Street and along the center line of 7th Street to the center of Virginia Avenue; thence east along the center line of Virginia Avenue to a point directly south of the western wall of the lobby of the Municipal Building, which wall as extended is the eastern wall of the council chambers; thence through the Municipal Building with this wall to the center of 7th Street north of the city jail; thence with the center of 7th Street to the center of 6th Street; thence with the center of 6th Street north to Chestnut Street; thence with the center of Chestnut Street and a line established by the projection of the center line of Chestnut Street to the northern corporate limits of the city.

(Code 1975, § 1-8)

Sec. 6-3. - Voting places.

All city elections shall be held in the Municipal Building. The voting place for the east precinct shall be in that portion of the Municipal Building that is included in the east precinct. The voting place for the west precinct shall be in that portion of the Municipal Building that is included in the west precinct.

(Code 1975, § 2-1)

Sec. 6-4. - Municipal elections.

The members of council and the school board in office at the time of the adoption of this section whose terms are set to expire on June 30, 2002, shall continue in office until December 31, 2002. The members of the council and the school board in office at the time of the adoption of this section whose terms are set to expire on June 30, 2004, shall continue in office until December 31, 2004. An election of three (3) council members and three (3) school board members shall be held on the first Tuesday of November 2002, and every four (4) years thereafter. An election of two (2) council members and two (2) school board members shall be held on the first Tuesday of November 2004, and every four (4) years thereafter. The term of each person elected under this section shall begin on the first day of January next following their election.

(Ord. of 11-20-01)

Sec. 6-5. - Number of voting precincts.

- (a) The territory embraced within the corporate limits of the city shall contain one (1) election district and one (1) voting precinct.
- (b) City elections shall be held in the council chambers located in the Municipal Building.
- (c) Should the voting place established by this article be not available for any election, it shall be the duty of the electoral board to establish a substitute voting place, as near to the one replaced as may be practical. Such substitute voting place shall be discontinued as such whenever the original voting place may be again available for elections.

(Ord. of 5-1-07)

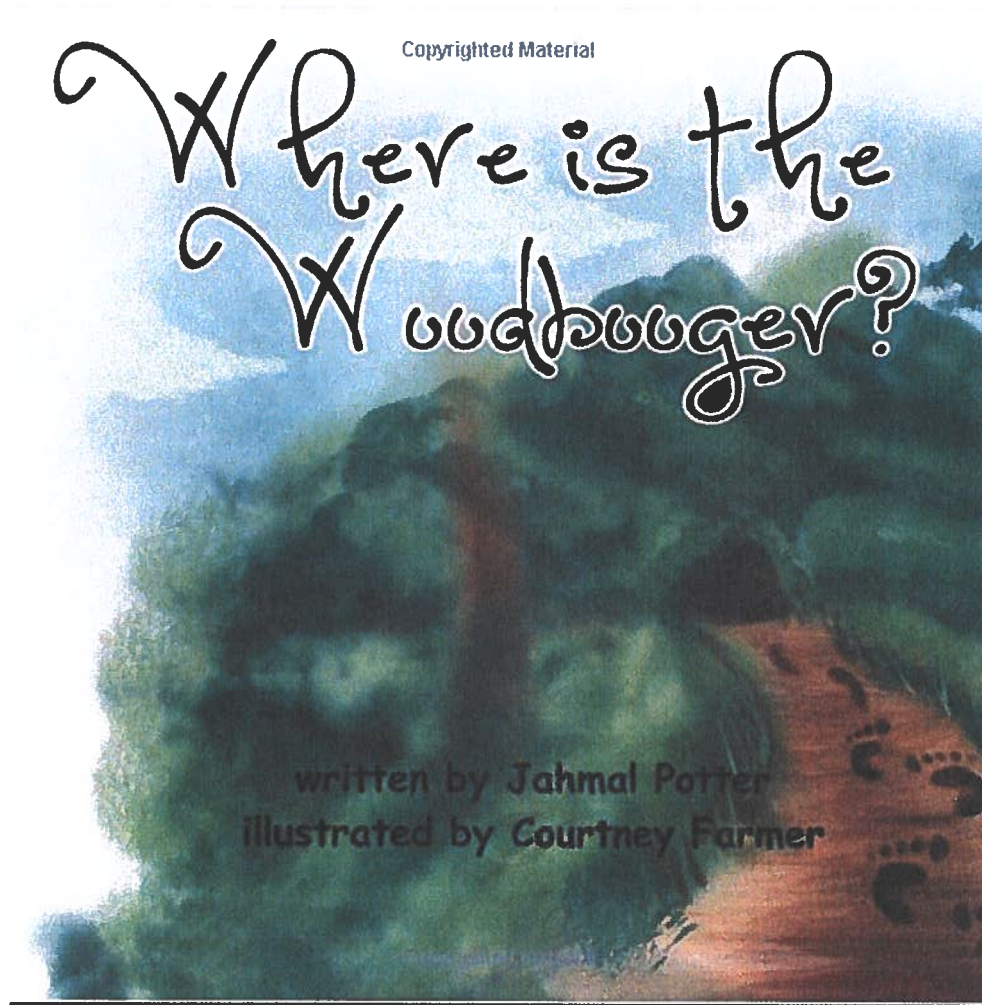


Inter-Office Memo

To: Mayor and City Council
From: Fred L. Ramey, Jr., City Manager *FR*
CC:
Date: November 30, 2018
Re: Children's Book Series

At the September 4th City Council meeting, Council approved a request of JGreat Entertainment to use the Woodbooger Service Mark for the creation of a series of children's books to be based on the search for the Woodbooger. The first book, "*Where is the Woodbooger*", was recently published on Amazon and the creator, Jahmal Potter, will provide City Council with an update on the project.

Thank You.



Where is the Woodbooger? Paperback – October 29, 2018

by Jahmal Potter (Author), Courtney Farmer (Illustrator)

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Inter-Office Memo

To: Mayor and City Council
From: Fred L. Ramey, Jr., City Manager *FR*
CC:
Date: November 30, 2018
Re: VSAP Overview

At this meeting, Chief James Lane will provide City Council with an overview of the Virginia Alcohol Safety Action Program (VASAP).

Thank You.

SCHOOL BOARD

Sherry Adams, Chairperson
Mark Leonard, Vice-Chairperson
Carol Caruso
Joseph Stallard
Cody McElroy



DIVISION SUPERINTENDENT
Dr. Gina J. Wohlford
gwohlford@nortoncityschools.org
Phone 276.679.2330
Fax 276.679.4315

COPY

TO: Jeff Shupe
FROM: Jacqueline Brooke
SUBJECT: Request for Funds

DATE: September 26, 2018

Norton City Schools requests a deposit of City Funds in the amount of \$175,000 to cover September 2018 payroll expenditures.

Thank you!