

City Council Meeting Packet



August 20, 2019

AGENDA

Norton City Council

August 20, 2019

6:00 P.M.

1. Roll Call
2. Invocation – Rev. Ken Taylor
3. Pledge of Allegiance
4. Approval of Minutes
 1. Meeting of August 6, 2019
5. Audience for Visitors
6. New Business
 - A. Update from the Norton Youth Sports Foundation.
 - B. Resolution Marking the 125th Anniversary of the Suthers Masonic Lodge #259 that was Chartered on December 21, 1894.
 - C. Update on Possible City Code Modification Related to the Highland Cemetery and Chapter 20 - Reservoirs.
 - D. Request to Hold A Public Hearing Regarding the Use of Rural Development Funding for the Purchase of Emergency Vehicles.
 - E. Confirmation of a Check/Transfer in Excess of \$100,000.
 - F. 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

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, August 6, 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 Pastor Roger Sloce and was followed by the Pledge of Allegiance led by Police Sergeant Greg Mays.

Prior to the meeting, council was presented amended council minutes from the July 16, 2019 meeting. In the city manager's comments, the date of the Woodbooger Geo Cache event was corrected and the High Knob Hellbender and the Woodbooger Festival were added.

Upon a motion by Councilman Mays, seconded by Councilwoman Belcher, 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 July 16, 2019, meeting as amended.

During the Mayor's Call for Visitors, Ms. Delores Bolling, of 639 Hillcrest Drive, S. E., spoke to council about the recent paving of Hillcrest Drive and weed cutting on city right-of-way.

Ms. Bolling said the city paved Hillcrest Drive, but the street was not milled prior to paving so the road is now higher than her driveway causing water issues on her property. She said water runoff has washed away her yard and she wants to know what repairs the city is considering to stop the water. She suggested the city could spread a mix of dirt and gravel and she could work with the soil mixture to reseed and replant her yard. Ms. Bolling noted there used to be a curb located at her property and that she has requested a ditch on the other side of the road to help handle the water. She said there is a ditch at the bottom of Hillcrest Drive on the opposite side of the road but not at the top of street. She said a new ditch at the top of Hillcrest Drive connected to the ditch at the bottom of the street would help alleviate some of the problem. She also asked the city to cut the weeds along the road on Hillcrest Drive.

Mayor Fawbush told Ms. Bolling he was unaware of the water issue she was experiencing at her property but he did drive up Hillcrest Drive and observed the road had been paved.

Ms. Bolling thanked council and asked that the water issue be addressed quickly since her property is on the market.

Council was given an update on last year's Woodbooger GeoTour and on the upcoming 2019 Woodbooger GeoTrail scheduled Saturday, September 7th, by co-event organizer Rick Watts.

Mr. Watts thanked council for their support and said last year's geocache had a total of 190 participants from 15 states, and the geocache located outside council chambers was the preferred cache of participants receiving 1,062 "favorite votes." Mr. Watts noted that last year's event was a geo-tour and organizers decided to change this year's event back to a geo-trail in order to invest the money back into the event. He then showed council the coin made for this year's participants, adding that 225 coins were produced for this year's Woodbooger

GeoTrail. Mr. Watts said the Norton Woodbooger GeoTour was the first geocache in the Commonwealth and then, via a PowerPoint presentation, he showed some of the creative caches put together for the 2019 event. He said geocachers are always complimentary of the area and word is spreading that Norton is geocache friendly.

Council members thanked Mr. Watts for the great work he is doing.

At this time, Councilman Fultz, a teacher in Norton City Schools, had to leave for eighth grade orientation at John I. Burton High School.

Mayor Fawbush requested that Item 6-B, A Resolution Marking the 125th Anniversary of the Suthers Masonic Lodge #259, Chartered on December 21, 1894, be tabled due to the request of the members.

Mr. Ramey advised he was contacted today requesting the item be placed on council's August 20th agenda due to regional members' desire to be present at the meeting.

Council was in consensus to table Item 6-B until the August 20, 2019, meeting.

Included in council's packet for review were two draft ordinances council authorized at the last meeting, which include possible code modifications related to Highland Cemetery and Chapter 20 – Reservoirs.

Mr. Ramey said city attorney William Bradshaw prepared a draft ordinance for Highland Cemetery that basically recognizes that the city owns Highland Cemetery and that the city manager needs to periodically establish certain rules and regulations that relate to the operation and maintenance of the cemetery.

After a brief discussion, Mr. Bradshaw said the ordinance dealing with Highland Cemetery was designed to be as basic as possible and allows for the city manager to establish rules and regulations for operation and maintenance. He said council would establish fees for cemetery lots, burial services, and other services by resolution and the fees would be adopted by council with the schedule of rates and levies.

The second draft ordinance related to amending Chapter 20 – Reservoir of the Norton City Code to prohibit any gasoline powered watercraft or the possession of any liquid petroleum products at the reservoir, except for motor vehicles used to transport watercraft to the reservoir.

Mr. Bradshaw said city code defines the reservoir as not only the body of water, but also the surrounding area, so the code modification includes the acceptance of the use of gasoline powered motor vehicles to transport watercraft to the reservoir area. However, he said once a person is out of his or her vehicle he or she cannot possess any liquid petroleum-based products.

After a brief discussion, it was decided that the city attorney would amend the draft ordinance to add language that ensured a person who is fishing at the reservoir who had liquid petroleum-based products in his or her possession, but does not have the products outside of his or her vehicle or watercraft is not in violation of the ordinance.

Mr. Ramey added he contacted the Department of Game and Inland Fisheries (DGIF) and asked the department to review the draft ordinance. He said DGIF wanted to know if the ordinance would prevent DGIF from using its electro-gasoline fishing boat every couple of years to count fish in the reservoir. Mr. Ramey said he advised DGIF that the ordinance would prevent the department's use of gasoline-powered watercraft on the reservoir.

After a brief discussion, it was the consensus of council to amend the ordinance to allow DGIF and emergency services to use gasoline-powered watercraft in the performance of their duties.

Mr. Ramey told council that there was no hurry on either draft ordinance presented in the council packets. He suggested that the city attorney modify the Chapter 20 – Reservoir ordinance as discussed and place the redraft on council's August 20th agenda for member's consideration. Mr. Ramey said following these modifications both city code modifications related to Highland Cemetery and Chapter 20 – Reservoirs could be advertised for public hearings and considered at the September 3rd meeting.

It was the consensus of council to place the redraft of Chapter 20 – Reservoir on the August 20th agenda for reconsideration and to consider both draft ordinances at the September 3rd meeting after public hearings have been duly advertised.

Also in packets for council consideration was a transfer to Norton City Schools dated July 8, 2019, in the amount of \$691,415 to cover the General Obligation School Bond, Series 2012 payment.

Upon a motion by Councilwoman Belcher, seconded by Councilman Caruso, and passed by the following unanimous roll call vote: YES - Mays, Fawbush, Caruso, Belcher, NO – None, ABSENT – Fultz, council moved to confirm the transfer to Norton City Schools, as stated above.

Upon a motion by Councilwoman Belcher, seconded by Councilman Mays, and passed by the following unanimous roll call vote: YES – Mays, Fawbush, Caruso, and Belcher, NO – None, ABSENT – Fultz, 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.

After meeting with council during a portion of the closed meeting, the city attorney was excused.

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 Mays, seconded by Councilman Caruso, 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 provided members with a copy of a memo and the Auditor of Public Accounts (APA) Study on Fiscal Stress across Virginia.

Mr. Ramey said in 2017 the city received a planning grant to complete a Housing Needs Assessment throughout the city. Recently, the city applied for another planning grant from the Virginia Department of Housing and Community Development that will allow the city to focus on a specific neighborhood for a possible Comprehensive Community Improvement Grant. He said city administration is planning the first community meeting next week in the Kentucky Avenue and Southside Community to discuss interest and qualifications for a possible project and the grant also allows for addressing dilapidated housing.

