

The regularly scheduled meeting of the Norton City Council was held on Tuesday, March 2, 2010 at 6:00 p.m. in the Municipal Council Chambers with Mayor William Mays presiding.

Present: Mark Caruso, William Mays, and Terry Roop

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

Absent: Joseph Hunnicutt, Joseph Fawbush, and E. W. Ward

At this time, Mayor Mays amended the agenda to include Item 7-E Closed Meeting to Discuss Personnel as Per Section No. 2.2-3711 (A) (1) of the Code of Virginia, as Amended for Appointments to a Committee to Study School Consolidation with Wise County. 24645

The invocation was given by Father Tim Drake and was followed by the pledge led by Councilman Caruso. 24646

Upon a motion by Councilman Caruso, seconded by Councilman Roop, and passed by unanimous vote, Council moved to adopt the minutes of the February 16, 2010 meeting as presented. 24647

There was no response to the Mayor's call for visitors. 24648

A public hearing was held to consider adoption of An Ordinance of the City Council of the City of Norton, Virginia Enacting A Spot Blight Ordinance for the Municipality as authorized by the Code of Virginia, as amended.

Mr. Ramey advised that this was brought to Council at the February 2nd meeting in the form of a draft ordinance for review. This would give the City an additional tool to use in dealing with the City's estimated fifty (50) dilapidated properties. At this meeting, the City Manager was authorized to advertise a public hearing on this ordinance. The Assistant City Manager advised that the City's Building Official, Mr. Winfred Collins and the City Attorney were present to answer any questions. 24649

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

The City Attorney advised that he has reviewed this ordinance and has no objection to Council's adoption of it. Mr. Collins advised it would be a very good tool to use sparingly.

Mayor Mays opened the public hearing.

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

Following a brief discussion and upon a motion by Councilman Roop, seconded by Councilman Caruso, and passed by the following unanimous roll call vote: YES – Caruso, Fawbush, Mays, NO – None, ABSENT – Hunnicutt, Fawbush, Council moved to adopt An Ordinance of the City Council of the City of Norton, Virginia Enacting A Spot Blight Ordinance for the Municipality. (Insert)

A public hearing was held on an amendment to the Norton City Schools 2009-2010 budget in the amount of \$293,298 for the purpose of re-appropriating the 2008-2009 operating surplus.

Mr. Ramey advised that this item was discussed at Council's last meeting and the City Manager was authorized to advertise a public hearing. The items to be re-appropriated are: Textbooks in the amount of \$142,592; Retirement Incentive Plan in the amount of \$95,369; and the Overage of Norton Elementary School Project in the amount of \$55,337 for a total amount of \$293,298.

24650

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

24651

Mr. Ramey advised that Dr. Comer, Superintendent of the Norton City Schools, Ron McCall, Chairman of the Norton City School Board, and Tim Cassell, a member of the Norton City School Board were present to answer any questions Council may have.

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

24652

Mayor Mays opened the public hearing.

There being no public comments, Mayor Mays closed the public hearing.

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

24653

Councilman Roop advised that he had filed his Declaration/Disclosure of Personal Interest Form as per State Code Section 2.2-3115.G with the Clerk of Council prior to tonight's meeting. He then spoke regarding the stressful economic times and urged Council to support the re-appropriation of the school surplus funds as requested.

Councilman Caruso stated he would gladly vote to re-allocate if he knew what impact the State budget and the Capital Improvement Meeting would have on the City. He stated that he will support the overage of the Norton Elementary School Project and he wholeheartedly supports the Norton City School System.

At this time, Councilman Caruso made a motion to vote on the three items separately. This motion died due to the lack of a second.

24654

Upon a motion by Councilman Roop, seconded by Councilman Hunnicutt, and passed by the following roll call vote: Yes – Hunnicutt, Fawbush, Roop, Mays, NO – None, ABSENT – None, ABSTAIN – Caruso, Council moved to re-appropriate \$293,298 to the Norton City Schools 2009-2010 budget as defined above. Insert (Councilman Roop's Disclosure Form)

Council had been presented with A Resolution Authorizing the Norton City Schools to Establish Separate Bank Accounts for the Textbook and Retirement Incentive Funds.

Following a brief discussion and upon a motion by Councilman Caruso, seconded by Councilman Hunnicutt, and passed by the following unanimous roll call vote: YES – Caruso, Hunnicutt, Fawbush, Roop, Mays, NO – None, ABSENT – None, Council moved to adopt A Resolution Authorizing the Norton City Schools to Establish Separate Bank Accounts for the Textbook and Retirement Incentive Funds. (Insert)

24655

In their packets, Council had been given a copy of A City of Norton System-Wide Water Improvement Project – Phase I – Virginia Department of Health Drinking Water State Revolving Loan and Grant Fund Resolution.

