

The regularly scheduled meeting of the Norton City Council was held on Tuesday, April 7, 2009 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 Father Tim Drake.

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

24221

The pledge of allegiance was led by Councilman Mark Caruso.

Upon a motion by Joseph Hunnicutt, seconded by Joseph Fawbush, and passed by unanimous vote, Council moved to adopt the minutes of the regular meeting of March 17, 2009 as presented.

24222

Upon a motion by Joseph Fawbush, seconded by Joseph Hunnicutt, and passed by unanimous vote, Council moved to adopt the minutes of the special called meeting of March 24, 2009.

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

24223

A public hearing was held on An 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 and on An 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 advised that one public hearing could be held on both ordinances; however, action would have to be taken on each ordinance individually.

Mr. Ward advised that these two ordinances are related and explained the changes in each. These two ordinances have been discussed at the last two council meetings and the City Manager was advised to advertise a public hearing on them.

The first ordinance deals with the Building Maintenance Code and clarifies the correct statute for the City to proceed on building related issues. It brings the City into conformity with state law.

24224

The second ordinance has the nuisance section completely rewritten and gives the City more flexibility on handling issues that have come before Council and the City Administration. Also included in this ordinance is the addition of the definition of "developed property" as requested by Councilman Roop.

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

Mr. Michael Jackson, 200 – 11<sup>th</sup> St., N. E., spoke to Council regarding the passage of these ordinances. He advised he had been before Council many times regarding the

property adjacent to his. He asked that if, by adopting these ordinances, nothing could be done then why adopt them.

Mr. Ward advised this will give the City more flexibility and that there will be a process to go through in order to get something accomplished. Mr. Jackson was advised by the City Attorney that this ordinance will go into effect in thirty days from adoption.

Speaking in support of the adoption of these ordinances were Mr. Blaine Delaney of Black Diamond RC&D and Mr. Michael Godsey of Big Stone Gap who owns rental property in the City limits of Guest River. Mr. Godsey presented Council with pictures of dilapidated property across from his that needs to be torn down. The dilapidated property was apartments that burned down several months ago and nothing has been done to tear the remaining partial structure down.

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

In comments from Council, Councilman Roop stated he felt this was a good step in the right direction.

Upon a motion by Terry Roop, 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 An 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. (Insert)

2422!

Upon a motion by Joseph Fawbush, 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 Section 14-8,14-9, and Repealing Section 14-10 of the Norton City Code. (Insert)

2422!

Both ordinances will go into effect thirty days from the adoption date.

Dr. Terrance Suarez, President of Mountain Empire Community College, was present at tonight's meeting and gave Council an update on activities at the college.

He gave a brief PowerPoint presentation on the socio-economic impact on the college's service region by both a regional and investment analysis. He then answered questions from Council members and thanked them for their continued support.

2422!

Mayor Mays thanked Dr. Suarez for his interesting presentation.

Mr. Roger Ramey, Director of the City of Norton Social Services Department was present tonight to discuss with Council the Comprehensive Services Act (CSA) and to request a budget amendment to the 2008-2009 City Budget.

Mr. Ramey also had several team members of the Community Planning and Management Team present along with Mr. Wayne Herndon, CSA Coordinator.

Assisting Mr. