

The regularly scheduled meeting of the Norton City Council was held on Tuesday, January 20, 2009 at 6:00 p.m. 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

At this time, Mayor Mays amended the agenda to include Item 6-F-1 – A Resolution Regarding Proposed Elimination of the Business, Professional, and Occupational License Tax. 22137

The invocation was given by Rev. Ken Taylor and was followed by the pledge of allegiance led by Police Chief Randy Mullins. 22138

Upon a motion by Joseph Hunnicutt, seconded by Joseph Fawbush, and passed by unanimous vote, Council moved to approve the minutes of the January 6, 2009 organizational meeting as presented. 22139

Upon a motion by Joseph Fawbush, seconded by Joseph Hunnicutt, and passed by unanimous vote, Council moved to approve the minutes of the January 6, 2009 meeting as presented. 22140

There was no response to the Mayor's call for visitors. 22141

Mr. Brian Blanton of Thrower, Blanton and Associates presented Council members with a copy of the audit for the City for the year ending June 30, 2008 and gave a brief synopsis. He further advised Council members that, after reviewing this lengthy document, should they have any questions, he would be glad to answer them. 22142  
Mr. Blanton stated that the City's audit earned an unqualified opinion, which is the best rating that can be obtained. He did advise that there were a small amount of compliance issues in the Social Services Department; however, these were listed and are being corrected.

Mayor Mays thanked Mr. Blanton for this presentation.

The City Manager advised that the Planning Commission has been working for some time on the development of zoning text for the City's Recreation and Conservation Zone. This zone primarily encompasses our watershed area including the City's two reservoirs and Flag Rock. Due to the fact that this will be an amendment to the City's Zoning Ordinance, it requires the City and Planning Commission to hold public hearings. The Planning Commission held their public hearing on January 9<sup>th</sup> and approved the proposed zoning language. They have forwarded same to Council and are requesting that they do the same. 22143

Mr. Ward briefly went over the wording on this and discussed permissible and prohibited uses.

Following a brief discussion and upon a consensus by City Council, the City Manager was asked to proceed to advertise a public hearing on the Recreation and Conservation Zone.

Council had been presented in their packets A Resolution of the City Council of the City of Norton, Virginia Expressing Its Opposition to the Governor's Proposed Budget Reductions.

Mr. Ward advised that he was directed by Council at the last meeting to prepare a resolution stating the City's feelings on how the Commonwealth and Governor are handling the financial crisis that is at hand.

Following a brief discussion and upon a motion by Joseph Hunnicutt, seconded by Mark 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 City Council of the City of Norton, Virginia Expressing Its Opposition to the Governor's Proposed Budget Reductions. (Insert)

At the previous Council meeting, the City Manager was asked to research and bring back to Council at tonight's meeting information regarding animal regulations as pertains to cats.

Mr. Ward included in Council's packet information regarding this topic and advised that the City is limited now as to what can be done. He advised that the City can do more and briefly went over the options.

Following a lengthy discussion, it was the consensus of Council to proceed on this issue by requiring a tag to be purchased for cats and advised the City Manager to bring a draft ordinance to the next meeting for their discussion. This ordinance should include the prices for the tags, with a lower price for neutered or spayed cats.

In their packets, Council had a request to adopt A Resolution of the Governing Body of the City of Norton, Virginia and a Code of Conduct as pertains to a grant from Rural Development.

Mr. Ward advised that this grant covers \$25,000 from Rural Development for the purchase of a Quick Response Vehicle. This vehicle will have a radio system and house the various types of equipment that would be needed. This vehicle will be available for use during the day by Public Works or other City employees but will be assigned to the Fire Department.

For this grant, Rural Development requires the City to adopt the above referenced resolution and Code of Conduct. This resolution authorizes the City Manager to execute the Rural Development documents pertaining to this grant.

Upon a motion by Joseph Hunnicutt, seconded by Terry Roop, 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 Governing Body of the City of Norton, Virginia and a Code of Conduct as pertains to this grant from Rural Development. (Insert)

Council had a request for confirmation of a transfer to the Norton City Schools in the amount of \$530,644.62, which covers an expenditure to Quesenberry's on the Norton

Elementary School Project in the amount of \$524,190.62 and \$6,454.00 to Thompson and Litton, Inc.

