

The regularly scheduled meeting of the Norton City Council was held on Tuesday, May 18, 2010 at 6:00 p.m. in the Municipal Council Chambers with Mayor William Mays presiding.

Present: Mark Caruso, Joseph Hunnicutt, William Mays, Joseph Fawbush, and Terry Roop

Also Present: E. W. Ward, City Manager and Bill Bradshaw, City Attorney

The invocation was given by Rev. Ken Taylor and was followed by the pledge of allegiance led by Police Chief Randy Mullins.

Upon a motion by Councilman Caruso, seconded by Councilman Fawbush, and passed by unanimous vote, Council moved to adopt the minutes of the May 4, 2010 meeting as presented.

24726

During the Mayor's call for visitors, Mr. Steve Hawley of Chilhowie and a representative of the Brain Injury Services of Southwest Virginia spoke briefly to Council. He gave a brief history of his agency and asked for Council's continued support in the 2010-2011 budget. Mayor Mays thanked Mr. Hawley for his presentation.

24727

Mr. Lann Malesky, 1113 Virginia Ave., N. W., Executive Director of the Food Bank of Wise County spoke briefly to Council regarding the work this agency does in the City and Wise County. He stated that he had read in the Coalfield Progress that the Food Bank had been eliminated from the City's upcoming budget and he asked Council to please reconsider this. Since relocating to a building in the County, they are now subject to higher City water rates. Mr. Malesky asked Council if the City could give them a lower water rate than the one they are currently paying. He then advised he would be happy to answer questions that Council may have.

24728

After answering questions from Mayor Mays, Mr. Malesky was advised by Councilman Roop and others that his work with this organization is appreciated.

Mr. Denver Cooke, 2328 Mountain Laurel Road in the Laurel Trails Sub-Division, spoke to Council regarding a home that had been recently placed in the sub-division. In his opinion, this home is a double wide trailer, not a modular home, and goes against the covenants of this sub-division. Mayor Mays advised that the City Building Official, City Manager, and City Attorney had researched this home and it is a modular home according to the code of the Commonwealth of Virginia.

Mr. Bradshaw then explained the State Code to Mr. Cooke and the other residents of Laurel Trails and advised that if the home is registered through the State, it must be accepted as is the case on the house in question.

Other residents of Laurel Trails that spoke before Council were Elijah Roop and Paul Clendenin. They were also against the home in question being placed there and inquired if the covenants could be changed to prohibit another one being brought in.

24729

Mr. Stewart McConnell of Freedom Homes, who set the home in question, advised that it was a modular home and advised that they are built to the same standards as stick built homes.

Following a lengthy discussion, the City Attorney advised that the covenants could be changed and different provisions put in place if all property owners in the sub-division agree; however modular homes can continue to be brought into Laurel Trails.

A public hearing was held on An Ordinance Adopting the Budget for the City of Norton, Virginia for the Fiscal Year of July 1, 2010 Thru June 30, 2011 Appropriating Funds for all Contemplated Expenses of the City for the Fiscal Year and Placing Levies Upon All Real Estate, Personal Property and Bank Stock, Licenses, Fees, User Charges, and All Other Levies as Previously Imposed or Modified Herein.

Mr. Ward gave a brief PowerPoint presentation synopsis of the budget which includes no tax, license, or fee increase, no water, sewer, or garbage fee increases, \$244,214 of prior years' reserves are required to balance this budget, no replacement for the Auto Decal Tax Repeal, and state revenues are reduced by \$85,732. He further advised that there is no cost of living raises for City full-time employees, a decrease of \$92,064 in the local appropriation to the Norton City Schools, and capital projects totaling \$379,328.

Council needs only to hold a public hearing to solicit public input and no action is required. The budget ordinance will be considered for adoption at the June 1st meeting.

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

Mayor Mays opened the public hearing.

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

Mayor Mays advised that the budget will be brought back to Council at the June 1, 2010 meeting.

A public hearing was held to amend the 2009-2010 budget of the Norton City Schools in the amount of \$144,750 to appropriate additional state revenues as a result of increased ADM.

The City Manager advised that Dr. Comer, Superintendent of the Norton City Schools, along with two representatives of the School Board, were present. Dr. Comer spoke briefly to Council and presented them with handouts and answered questions from them.

Mayor Mays opened the public hearing.

