

**City Council
Meeting Packet**



April 7, 2020

AGENDA

Norton City Council

April 7, 2020

6:00 P.M.

1. Roll Call
2. Invocation
3. Pledge of Allegiance
4. Approval of Minutes

1. Meeting of March 17, 2020

5. Audience for Visitors
6. New Business
 - A. COVID-19 Update.
 - B. Resolution Authorizing a Virginia Department of Health – Office of Drinking Water’s Water Supply Assistance Grant Application for the Southside Community Waterline Replacement Project – Phase I.
 - C. Resolution Proclaiming the Week of April 12th – 18th as Local Public Safety – 911 Telecommunicators Week.
 - D. Resolution Declaring the Month of April 2020 as Child Abuse Prevention Month.
 - E. Resolution Declaring the Month of April 2020 as Autism Awareness Month.

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 Wise County/City of Norton Youth Services Board for a Four Year Term, Currently Robert Fultz Whose Term Expires 05/02/20.

To 05/02/24

2. Appointment of a Student Representative to the Wise County/City of Norton Youth Services Board for a Four Year Term, Currently Holden Hunnicutt Whose Term Expires 05/02/20.

To 05/02/24

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, March 17, 2020, at 6:00 p.m., in the Municipal Council Chambers with Mayor Joseph Fawbush presiding.

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

Also Present: Fred L. Ramey, Jr., City Manager

Absent: Councilman Mark Caruso

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

Upon a motion by Councilman Mays, seconded by Councilwoman Belcher, and passed by the following vote: YES – Mays, Fultz, Fawbush, Belcher, NO – None, ABSENT – Caruso, council moved to adopt the minutes of the March 3, 2020, as presented.

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

A public hearing was held to solicit public input on a Proposed Community Development Block Grant (CDBG) Proposal to be submitted to the Virginia Department of Housing and Community Development (DHCD) for the Southside Comprehensive Community Development Project.

The city manager explained that in 2016 the city applied for a housing planning grant from the Virginia Department of Housing and Community Development to conduct an overall housing needs assessment. He said the project reviewed the entire city and identified the Southside Community as a potential project in the future. The city manager stated that in 2019 the LENOWISCO Planning District started working with communities on housing initiatives and approached the city on a potential project. He said that after review of the study recommendations LENOWISCO focused on the Southside area from Route 74 to Lost Creek and found the target area met all the criteria for a housing project. Mr. Ramey said the required planning grant activities have been completed and the city is ready to move forward with the project. The city manager then asked LENOWISCO Senior Planner Frank Kibler to share the specifics of the proposed application.

Senior Planner Frank Kibler provided council with a fact sheet on the city's proposed Community Development Block Grant for the Southside Comprehensive Community Development Project. Mr. Kibler told council DHCD requires two public hearings and this is the second public hearing which completes that requirement. He said the city is applying for \$1,400,000 in CDBG funding for the Southside project for housing rehabilitation and substantial reconstruction, demolition, and street and sidewalk improvements. In addition, the city will also apply for an additional \$100,000 in grant funding for administrative services. Mr. Kibler told council the city is eligible for additional funding through the Virginia Department Health (VDH) in the amount of \$219,589, for water, road, and sidewalk improvements. Mr. Kibler said the city will provide \$63,000 in local funding to assist with park improvements and the demolition of a church building that does not qualify for CDBG funding. He stated the total project is estimated to cost \$1,782,889.

The city manager noted that the \$219,589, through VDH would require a separate application which will be placed on the April 7th agenda for council's authorization.

After answering a few questions from council members, Mayor Fawbush opened the public hearing.

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

Upon a motion by Councilman Fultz, seconded by Councilman Mays, and passed by the following roll call vote: YES – Mays, Fultz, Belcher, Fawbush, NO – None, ABSENT – Caruso, council moved to adopt a Resolution in Support of the Community Development Block Grant Application, and to authorize the city manager to execute and submit all documents related to the Virginia Community Development Block Grant proposal. (Insert)

Council was presented a Resolution of the City of Norton, Virginia, approving the execution of an amended Support Agreement with Southwest Virginia Regional Jail Authority for the issuance of a local bond to use the proceeds to pay the Jail Authority's outstanding balance on Revenue and Refunding Bond, Series 2013, and refinance the Regional Jail.

