

# **City Council Meeting Packet**



**August 6, 2019**

## AGENDA

Norton City Council

August 7, 2019

6:00 P.M.

1. Roll Call
2. Invocation – Rev. Roger Sloce
3. Pledge of Allegiance
4. Approval of Minutes
  1. Meeting of July 16, 2019
5. Audience for Visitors
6. New Business
  - A. Update on 2019 Woodbooger Geo Trail Planned for Saturday, September 7<sup>th</sup>.
  - B. Resolution Marking the 125<sup>th</sup> Anniversary of the Suthers Masonic Lodge #259 that was Chartered on December 21, 1894.
  - C. Update on Possible City Code Modification Related to Highland Cemetery and Chapter 20 - Reservoirs.
  - D. Confirmation of a Check/Transfer in Excess of \$100,000.
  - E. Closed Meeting for Personnel as Per Section 2.2-3711 (A) (1) and Section 2.2-3711 (A) (3) of the Code of Virginia as Amended, Discussion or Consideration of the Acquisition of Real Property for a Public Purpose, or of the Disposition of Publically Held Real Property, Where Discussion in an Open Meeting Would Adversely

**Affect the Bargaining Position or Negotiating Strategy of the Public Body.**

1. Appointment to the Spearhead Trail Blazers for a Three Year Term.

To 5/1/22

2. Appointment to the Norton Planning Commission for a Four (4) Year Term, Currently Tim Cassell, Whose Term Expires 7/31/19.

To 7/31/23

3. Appointment to the Norton Planning Commission for a Four (4) Year Term, Currently Virginia Stokes, Whose Term Expires 7/31/19.

To 7/31/23

4. City Attorney

7. Comments by the City Manager, City Attorney, and City Council.

8. Adjournment.

The regularly scheduled meeting of the Norton City Council was held Tuesday, July 16, 2019, at 6:00 p.m., in the Municipal Council Chambers with Mayor Joseph Fawbush presiding.

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

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

The invocation was given by the city manager and was followed by the Pledge of Allegiance led by Police Chief James Lane.

Upon a motion by Councilwoman Belcher, seconded by Councilman Caruso, and passed by the following vote: YES – Mays, Fultz, Fawbush, Caruso, and Belcher, NO – None, ABSENT – None, council moved to adopt the minutes of the June 16, 2019, meeting as presented.

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

The city manager provided an update on the Ridge Avenue Wall, via a PowerPoint presentation, and presented members with options going forward.

The city manager said, as council is aware, in 2017 city administration contacted The Lane Engineering Group to assess if the Ridge Avenue Wall was moving and to determine if there were any structural concerns with the wall. As part of this process, The Lane Group Geotechnical Engineer Leslie Sutherland selected 37 monitoring points to periodically survey the wall for movement. In March 2019, Mr. Sutherland informed council the points indicated the wall had moved almost two inches in February 2018, and there was a tension crack behind the wall. He advised council there was no way to predict the safety or stability of the wall and offered buttress, gabions, RediRock, continued monitoring, and contacting a structural engineer as possible options moving forward. The city manager reported that current monitoring indicates a decrease in movement when compared to previous surveys, but he reminded members there has been no traffic allowed around the Ridge Avenue wall during the monitoring period. After the update, the city manager gave council several options to consider in addressing the movement and stability of the wall regardless of any option council decides to pursue, both he and the engineer recommend continued monitoring of the wall until there is no movement.

After a brief discussion, it was the consensus of council to continue monitoring the wall and to open Craig Street to see if vehicle traffic triggers any movement in the wall. City administration will report back to council after six months of monitoring unless council needs to be updated sooner.

The next agenda item was the confirmation of a donation to the Norton Little League Senior League Girls Softball Team that qualified for the state tournament in Woodstock, Virginia.

Mr. Ramey said a meeting was not scheduled to formally consider the donation request to Norton Senior League Girls Softball so he polled council members and it was the consensus

of council to contribute \$1,500 to Norton Senior League Girls Softball Team to assist with expenses for the state tournament.

After a brief discussion and upon a motion by Councilman Mays, seconded by Councilman Fultz, and passed by unanimous roll call vote, council moved to approve a budget amendment and confirm a check in the amount of \$1,500 to Norton Little League.

The city manager provided council with possible updates to the Norton City Code regarding Highland Cemetery and Chapter 20 as it relates to the city reservoir.

The city manager said Highland Cemetery opened in 1895 and was transferred to the city in 1955 by Fleming Land Corporation. He said over the years city administration has received questions from citizens regarding various issues in the cemetery and there is no code to reference to answer their questions. The city manager said the city attorney advised that council may want to consider adopting an ordinance that recognizes the city as the owner of Highland Cemetery and that provides authority for certain actions by the city.

The city attorney said adoption of an ordinance regarding the cemetery would be in keeping with local governmental standards of managing its resources and providing authority for the city to enforce regulations that govern various actions in the cemetery. He noted he had already reviewed several similar ordinances of other Virginia localities. The city attorney said if council requests, he can prepare a draft ordinance for council's review at the August 6<sup>th</sup> meeting.

It was the consensus of council to have the city attorney prepare a draft ordinance regarding Highland Cemetery for council's review at the next meeting.

Next, the city manager said the city has seen an increase in activity at the reservoir and has received questions regarding a posted policy that states "gasoline motors are not permitted" in the reservoir, but the city code does not address the regulation.

The city attorney said if council wants to consider a draft modification to Chapter 20 regarding gasoline motors, petroleum, and lubricants on the water he can have a draft document prepared for council's review at the next meeting.

After a brief discussion, council was in agreement to have the city attorney prepare a draft modification to Chapter 20 regarding the prohibited use of gasoline motors, petroleum, and lubricants on the water at Norton Reservoir.

In packets for council consideration was a request from Willie D. Moore of 5522 Guest River Road for an outside water connection.

After a brief discussion and upon a motion by Councilman Mays, seconded by Councilwomen Belcher, and passed by unanimous vote, council moved to approve the installation of one outside water tap request for Willie D. Moore of 5522 Guest River Road.

Norton Parks and Recreation Director Michele Knox informed council she was contacted by Ricara Moorman, who is a senior at Berea College in Berea, Kentucky, about a possible summer internship with the city's Parks and Recreation Department (P&R). Ms. Knox said Ms. Moorman has been working for P&R and has been involved with the Best Friend Festival, the Farmers Market, Independence Day activities, and all P&R summer camps. She said Ms. Moorman is in attendance to provide council with an update on her summer internship.

Ms. Moorman thanked the city for the opportunity to work with Norton Parks and Recreation Department and she told council she chose Norton because she wanted hands-on

experience working with kids. Ms. Moorman said through the many camps the city offers kids each summer she was able to gain working knowledge and use her major by creating goals and concepts during her internship. Via a PowerPoint presentation, she showed council the Lion King Program she created for this year's Theatre Camp and showed a video of the presentation to family and friends. She continued with the update by discussing P&R activities she was involved with during her time with the city, and advised council P&R Director Michele Knox was awesome to work with during her internship.

Following Ms. Moorman's update, Mayor Fawbush presented her with an Outstanding Service Award plaque from council and a photo was taken with members.

Also in packets for council consideration was a transfer to Norton City Schools dated June 26, 2019, in the amount of \$150,000 to cover June 2019 payroll expenditures.

Upon a motion by Councilwoman Belcher, seconded by Councilman Mays, and passed by unanimous roll call vote, council moved to confirm the transfer to Norton City Schools, as stated above.

Upon a motion by Councilman Fultz, seconded by Councilman Caruso, and passed by the following unanimous roll call vote: YES – Mays, Fultz, Fawbush, Caruso, and Belcher, NO – None, ABSENT – None, council moved to go into closed meeting for Personnel as per Section 2.2-3711 (A) (1), and for the Discussion or Consideration of the Acquisition of Real Property for a Public Purpose, or of the Disposition of Publically Held Real Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiating Strategy of the Public Body as per Section 2.2-3711 (A) (3) of the Code of Virginia, as amended.

Mayor Fawbush declared council in closed meeting.

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

Mayor Fawbush 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 Fultz, and passed by unanimous vote, council moved to adopt A Resolution of the Certification of Closed Meeting. (Insert)

In comments from the city manager:

Mr. Ramey said he was very pleased with the Independence Day celebration and it is time for council to start considering 2020 and if members would like for the item to be placed on an agenda for discussion.

He said the Downtown Project is under construction with Inland Construction of Washington County, Virginia, and demolition has already begun. He said they were going to try to complete construction on the outside seating and fire pit areas as soon as possible, but the parking lot will not be completed until late fall.

Mr. Ramey presented an update on the construction of Sugar Hill Cidery Restaurant via a PowerPoint presentation. He said the construction company estimates turning the restaurant over to the owners in about two weeks.

Mr. Ramey said council authorized a Virginia Department of Transportation (VDOT) Smartscale Program application in 2018. He said the city's \$1.3 million application has been approved and placed on VDOT's project list in the Sixth year of a 6-year plan. The project will be completely managed and administered by VDOT since it is entirely on their right-of-way.

He said the city is under contract with a pre-audit firm and a kickoff meeting was held with key department heads and Norton City Schools.

Mr. Ramey said the city submitted a SolSmart application in February 2018 to the U.S. Department of Energy Sunshot Initiative SolSmart Designation Program. He said the city has become the first community in the region to complete the requirements to become a SolSmart Designation community and received a bronze award for the designation. Mr. Ramey said the city's Building and Zoning Official Winfred Collins led the program.

Mr. Ramey showed the Department of Motor Vehicles public service announcement video "Local Heroes Seat Belt Awareness Initiative" that features Norton Police Department Officer Justin Qualls.

Mr. Ramey updated council on the installation of the Coke sign. He said all parties involved are trying to narrow down a date for the installation and it appears the refurbished sign will be installed sometime in August.

Via a PowerPoint presentation, Mr. Ramey updated council on the FY19 and FY20 city-wide paving projects. He said 2019 paving was performed in June at a cost of \$180,000. Mr. Ramey said VDOT's Primary Extension Grant will be done in the fall of 2019. He said FY20 paving will be done in two phases. Phase I started today and Phase II is expected to start in the spring of 2020.

Mr. Ramey placed copies of the following on council members' desks for review: the FY20 Monthly Retail Sales Tax Report, the latest High Knob and Flag Rock traffic counts, and a copy of the Southwest Virginia Workforce Development Board's May 2019 Newsletter.

He handed out the July Activities flyer.

Mr. Ramey reminded council of upcoming events. Council is invited to a funding announcement at 1:00 p.m., Wednesday, July 31, at the Country Cabin II. It is anticipated that Congressman Griffith will be in attendance as well as other local, regional, and state officials. Other upcoming events include: the High Knob Outdoor Festival, slated for Saturday, August 17th; the Woodbooger Geocache, scheduled Saturday, October 5th; and the Cloudsplitter Ultra 100 Trail Race, will take place Saturday, October 12th. As of July 15th, 65 runners have registered for the race.

The following comments were made by council members:

Councilwoman Belcher said she is excited about all the activity going on in the city and is thankful for city workers.

Councilman Fultz said he has received many of positive comments about families being able to attend various fireworks displays in the area celebrating Independence Day. He said the additional dollars appropriated for the commemorative celebration of Norton's 125<sup>th</sup>

Anniversary received positive comments on Facebook, and he is in favor of funding next year's Independence Day celebration.

Mayor Fawbush said Mr. Benny Broskey of Anderson Hollow contacted him and thanked him for the city paving Anderson Hollow.

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

CITY OF NORTON, VIRGINIA

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Joseph Fawbush, Mayor

ATTEST:

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Rebecca K. Coffey, Clerk of Council





# Inter-Office Memo

**To:** Mayor and City Council  
**From:** Fred L. Ramey, Jr., City Manager *FR*  
**CC:**  
**Date:** August 31, 2018  
**Re:** 2019 Woodbooger Geo Trail

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This year will mark the third Woodbooger Geo-Trail event to be held in the Flag Rock Recreation Area. Both previous events were very successful and drew over 100 individuals from as many as 10 states. The event organizers, Rick Watts and Treavor Calhoun, plan to provide City Council with an update on this year's event which is planned for Saturday, September 7th.

Thank You.

**Resolution to Honor and Congratulate the Suthers  
Masonic Lodge #259, Chartered on December 21, 1894, On  
Its 125<sup>th</sup> Anniversary**

**WHEREAS**, the Norton City Council is pleased to recognize the Suthers Masonic Lodge #259, on the occasion of its 125<sup>th</sup> anniversary; and

**WHEREAS**, Suthers Lodge met under dispensation from the Most Worshipful Grand Master of Virginia Masons and continued to meet until December 21, 1894, at which time the Suthers Masonic Lodge #259 received its charter and has since enjoyed 125 years of fraternity, growth, and community service; and

**WHEREAS**, the Lodge met on the 3<sup>rd</sup> floor of the Rohr Building (Lot 7, Block 8), from there they moved to the 3<sup>rd</sup> floor of the C. W. Reese Building on 7<sup>th</sup> Street, before purchasing its current building located on the 900 Block of Park Avenue; and

**WHEREAS**, the Lodge has had a rich history throughout its one hundred years and is proud of its firm and faithful commitment to the principles of masonry by focusing on individual development and growth and living lives of honor, integrity, and service to others; and

**WHEREAS**, over the course of its history, the world has experienced many political, social, racial, and religious conflicts and change, from world wars, to the civil rights struggle, to the technological advances of today, and throughout these times the bonds of friendship, service, and brotherly love have survived among the members of the Suthers Masonic Lodge #259; and

**WHEREAS**, throughout its one hundred twenty-five years, the Suthers Masonic Lodge #259 has embraced diverse beliefs and ideologies, maintaining solidarity among its lodge members and with the worldwide fraternal organization of masons; and

**WHEREAS**, among the lodge's past and present membership there are those who have served our country in the armed services, those who have been leaders and have served the community in their churches, as schools, businesses, local government officials, and good citizens, maintaining an active, contributing presence in the City of Norton and Wise County.

**NOW, THEREFORE, LET IT BE RESOLVED** that the Norton City Council, by this resolution, honor and congratulate the Suthers Masonic Lodge #259, chartered on December 21, 1894, on its 125<sup>th</sup> Anniversary and wish them much success in all the Lodge's future endeavors.

ADOPTED this 6<sup>th</sup> day of August, 2019.

CITY OF NORTON, VIRGINIA

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Joseph Fawbush, Mayor

ATTEST:

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Rebecca K. Coffey, Clerk

Ordinance 2019-\_\_\_\_\_

Being an ordinance dealing with Highland Cemetery

WHEREAS, the City has previously accepted a donation of Highland Cemetery from its original developer, and

WHEREAS, Council deems it advisable to develop rules and regulations governing the use of Highland Cemetery.

NOW, THEREFORE, be it ORDAINED that

1. The City of Norton Code of Ordinances be amended by restating Chapter 26 thereof (previously reserved) to read as follows:

CHAPTER 26 – HIGHLAND CEMETERY

26-1. Authority.

The City may maintain and operate Highland Cemetery.

26-2. Cemetery regulations.

The City Manager may establish or authorize the establishment of rules and regulations for the operation and maintenance of Highland Cemetery. The rules and regulations may address such matters as descriptions of burial spaces and services, burial of indigent persons, and cremation procedures, and any other relevant matters.

26-3. Fees.

The City Council may establish, by resolution, fees for cemetery lots, burial spaces, and services in connection with interments and in connection with the maintenance and operation of Highland Cemetery. The fees shall be as set forth in the schedule of rates and levies adopted by the City Council. Copies of such schedule are on file in the office of the City Manager.

2. This Ordinance shall be effective thirty days from the date of its adoption.

ADOPTED: \_\_\_\_\_, 2019

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MAYOR

ATTEST:

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CITY CLERK

## Ordinance 2019-\_\_\_\_\_

Being an ordinance amending Chapter 20 – Reservoir of the Norton, Virginia Code of Ordinances

WHEREAS, the City reservoir is the main source of potable water for the citizens of Norton and customers of its Water Department, and

WHEREAS, the reservoir is used for fishing purposes as well as the City's primary source of potable water, and

WHEREAS, Council desires to protect the safety and integrity of the reservoir by prohibiting gasoline powered watercraft and liquid petroleum products at the reservoir,

NOW, THEREFORE, be it ORDAINED

1. That Chapter 20 of the City of Norton Code of Ordinances is hereby amended by the addition of Section 20-8 providing as follows:

Sec. 20-8. It shall be unlawful for any person present at the reservoir to possess a gasoline powered engine or watercraft or to possess any liquid petroleum-based products, except in motor vehicles used to transport watercraft to the reservoir.

2. This Ordinance shall be effective thirty days from the date of its adoption.

ADOPTED: August \_\_\_\_, 2019

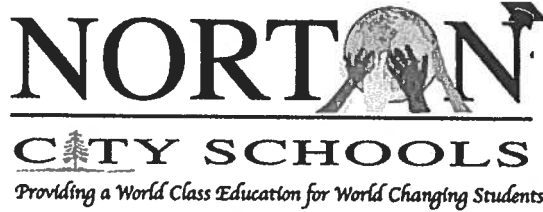
\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

**SCHOOL BOARD**

Sherry Adams, Chairperson  
 Mark Leonard, Vice-Chairperson  
 Carol Caruso  
 April Fletcher  
 Joseph Stallard



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

TO: Jeff Shupe  
 FROM: Jacqueline Brooke  
 SUBJECT: Request for Funds  
  
 DATE: July 8, 2019

**COPY**

Norton City Schools requests a deposit of City Funds in the amount of \$691,415 to cover the General Obligation School Bond, Series 2012 payment.

Principal -	\$560,000
Interest -	<u>\$131,415</u>
Total -	\$691,415

Thank you!