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

Upon a motion by Councilman Hunnicutt, seconded by Councilman Caruso, and passed by unanimous roll call vote, Council moved to amend the 2009-2010 budget of the Norton City Schools in the amount of \$144,750 to appropriate additional state revenues as a result of increased ADM. (Insert – Councilman Roop's Disclosure Form)

On the matter of school consolidation, Mr. Ward advised that there had been no meetings and no updates. The Wise County School Board will hold a public hearing on May 24, 2010 on the three schools – one site plan.

Councilman Roop stated that he continues to encourage residents to watch the School Board and the Wise County Board of Supervisors' meetings and read the local papers to keep informed.

In their packets, Council had a copy of the 2010-2011 budget of the Norton City Schools. Mr. Ward advised that this budget is based on the ADM of 825 students. The budget totals \$7,365,608 of which \$1,904,546 is from local funds.

Following a brief discussion and upon a motion by Councilman Caruso, seconded by Councilman Hunnicutt, and passed by unanimous roll call vote, Council moved to approve the 2010-2011 budget of the Norton City Schools. (Insert – Councilman Roop’s Disclosure Form)

24732

Council had been presented with A Resolution of the City of Norton, Virginia supporting a grant application by the Southwest Regional Recreation Authority.

Mr. Ward advised that the Authority wishes to apply for \$300,000 from the Virginia Tobacco Indemnification and Community Revitalization Commission and other agencies to fund a Trail Development Implementation Plan for the proposed multi-use trail in Southwestern Virginia which is known as the Spearhead Trails.

Councilman Caruso, who is the Vice Chair of this Authority, advised that the legislature did not provide funding and he hopes that City Council will support the Authority by the adoption of this resolution.

24733

Upon a motion by Councilman Caruso, seconded by Councilman Fawbush, and passed by the following unanimous roll call vote: YES – Caruso, Hunnicutt, Mays, Fawbush, Roop, NO – None, Absent – None, Council moved to adopt A Resolution of the City of Norton, Virginia. (Insert)

In their packets, Council had been presented with A Resolution of the City Council of the City of Norton, Virginia authorizing and directing the City Attorney to take whatever steps he deems reasonable and appropriate to collect delinquent real estate taxes which have been referred to him by the City Treasurer.

Mr. Bradshaw advised that there are 15 parcels involved in this current plan owned by 11 property owners. He then gave Council a timetable for this procedure.

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

24734

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

Mayor Mays declared Council in closed meeting.

24735

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

Mayor Mays declared Council back in open meeting.

24736

The Clerk then 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 Hunnicutt, seconded by Councilman Caruso, and passed by the following unanimous roll call vote: YES – Caruso, Hunnicutt,

24737

Mays, Fawbush, Mays, NO – None, ABSENT – None, Council moved to adopt A Resolution of the Certification of Closed Meeting. (Insert)

Mayor Mays opened the floor for an appointment to the Appalachian Community Action and Development Agency.

Councilman Caruso nominated Ethel Daniels to be appointed to this Agency.

Upon a motion by Councilman Hunnicutt, seconded by Councilman Fawbush, and passed by unanimous vote, Council moved that the nominations cease.

Mayor Mays declared Ethel Daniels appointed to the Appalachian Community Action and Development Agency.

24738

In comments from the City Manager, Mr. Ward advised that:

Council members may have received a Code Red Citizens Alert this week-end. This will soon be made available to the citizens of Norton.

The Business Appreciation Luncheon is scheduled to be held at Mountain Empire Community College on May 20th at 11:30 a.m. He asked that Council members advise him as soon as possible if they will be attending.

He had presented each member of Council with a copy of a letter from Dr. Cantrell of the Wise County Health Department requesting that Council sponsor a rabies clinic on June 12, 2010. Mr. Ward advised that the Health Department handles everything for this activity and he seeks Council's support of this request.

24739

Upon a motion by Councilman Hunnicutt, seconded by Councilman Fawbush, and passed by unanimous vote, Council moved to approve a rabies clinic in the City on June 12, 2010.

247

There were no comments from the City Attorney.

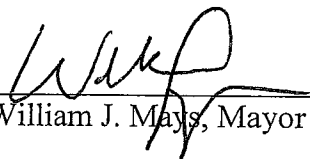
24741

In comments from Council members, Councilman Caruso extended congratulations to the Norton Police Department for their role in the apprehension of two individuals who were wanted in Kentucky for various alleged offenses.

24742

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

CITY OF NORTON, VIRGINIA



William J. Mays, Mayor

ATTEST:



Mary K. Brown, Clerk