

The regularly scheduled meeting of the Norton City Council was held on Tuesday, March 17, 2009 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 Captain James Lane.

Upon a motion by Joseph Hunnicutt, seconded by Mark Caruso, and passed by unanimous vote, Council moved to adopt the minutes of the March 3, 2009 meeting as presented. 2420

There was no response to the Mayor's call for visitors. 2420

Council held a public hearing on the consideration of the financial encumbrances for the year ended June 30, 2008 in the amount of \$614,801 for the General Operating Fund and \$101,771 for the Norton City Schools.

Mr. Ward advised that each of these amounts represents more than one percent of the City and School Board's budgets; therefore a public hearing needs to be held. Council had been supplied with a copy of the encumbrances in their packets. The City Administration asked Council's favorable support of this request and advised that he, Jeff Shupe, and Dr. Brannon were present to answer any questions Council may have.

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

Mayor Mays opened the public hearing. 2420

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

Upon a motion by Joseph Hunnicutt, seconded by Joseph Fawbush, and passed by unanimous roll call vote, Council moved to reappropriate \$614,801 for the City's General Fund and \$101,771 for the Norton City Schools for outstanding encumbrances.

Council had been presented with An Ordinance of the City Council of the City of Norton, Virginia Amending Sections 4-61 thru 4-72 of the Norton City Code as Pertains to Regulations Requiring Cats Within the Confines of the City of Norton, Virginia to be Hereby Licensed and Prescribing a Fee Schedule for Both Cats and Dogs which includes changes made at the previous meeting of March 3rd.

Mr. Ward advised that the major change was in Section 4-68 which takes out the requirement for cats having to wear a collar and the newly added Item C under this code section. 2420

Following a brief discussion and upon a motion by Terry Roop, seconded by Joseph Hunnicutt, 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 Sections 4-61 thru 4-72 of the Norton City Code as Pertains to Regulations Requiring

Cats Within the Confines of the City of Norton, Virginia to Be Hereby Licensed and Prescribing a Fee Schedule for Both Cats and Dogs with additional verbiage added in Section 4-68 Item C to include "or other form" of identification. (Insert)

Mayor Mays advised that he felt this ordinance covers the concerns expressed by the citizens at the previous meeting.

At Council's previous meeting of March 3, 2009, Council had discussed three draft ordinances related to dilapidated properties and spot blight. Council then advised the City Manager, City Building Official, and the City Attorney to work together on these ordinances. In Council's packets was a revised version of these ordinances with changes made following the meeting held by Mr. Ward, Mr. Collins, and the City Attorney.

Mr. Ward advised that the Ordinance of the City Council of the City of Norton, Virginia Amending Sections 5-2 and 5-31; Repealing 5-1 and Adding 5-32 of the City Code reflects changes in the language.

Changes in the Ordinance of the City Council of the City of Norton, Virginia Amending Sections 14-8, 14-9, and Repealing Section 14-10 of the Norton City Code is the same as presented previously with two exceptions. The first exception is the removal of civil penalties and the second was the removal of wording with reference to neglected property and information for the ability of a third person to go on another's property to abate the issue.

Regarding the Spot Blight Ordinance, Mr. Ward advised that he was informed today that the General Assembly has adopted legislation that will become effective July 1, 2009 that deals with spot blight. He is requesting that Council table this proposed ordinance until this new legislation goes into effect.

The City Manager further advised Council that he feels these two ordinances allow the City to have a more aggressive approach with dilapidated property issues and will allow the City to move forward. He further advised that he, the City Attorney, or the Building Official will answer any questions Council may have.

Following a brief discussion and upon a motion by Mark Caruso, seconded by Terry Roop, and passed by unanimous vote, Council authorized the City Manager to move forward to advertise these two ordinances for a public hearing at the April 7th meeting with the addition of a definition of "developed property", per the request of Councilman Roop, in the Ordinance of the City Council of the City of Norton, Virginia Amending Sections 14-8, 14-9, and Repealing Section 14-10 of the Norton City Code. The City Attorney also advised that there were some numbering issues that need to be addressed.

Council had received a request from Dr. Lee Brannon, Superintendent of the Norton City Schools, requesting that a 2007-2008 school year audit surplus of \$30,172 be returned to the schools for deposit in the Textbook Fund. Dr. Brannon presented Council members with a handout regarding the schedule for buying new books.

Following a brief discussion and upon a motion by Terry Roop, seconded by Joseph Fawbush, and passed by unanimous roll call vote, Council moved to approve the return of surplus funds in the amount of \$30,172 to the Norton City Schools to be deposited in the Text Book Fund.

Council had a request to confirm a transfer made payable to the Norton City Schools in the amount of \$200,000 to cover payroll and fringe benefits.

Upon a motion by Joseph Hunnicutt, seconded by Joseph Fawbush, and passed by the following roll call vote: YES – Caruso, Hunnicutt, Fawbush, Mays, NO – None, ABSTAIN – Roop, Council moved to confirm a transfer made payable to the Norton City Schools in the amount of \$200,000 to cover payroll and fringe benefits.

2420

Upon a motion by Joseph Hunnicutt, seconded by Joseph Fawbush, and passed by unanimous roll call vote, Council moved to go into closed meeting to discuss the acquisition of real property as per Section 2.2-3711 (A) (3) of the Code of Virginia, as amended.

2421

Mayor Mays declared Council in closed meeting.

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

2421

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 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 Certification of Closed Meeting. (Insert)

2421

In comments from the City Manager, Mr. Ward advised that Council had been invited, by the Chamber of Commerce, to a grand opening of Juste Music to be held on April 2, 2009 at 11:30 a.m. Juste Music has relocated from East Park Avenue to the newly renovated Witt Motor Company building.

2421

There were no comments from the City Attorney or Council.

2421

At this time, Mayor Mays advised that there were two gentlemen present who missed the Audience for Visitors and wished to speak to Council. Mayor Mays advised them that they may do so. He further advised them that he had discussed this problem with the City Manager prior to tonight's meeting.

Mr. Jerry Bell spoke on behalf of himself and Mr. Fred Necessary, who was also present tonight. He advised that the Norton Police Department has been using wrecker services from outside the corporate limit rather than utilizing wrecker services within the City. Mr. Bell, Mr. Necessary, and Ronald Collins all have wrecker services within the City.

2421

Mayor Mays advised that he felt that City businesses should be utilized first.

Following a brief discussion, the City Manager advised that he would talk to the Police Chief regarding the policy on this and bring information back to Council as to how this system works.

The City Attorney advised that he would research the Procurement Acts and see what information would apply to this situation.

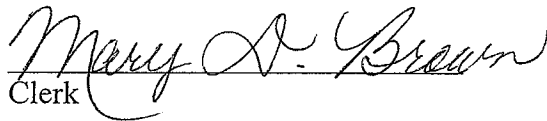
There being no further business to come before the Council, the meeting was adjourned.

CITY OF NORTON, VIRGINIA



William J. Mays Mayor

ATTEST:



Clerk