Mr. Ramey told council that jail authority Executive Director Stephen Clear attending a meeting and would not be in attendance to present the authority's request. So, Mr. Ramey, on behalf of the jail authority, presented their request to refinance the regional jail. He shared with council the formation of the jail authority in 2003 and the various funding requests made by the jail authority since its creation. Mr. Ramey said the jail authority's financial advisor Davenport & Company Inc., believes an interest rate of 2.3 percent will be offered for refinancing, which could create an annual savings through the payoff of \$5,000,000. He told council included in their packet was a resolution and an amended support agreement that the city attorney had reviewed and made some suggested changes. Mr. Ramey told council that all nine counties and the city must agree to approve the jail authority's request or the regional jail cannot be refinanced. He said council's task tonight is to support the jail authority's request to move forward and to authorize the mayor and other required signatories to execute any documents at closing should the remaining nine jurisdictions approve the refinancing. Mr. Ramey said no documents are required to be signed until all jail authority members have approved the refinancing request.

After a brief discussion, and upon a motion by Councilman Mays, seconded by Councilwoman Belcher, and passed by the following roll call vote: YES – Mays, Fultz, Belcher, Fawbush, NO – None, ABSENT – Caruso, council moved to support the jail authority's request to move forward with refinancing, pending the approval of the remaining nine member counties, and to authorize the mayor, the chairman of the regional jail, and the executive director of the Virginia Resources Authority to execute any documents related to the refinancing of the regional jail.

Due to no representation at tonight's meeting by the Southwest Virginia Recreation Authority, Mayor Fawbush asked that Item 7-B be tabled.

In council's packet for review and consideration was a request to enter into a Memorandum of Understanding (MOU) related to a proposed regional grant application to the Assistance to Firefighters Grant Program (AFG) for replacement of aerial platform apparatus.

Due to Fire Chief Todd Lagow being paged for an emergency call, Mr. Ramey shared with council that the city's aerial platform is over 25 years old and is requiring more maintenance. He said recently a federal program became available for replacing equipment with the stipulation that regional participation is required. Mr. Ramey told council the fire departments of Coeburn, Wise, Big Stone Gap, Pound, and Norton have agreed to be participants in the Assistance to Firefighter Grant. He said the grant will provide up to 90

percent of the cost of the platform with the city required to fund approximately \$100,000 of the cost. Mr. Ramey said the grant requires a fiscal agent and the city will be the host agency to fulfill this requirement, to file the grant application for the participating agencies, be responsible for procurement, and to administer the grant, should the application be approved. He said the MOU in council's packet is a draft version and that he placed a revised version at members' desks with City Attorney William Bradshaw's comments. Mr. Ramey said the MOU could receive further modifications from the other agencies, but tonight's request is authorization to enter into this MOU should the other entities agree to participate.

After a brief discussion, and upon a motion by Councilwoman Belcher, seconded by Councilman Mays, and passed by unanimous roll call vote, council moved to authorize the city manager to enter into a Memorandum of Understanding between the City of Norton Fire Department and the following participating agencies; Town of Big Stone Gap Fire Department, Town of Wise Fire Department, Town of Coeburn Fire Department, and the Town of Pound Fire Department.

Council had been presented in their packets with a Memorandum of Understanding (MOU) related to a proposed Regional Grant Application to the Assistance to Firefighters Grant Program for replacement of communication equipment.

Mr. Ramey said this is a regional initiative and the Town of Coeburn is the fiscal agent for this project. The focus of this MOU is to replace communication equipment for each of the participating departments.

Upon a motion by Councilman Mays, seconded by Councilman Fultz, and passed by unanimous roll call vote, council moved to authorize the city manager to enter into a Memorandum of Understanding between the City of Norton Fire Department and the following participating agencies; Town of Big Stone Gap Fire Department, Town of Wise Fire Department, Town of Coeburn Fire Department, and the Town of Pound Fire Department for the purpose of replacing communication equipment at each department, pending approval of the application.

Included in council's packets for consideration was a request for authorization to submit a grant application for a school resource officer (SRO) at John I. Burton High School.