Upon a motion by Joseph Hunnicutt, seconded by Joseph Fawbush, and passed by unanimous roll call vote, Council moved to approve the transfer of funds to the Norton City Schools in the amount of \$530,644.62 with said funds dispersed as stated above.

24147

Mr. Ward had presented to Council members a copy of A Resolution Regarding Proposed Elimination of the Business, Professional and Occupational License Tax.

He advised that he had been contacted today by the Virginia Municipal League and advised that House Bill 2205 had been introduced and, if adopted, would eliminate the BPOL tax in the Commonwealth. The City, in 2008, had revenue from this tax in the amount of \$826,412. If adopted, copies of this resolution will be sent to our legislators and to the Chairman of the House Finance Committee tomorrow morning.

24148

Upon a motion by Joseph Hunnicutt, seconded by Mark Caruso, 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 Regarding Proposed Elimination of the Business, Professional and Occupational License Tax. (Insert)

Upon a motion by Joseph Fawbush, seconded by Joseph Hunnicutt, 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.

24149

Mayor Mays declared Council in closed meeting.

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

24150

Mayor Mays declared Council back in open meeting.

Councilman Hunnicutt left as Council went into closed meeting.

24151

The Clerk polled each member of Council as to the Certification of Closed Meeting.

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

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

24152

Mayor Mays opened the floor for nominations to the Southwest Virginia Health Authority for a term which will expire December 31, 2009.

Joseph Fawbush nominated Cheryl Roop to this Authority.

24153

Upon a motion by Joseph Fawbush, seconded by Mark Caruso, and passed by the following vote: YES – Caruso, Fawbush, Mays, NO – None, ABSENT – Hunnicutt, ABSTAIN – Roop, Council moved that Cheryl Roop be appointed to the Southwest Virginia Health Authority.

Mayor Mays declared Cheryl Roop appointed to the Southwest Virginia Health Authority for a term which will expire December 31, 2009.

Mayor Mays opened the floor for nominations to the Norton Redevelopment and Housing Authority for a four year term which will expire on January 28, 2013.

Mark Caruso nominated Margaret McAfee to be reappointed to this Authority.

Upon a motion by Joseph Fawbush, seconded by Mark Caruso, and passed by unanimous vote, Council moved that the nominations cease.

Mayor Mays declared Margaret McAfee reappointed to the Norton Redevelopment and Housing Authority for a four year term which will expire on January 28, 2013.

24154

Mayor Mays opened the floor for nominations to the Building Code Board of Appeals for a five year term which will expire on January 17, 2014.

Joseph Fawbush nominated James Boggs to be reappointed to this Board.

Upon a motion by Terry Roop, seconded by Mark Caruso, and passed by unanimous vote, Council moved that the nominations cease.

Mayor Mays declared James Boggs reappointed to the Building Code Board of Appeals for a five year term which will expire on January 17, 2014.

24155

In comments from the City Manager, Mr. Ward advised that he begins jury duty tomorrow morning and may be out of the office during the next three months.

24156

In comments from the City Attorney, Mr. Bradshaw advised that he is in the midst of conducting a Delinquent Tax Sale on seven parcels located in the City.

He further advised Council of the procedure that he needed to follow in order to have this sale in the early spring. Councilman Caruso asked the City Attorney to set the date of the first week in May to conduct this sale.

24157

In comments from the City Council, Councilman Caruso asked the City Manager to extend his thanks to the City workers who have been working so diligently in extremely bad conditions to locate a water leak.

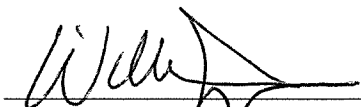
24158

There were no comments from the City Attorney.

24159

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

CITY OF NORTON, VIRGINIA

  
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William J. Mays, Mayor

ATTEST:

  
\_\_\_\_\_, Clerk