Mr. Ramey said he provided members with a copy of Norton Senior League Girls Softball Team’s financial report for the team’s recent trip to the State Tournament.

Via a PowerPoint presentation, Mr. Ramey shared photos of the historical marker that was recently refurbished and reinstalled in front of the Chamber of Commerce. He said the project was accomplished with the help of Norris Fabrication, Vic’s Decorating, Adams Body Shop, and the John I. Burton High School Art Teacher Neil Walker.

Mr. Ramey then shared PowerPoint photos of the updated Norton Farmers Market Building. He said the contractor hit a couple of soft spots in the parking lot and a consultant advised to undercut and place fabric in the soft spots that should solidify the areas. He then showed the work that has been done on the cidery and noted that another underground tank was found and had to be removed from the property. Mr. Ramey said this tank made a total of six tanks that were removed from the property, and he showed pictures of the Department of Environmental Quality’s (DEQ) two monitoring wells and a pump to remove petroleum in the ground.

Mr. Ramey placed a copy the latest High Knob and Flag Rock traffic counts on council members’ desks for review.

He provided council with the August Activities flyer and the High Knob Outdoor Festival flyer scheduled for Saturday, August 17th.

Mr. Ramey said the city is having a tax sale next week, and he provided council with copies of the tax map that showed the two parcels being sold.

He handed out a flyer on the unveiling of the restored Coca Cola sign and said the ceremony is scheduled for 1:00 – 2:30 p.m., Tuesday, August 20th.

Mr. Ramey said the Woodbooger Geocache will be held Saturday, September 7th, the High Knob Hellbender and the Woodbooger Festival is scheduled for Saturday, October 5th, and the Cloudsplitter Ultra 100 Trail Race will take place Saturday, October 12th.

There were no comments from council members.

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

CITY OF NORTON, VIRGINIA

Joseph Fawbush, Mayor

ATTEST:

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 20, 2019
Re: Norton Youth Sports Foundation

At our August 20th meeting, Danny Culbertson plans to provide City Council with a brief update on the efforts of the Norton Youth Sports Foundation to replace equipment for the Little League Football Program.

Thank You.

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

WHEREAS, the Norton City Council is pleased to recognize the Suthers Masonic Lodge #259, on the occasion of its 125th 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 3rd floor of the Rohr Building (Lot 7, Block 8), from there they moved to the 3rd floor of the C. W. Reese Building on 7th 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 125th Anniversary and wish them much success in all the Lodge's future endeavors.

ADOPTED this 6th day of August, 2019.

CITY OF NORTON, VIRGINIA

Joseph Fawbush, Mayor

ATTEST:

Rebecca K. Coffey, Clerk

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 this _____ day of September 2019.

MAYOR

ATTEST:

CITY CLERK

**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 and 20-9 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 the designated parking area and access roads within the reservoir.

Sec. 20-9. The foregoing section shall not apply to the emergency services operators or other governmental authorities, including but not limited to the Department of Game and Inland Fisheries.

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

ADOPTED this ____ day of September 2019.

MAYOR


ATTEST:

CITY CLERK

City of Norton



Inter-Office Memo

To: Mayor and City Council
From: Fred L. Ramey, Jr., City Manager 
CC:
Date: August 20, 2019
Re: Use of Rural Development Funding

At our August 20th I would like to discuss a possible public hearing regarding the use of Rural Development funding for the purchase of emergency vehicles.

Thank You.

150651

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CITY OF NORTON
GENERAL OPERATING FUND
 NORTON, VA 24273

THE FIRST BANK & TRUST
 NORTON, VA

124 THOUSAND 731 DOLLARS 52 CENTS

PAY TO THE ORDER OF:

BEAT GOVERNMENTAL FINANCE
 PAYMENT PROCESSING
 P.O. BOX 580060
 CHARLOTTE NC 28258-0060

DATE 7/10/2019 AMOUNT \$124,731.52

[Signature]
 AUTHORIZED SIGNATURE

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