

The regularly scheduled meeting of the Norton City Council was held on Tuesday, May 17, 2011 at 6:00 p.m. with Mayor William Mays presiding.

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

Absent: Joseph Hunnicutt

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 Dr. Jeff Comer, Superintendent of Norton City Schools.

Upon a motion by Councilman Caruso, seconded by Councilman Fawbush, and passed by unanimous vote, Council moved to adopt the minutes of the May 3, 2011 meeting as presented. 2506

During the audience for visitors, Mr. Roger Ramey, Director of the Norton City Social Services Department, spoke briefly with Council regarding a state recognition received by his Benefits Program Staff. He advised that they had placed fourth out of 32 agencies in the Benefits Program throughout the state. 2506

At this time, Councilman Hunnicutt took his seat on Council. 2506

He then recognized those employees who comprise this Benefits Program Staff: Sherry Baker, Kelly Willis, Virginia Miller, Rhonda Robbins, Harold Huff, Sherry Smith. These individuals represent 107 combined years of experience. He also recognized two clerks who work closely with this staff, Lisa Vanover and Shelby Short. 2506

Council members extended their congratulations and appreciation to the above employees and thanked them for a job well done.

Mr. Steve Halley, representing Brain Injury Services of Southwest Virginia, was present and spoke briefly to Council thanking them for their appropriation included in the City's 2011-2012 budget. He also introduced Stephanie Williams, the case manager in the Norton Office and passed our pamphlets to Council members regarding the work this agency does. 2507

Dr. Jeff Comer, Superintendent of the Norton City Schools, spoke briefly to Council advising that he would like to applaud Mr. Ward and Mr. Ramey on the presentation made at a meeting this morning with Congressman Morgan Griffith. The presentation was both very impressive and excellent. 2507

Having been in attendance at this meeting, Mayor Mays and Councilman Caruso both agreed with Dr. Comer.

A public hearing was held on An Ordinance Adopting the Budget for the City of Norton, Virginia for the Fiscal Year of July 1, 2011 Thru June 30, 2012 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.

Prior to the public hearing, Mr. Ward presented Council with a brief synopsis, via PowerPoint, on this budget. The budget has been advertised, a work session was held in April, and a discussion was held at Council's last meeting for finalization for a public hearing presentation to solicit public comments.

The General Fund totals \$9,554,541, Water/Sewer Fund \$2,780,090, and Social Services totals \$1,052,222. Included in this budget is an increase in the Meals Tax Rate to 7% from the current rate of 6%. He further advised that this is a balanced budget which contains minimal capital projects. There are no raises for employees; however benefits were kept intact and the Virginia Retirement Systems contributions are being paid by the City. The schools appropriation was increased by \$128,357 for a total contribution of \$2,032,903.

Mr. Ward advised that the In-Town Sewer Rate will increase from 150% to 170%.

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.

Councilman Roop advised that this was a very very tough budget year for the City and Council made difficult decisions such as closing the pool and no raise for City employees.

Mr. Ward advised that no action needs to be taken on this ordinance tonight.

A public hearing was held on an Ordinance of the City Council of the City of Norton, Virginia Amending Article VII. Meals Tax: Section 23-192 of the Norton City Code. This ordinance will authorize the increase of the Meals Tax from 6% to 7%.

Mr. Ward advised that this ordinance needs to be adopted in order to start the process of notification to restaurants.

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.

Upon a motion by Councilman Hunnicutt, seconded by Councilman Fawbush, and passed by the following unanimous roll call vote: YES – Caruso, Hunnicutt, Fawbush, Roop, Mays, NO – None, ABSENT – None, Council moved to adopt An Ordinance of the City Council of the City of Norton, Virginia Amending Article VII. Meals Tax: Section 23-192 of the Norton City Code. (Insert)

The City Attorney advised that this ordinance will take effect in 30 days.

A public hearing was held to solicit public input on a requested budget amendment to the 2010-2011 budget of the Norton City Schools to reflect increased average daily membership (ADM).

At Council's last meeting, Dr. Comer, Superintendent of the Norton City Schools, requested Council to amend their 2010-2011 budget in the amount of \$118,119 that they will receive for increased ADM. At that time, Council authorized a public hearing as this amount was more than one percent of the school system's budget.

Since that time, Dr. Comer has been advised that this amount is higher than anticipated and is now \$125,059 and they are asking if this larger amount can be approved tonight.

The City Attorney advised that the public hearing was advertised for the lesser amount and that will have to be approved tonight. The difference will not require a public hearing but can be approved at the next meeting by Council since it is less than one percent of their total budget.

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

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

Upon a motion by Councilman Hunnicutt, seconded by Councilman Fawbush, and passed by unanimous roll call vote, Council moved to appropriate \$118,119 to the 2010-2011 budget of the Norton City Schools, which reflects additional state revenue as a result of increased ADM.

Council had been presented with the 2011 – 2012 budget of the Norton City Schools. Mr. Ward advised that a public hearing has been held on this at Council's last meeting. The budget totals \$7,514,858 with a total local appropriation from the City in the amount of \$2,032,903.

Dr. Jeff Comer, Superintendent of the Norton City Schools, was present to answer any questions Council may have.

Upon a motion by Councilman Caruso, seconded by Councilman Fawbush, and passed by unanimous roll call vote, Council moved to approve the 2011-2012 budget for the Norton City Schools. (Insert – Councilman Roop's Disclosure Form)

An update on the Upper Norton Reservoir Dam Project was presented by David Dawson of Thompson and Litton. Mr. Dawson advised that the lower reservoir was built in 1929 with a total capacity of 58 million gallons on 8 acres of land. The upper reservoir was built in 1959 with a total capacity of 66 million gallons on 11 acres of land, which is a total acreage of .8 square miles.

Mr. Dawson advised Council that the City's Water Plant Superintendent, Mr. Roberts, and his staff do an excellent job.

Via a PowerPoint presentation, Mr. Dawson advised that the project covers the construction of an auxiliary spillway, which will increase the capacity and also will have the ability to pass the probable maximum flood. This auxiliary spillway will consist of a labyrinth weir with a concrete spillway or chute.

Following a brief discussion, Mr. Dawson advised that Summers Taylor of Elizabethton, Tennessee is the contractor for this project and the construction mobilization began this week. Work will begin shortly and the completion date is approximately October 1, 2011. He also stated he had outstanding support by the City staff.

At this time, Mr. Dawson answered questions from Council.

Mayor Mays advised he appreciated Mr. Dawson's update on this project. Mr. Dawson advised that he appreciates working with the City and their staff.

Mr. Ward advised that Mr. Shane Fields, 6239 Josephine Road of the Lonesome Pine Cycling Club and Chairman of its Trail Building Committee, was present to discuss with Council the possibility of their receiving a Special Use Permit to construct a Mountain Bike Trail in the area around Flag Rock.

By a PowerPoint presentation, Mr. Fields explained to Council how this trail, which will be a beginners trail and named the Sugar Maple Trail, would be constructed and will run from Flag Rock to the hill above it. Once built, they hope to do Phase II, which will be an intermediate trail. They are in hopes of making a full trail system over the next few years. The groundbreaking on this project will be on June 4<sup>th</sup> which is National Trails Day.

Mayor Mays advised he was very excited about this project as did other Council members. The City Attorney advised that he had reviewed the Special Use Permit and has no problem with it. Mr. Ward advised that he supports the issuance of this permit for the first trail. Mr. Ramey, the Assistant City Manager and Michele Knox, Parks and Recreation Director, are also in support of this project.

Also present speaking on this topic was Mr. Andy Mullins, President of the Lonesome Pine Cycling Club.

Upon a motion by Councilman Caruso, seconded by Councilman Fawbush, and passed by unanimous vote, Council moved to approve a Special Use Permit to the Lonesome Pine Cycling Club for the construction of one trail, to be known as the Sugar Maple Trail, in the area as discussed above. This permit will expire on December 31, 2011.

In their packets, Council had A Resolution and Code of Conduct Authorizing Acceptance of a USDA-RD Grant in the amount of \$25,000.

Mr. Ward advised that this grant is for the purchase of a new quick response vehicle in the amount of \$25,000 through state contract with a match of up to \$9,000 for equipment.

Upon a motion by Councilman Fawbush, 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 Governing Body of the City of Norton, Virginia and the Code of Conduct Authorizing Acceptance of a USDA-RD Grant in the amount of \$25,000. (Insert)

Council had a request for the approval of a transfer to the City of Norton Schools in the amount of \$245,930.00 to cover payroll and fringes.

Upon a motion by Councilman Hunnicutt, seconded by Councilman Caruso, and passed by unanimous roll call vote, Council moved to approve a transfer to the Norton City Schools in the amount of \$245,930.00 to cover payroll and fringes. (Insert – Councilman Roop's Disclosure Form)

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.

Upon a motion by Councilman Caruso, seconded by Councilman Hunnicutt, and passed by unanimous vote, Council moved to go into open meeting. 2508

Mayor Mays declared Council back in open meeting.

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 Roop, 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 of the Certification of Closed Meeting. (Insert) 2508

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

He was in receipt of a letter from Denise Ambrose, Associate Director of the Commonwealth of Virginia Department of Housing and Community Development on the final completion of the Josephine Sewer and the Benges Branch Sewer Projects. He then read an excerpt from this letter which stated that: “We wish to thank Fred Ramey and Jeff Shupe of the City, and Zetta Ferguson and Rebecca Crockett of the Lenowisco Planning District for their cooperation and assistance during the Final Compliance Review. All records were in excellent order and expenditure of funds was well documented.” They further advised that this had been a very challenging project and the City Project Team is to be commended for their perseverance and determination to bring public sewer service to this area. 2508

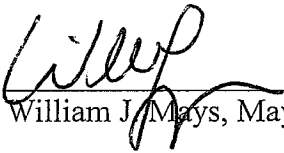
Mr. Ward advised that this project would never had been started without Mr. Ramey and would never have been completed without Mr. Shupe.

In comments from the City Attorney, Mr. Bradshaw advised he had met today with Mr. Ward, Judy Miller, the Commissioner of the Revenue, and the engineers on the more than 80 parcels of land, with 53 property owners, regarding Phase III and IV of the Guest River Sewer Project. The City Manager found, in the City’s safe, a file with some easements obtained 50 years ago and hopefully some will match and eliminate new easements from having to be done. 2508

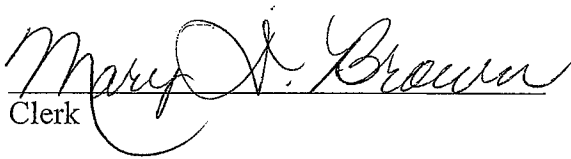
In comments from City Council, Councilman Roop expressed thanks to City staff, City Council, and the Virginia Department of Transportation for the installation of the traffic light at the Hawthorne Intersection. He further stated he is excited about the summer programs that will be offered to the City’s youth and expressed some concern over liability. He stated he hoped that the City’s Parks & Recreation Department will help organize these programs and develop a partnership between the City and the City Schools. 2508

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

CITY OF NORTON, VIRGINIA

  
\_\_\_\_\_  
William J. Mays, Mayor

ATTEST:

  
\_\_\_\_\_  
Clerk