Mr. Ramey said four years ago the city applied for a three-year grant funded SRO position at the high school and been successful. He said it is time to reapply but according to grant guidelines the city may not be eligible for the same grant. Mr. Ramey said the city would like to apply for the SRO position through the same funding agency, but if funding is not available, city administration requests authorization to apply for any available funding to keep the SRO position at John I. Burton High School. Mr. Ramey also noted he had talked with Norton School Superintendent Dr. Gina Wohlford about funding the SRO position at the High School and she indicated that school officials were expecting funding issues. He said Dr. Wohlford said for the upcoming school year, the school system has made plans to fund their portion of the SRO position at the high school with the city paying the remaining portion of the position should the grant application not be awarded.

Upon a motion by Councilwoman Belcher, seconded by Councilman Mays, and passed by the following roll call vote: YES – Mays, Fultz, Belcher, Fawbush, NO – None, ABSENT – Caruso, council moved to authorize the city manager to apply for grant funding to provide a school resource officer at John I. Burton High School.

At this time, Councilman Mays stated he would abstain from any discussion and voting on Agenda Item 7-F, that would renew the funding for a school resource officer at Norton Elementary and Middle School (NEMS).

Council had been presented in their packets with a request from city administration for council to authorize the submission of a grant application to renew the position of the school resource officer (SRO) at Norton Elementary and Middle School (NEMS) for an additional year.

Mr. Ramey said the city is eligible to reapply for a grant that will fund a school resource officer at NEMS. He said it is a possibility that the grant may not be awarded but city administration's plans are to apply for the grant and requests council's authorization to reapply for funding.

After a brief discussion, and upon a motion by Councilwoman Belcher, seconded by Councilman Fultz, and passed by unanimous roll call vote with Councilman Mays abstaining, council moved to authorize the city manager to reapply for a grant that will fund a school resource officer at Norton Elementary and Middle School.

In their packets, council received a request from the Commissioner of the Revenue to refund erroneously assessed 2019 personal property taxes. The refund, in the amount of \$229.40, is due to Hyundai Lease Titling Trust because the Personal Property Tax Relief Act (PPTRA) was not applied.

Upon a motion by Councilman Fultz, seconded by Councilwoman Belcher, and passed by unanimous roll call vote, council moved to approve the refund to Hyundai Lease Titling Trust, P. O. Box 4747, Oak Brook, IL., in the amount of \$229.40.

In comments from the city manager:

Mr. Ramey said he wanted to provide council with a brief update on the issues the city is dealing with in regard to the Coronavirus (COVID-19) outbreak. He said Emergency Management Services Coordinator Todd Lagow is leading the city's efforts and a team is in place to address any issue that may arise from the COVID-19 outbreak. Mr. Ramey said Mr. Lagow is receiving guidance from LENOWISCO Health District and he has held several meetings with key department heads, including the Norton Rescue Squad, regarding the handling of the virus. He said the message the team wanted to send to citizens is that we are up for the challenge and we will get through the health crisis.

Mr. Ramey thanked everyone who attended the official opening of the 11th Street tennis court opening.

Mr. Ramey said he expects the FY19 Audit to be presented to council at the April 7th meeting.

Mr. Ramey said council's workshop is scheduled for Saturday, April 11th. He said the budget is normally presented the second week in April, and that he and Finance Director Jeff Shupe will present a compressed budget at the April 11th workshop to get the budget process back on schedule.

Mr. Ramey said the Norton Business Challenge (NBC) is still being promoted, but as of this time, the city has not received enough applications to move forward with the challenge.

Mr. Ramey said city administration is encouraging staff that are sick to stay home, and travel has been reduced to essential travel. He said department heads have been asked to be stringent with their budgets to save as much as possible in case funds are needed elsewhere.

Mr. Ramey said city administration is very concerned about local businesses and it's unclear what steps may need to be taken in the future due to the current health crisis.

Mr. Ramey said the city opened four bids on the Project Intersection Highwall Removal Project. He said the low bid is in range with the engineer estimate and city administration is in the process of awarding the bid. Mr. Ramey said he expects work to start in the spring.

Mr. Ramey told council he provided members with the latest Retail Sales Tax Report.