Mr. Ramey advised that the City would like to apply for funding from the Virginia Department of Health’s Drinking Water State Revolving Loan Program for its “System-wide Water Improvements Project – Phase I” in the amount of \$1,016,169.00. This would cover work to be done in the 7th Street North East/Hammer Avenue and Poplar, Hagan, and Craig Street areas of the City. He further advised these funds, if obtained, could be in the form of a loan, grant, or 50% loan-50% grant. If this application request is approved, Council will have the opportunity to accept or decline the ultimate terms of the offer.

24656

Following a brief discussion and upon a motion by Councilman Caruso, seconded by Councilman Fawbush, and passed by the following unanimous vote: YES – Caruso, Hunnicutt, Fawbush, Roop, Mays, NO – None, ABSENT – None, Council moved to adopt a City of Norton System-Wide Water Improvement Project – Phase I Virginia Department of Health Drinking Water State Revolving Loan and Grant Fund Resolution. (Insert)

Council had been presented with A Proclamation Declaring March 8 – 14, 2010 as Multiple Sclerosis Awareness Week.

Mr. Ramey advised that the City was in receipt of a sample Proclamation from David E. McCabe, NMSS Blue Ridge Chapter Advocacy Intern, asking for Council’s action on this.

24657

Upon a motion by Councilman Hunnicutt, seconded by Councilman Fawbush, and passed by unanimous vote, Council moved to adopt A Proclamation Declaring Multiple Sclerosis Awareness Week March 8 – 14, 2010. (Insert)

At this time, Mayor Mays welcomed Drs. Dozier and Shamiyeh to tonight’s meeting.

24658

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

24659

Mayor Mays declared Council in closed meeting.

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

24660

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.

24661

At this time, the City Manager, Mr. Ward, arrived after attending a meeting at Mountain Empire Community College.

24662

The Clerk then read A Resolution of the Certification of Closed Meeting.

Upon a motion by Councilman Hunnicutt, seconded by Councilman Caruso, and passed by the following unanimous vote: YES – Caruso, Hunnicutt, Fawbush, Roop, Mays, NO – None, ABSENT – None, Council moved to adopt A Resolution of the Certification of Closed Meeting. (Insert)

24663

Mayor Mays opened the floor for nominations of appointees to a committee to study school consolidation with Wise County.

Councilman Caruso nominated the City Manager, E. W. Ward, and Councilman Terry Roop to be appointed to this committee.

24664

Upon a motion by Councilman Hunnicutt, seconded by Councilman Fawbush, and passed by the following vote: YES – Caruso, Hunnicutt, Fawbush, Mays, NO – None, ABSENT – None, ABSTAIN – Roop, Council moved that the nominations cease.

Mayor Mays declared E. W. Ward and Terry Roop appointed as the City's appointees to a committee to study school consolidation with Wise County. Mayor Mays also advised that this, in no way, commits the City to consolidating with the County school system. The City has been invited to join in talks with Wise County and the Wise County School System on this topic.

In comments from the Assistant City Manager, Mr. Ramey advised that Council had adopted, during the latter part of 2009, a policy to refund water meter deposits to citizens who meet a certain criteria. To date, 540 citizens have received their refunds and this amounts to \$26,653. He also asked that the press write an article on this so that citizens can be more informed of this policy.

24665

At this time, Dr. Shamiyeh asked to speak to Council. He asked if the tennis courts at the 11th Street Park could be resurfaced prior to tennis season. He advised they are in very bad shape with cracks.

Mr. Ward advised that it would cost approximately \$40,000 to \$60,000 to resurface these courts and they would be out of service for several weeks.

24666

Following a brief discussion, Mr. Ward advised he would keep in touch with Dr. Shamiyeh on this item. Dr. Shamiyeh advised that he may be able to get some private donations for this project.

There were no comments from the City Attorney.

24667

In comments from Council, Mr. Roop advised that the issue of consolidation needs to be treated with caution and the citizens of Norton need to be given ample time to study the facts and pros and cons on this issue. He advised there are two choices to make – consolidation or renovation.

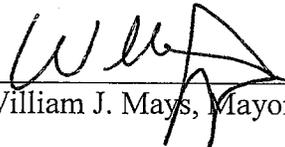
24668

There were no comments from Councilmen Fawbush, Hunnicutt, and Caruso.

Mayor Mays congratulated the J. I. Burton Girls Basketball Team for winning the Region D Championship and advised they will be traveling to Bristol for the State Championship this week-end and stated they were to be commended.

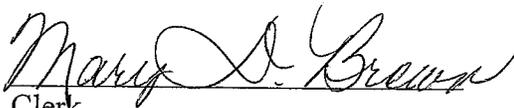
There being no further business to come before the Council, the meeting was adjourned.

CITY OF NORTON, VIRGINIA



William J. Mays, Mayor

ATTEST:



Clerk