The following comments were made by council members:

Councilman Mays told everyone to stay safe.

Councilman Fultz said he appreciates all city employees working through the current health crisis. He said the school system is working through the situation with "Continuity of Education" and noted there are many parts of learning to figure out for students, but the school system is progressing through the various issues.

Councilman Fultz thanked the city manager for his efforts to prepare for the coronavirus and for all the other items he works on as well. He asked the city manager if there is anything council or members can do individually to help with the health situation, to let them know.

Mr. Ramey said some communities are starting to declare emergencies. He said our goal is to keep operating as normal as much as possible. He noted some localities are locking doors and dealing with citizens only by phone. Mr. Ramey said he is wanting to keep offices open as much as possible, but that could change depending upon any confirmed cases of COVID-19 in the area. Mr. Ramey stated it could be in the city's best interest to declare an emergency but that would not happen without informing council. Mr. Ramey said if the city begins to spend significant funds due to the health crisis, declaring an emergency positions the city to possibly recover expended funds. He said if the team decides to declare an emergency council must officially confirm the declaration at the next meeting by resolution.

Mayor Fawbush stated he attended meetings Monday morning regarding the coronavirus health crisis and was on conference calls with the Department of Emergency Management and LENOWISCO Health District officials. He said the situation is constantly evolving and he agrees with the city manager to conduct business as usual and provide services citizens have come to expect until the situation changes. Mayor Fawbush said the city will protect first responders any way possible, and that the city will follow the advice and guidance of the governor of Virginia and the President of the United States. He said this health crisis is a learning experience but the city and its citizens will survive the coronavirus pandemic.

Mayor Fawbush encouraged everyone to check on their neighbors, especially the elderly.

Councilman Fultz added that his church will conduct virtual gatherings since the governor's mandate on meetings with 10 or less.

The city manager informed council that he has placed a hold on all outside governmental boards using council chambers because there are usually more than 10 people attending most meetings. He also noted that if the health crisis worsens it is possible for council to conduct meetings telephonically.

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

CITY OF NORTON, VIRGINIA

Joseph Fawbush, Mayor

ATTEST:

Rebecca K. Coffey, Clerk of Council

**CITY OF NORTON
SOUTHSIDE COMMUNITY WATERLINE REPLACEMENT PROJECT - PHASE I**

**VIRGINIA DEPARTMENT OF HEALTH
WATER SUPPLY ASSISTANCE GRANT FUND**

RESOLUTION

WHEREAS, the City of Norton, wishes to apply for funding from the Virginia Department of Health – Office of Drinking Water’s Water Supply Assistance Grants Program, for its “**Southside Community Waterline Replacement Project - Phase I**”;

WHEREAS, the Virginia Department of Health – Office of Drinking Water has funded projects for the City of Norton and this project meets the Water Supply Assistance Grants Program funding requirements;

WHEREAS, the project costs and additional information supporting the projects needs will be detailed in an application to be submitted on or before April 10, 2020; and,

WHEREAS, the “**Southside Community Waterline Replacement Project - Phase I**” will continue the improvements of the System-Wide Water Improvements Projects, replacing and/or repairing existing lines and appurtenances within the system that are a source of continual leakage/repair and that may not currently meet the requirements of the Virginia Department of Health.

THEREFORE, BE IT RESOLVED that the City of Norton Council hereby votes and agrees to seek funding from the Office of Drinking Water for the project and agree to serve as the legal applicant for this project. Furthermore, the City Manager is hereby authorized to sign and submit any and all appropriate documents on behalf of the City of Norton relevant to this Virginia Department of Health’s Water Supply Assistance Grants Program Application, contingent upon review and concurrence of the City’s attorney.

Motion by: _____ Seconded by: _____

Aye _____ Nay _____ Absent _____

Adopted this the 17th day of March 2020.

Joseph Fawbush, Mayor

Attest:

Fred L. Ramey Jr., City Manager

RESOLUTION

**LOCAL PUBLIC SAFETY – 9-1-1 -
TELECOMMUNICATORS WEEK**

April 12 - 18, 2020

WHEREAS, thousands of dedicated public safety telecommunications personnel daily serve the citizens of the United States by answering their telephone calls for police, fire and emergency medical services and dispatching the appropriate assistance as quickly as possible; and

WHEREAS, the critical functions performed by professional public safety telecommunications personnel directly affect the lives and property of the public and assist in the safety of the police officers, firefighters and paramedics as they respond to the emergency situations; and

WHEREAS, the City of Norton E-911 Center answered 4,780 - 911 calls and 29,425 non-emergency calls in 2019; and

WHEREAS, the President of the United States, Donald J. Trump, has set aside the second full week of April in recognition of those dedicated professional public safety telecommunications personnel and their crucial role in protecting life and property.

NOW, THEREFORE, The Norton City Council does hereby proclaim the week of April 12 - 18, 2019 as “National Public Safety – 9-1-1 - Telecommunicators Week” in the City of Norton in honor and recognition of our public safety telecommunications personnel and the vital contributions they make to the safety of our citizens.

ADOPTED this 7th day of April, 2020.

CITY OF NORTON, VIRGINIA

Joseph Fawbush, Mayor

ATTEST

Rebecca K, Coffey, Clerk

Resolution

WHEREAS, the health and safety of all Virginians is important to the prosperity and well-being of our Commonwealth's families and communities; and

WHEREAS, our children are our most valuable resource and will shape the future of the Commonwealth; and

WHEREAS, child abuse is considered to be one of our nation's most serious public health problems, with scientific studies documenting the link between the abuse and neglect of children and a wide range of medical, emotional, psychological, and behavioral disorders; and

WHEREAS, the majority of child abuse cases stem from situations and conditions that are preventable in an engaged and supportive community; and

WHEREAS, all citizens should contribute to a safe, nurturing environment to support families raising children; and

WHEREAS effective child abuse prevention programs succeed because of partnerships created among families, social services agencies, schools, faith communities, civic organizations, law enforcement agencies, and the business community; and

WHEREAS, we acknowledge that we must work together as a community to increase awareness about child abuse and how we can prevent it, because prevention remains the best defense for our children; and

WHEREAS, displaying a pinwheel during the month of April will serve as a positive reminder that together we can prevent child abuse and neglect and keep children safe;

NOW, THEREFORE, BE IT RESOLVED that the Norton City Council does formally proclaim April 2020 as Child Abuse Prevention Month and call for this observance to the attention of all our citizens in the City of Norton, Virginia.

ADOPTED this 7th day of April, 2020.

CITY OF NORTON, VIRGINIA

Joseph Fawbush, Mayor

ATTEST:

Rebecca K. Coffey, Clerk

Resolution

WHEREAS, autism, the fastest growing developmental disability in the United States, affecting more than three million people, is an urgent public health crisis that demands a national response; and,

WHEREAS, autism is the result of a neurological disorder that affects the normal functioning of the human brain, and can affect anyone, regardless of race, ethnicity, gender, or socioeconomic background; and

WHEREAS, symptoms and characteristics of autism may present themselves in a variety of combinations and can result in significant lifelong impairment of an individual's ability to learn, develop healthy interactive behaviors, and understand verbal as well as nonverbal communication; and

WHEREAS, the effort to address autism continues, doctors, therapists, and educators can help persons with autism overcome or adjust to its challenges and provide early, accurate diagnosis and the resulting appropriate education, intervention, and therapy that are vital to future growth and development; and

WHEREAS, ensuring that persons living with autism have access to the lifelong care and services needed to pursue the full measure of personal happiness and achieve their greatest potential; and

WHEREAS, the City is honored to take part in the annual observance of Autism Awareness Month and World Autism Awareness Day in the hope that it will lead to a better understand of disorder; and

NOW, THEREFORE, BE IT RESOLVED that the Norton City Council does formally proclaim April 2020 as Autism Awareness Month and April 2, 2020 as World Autism Day in the City of Norton to raise awareness of autism and myriad of issues surrounding autism, as well as to increase knowledge of the programs that have been and are being developed to support individuals with autism and their families.

ADOPTED this 7th day of April, 2020.

CITY OF NORTON, VIRGINIA

Joseph Fawbush, Mayor

ATTEST:

Rebecca K. Coffey, Clerk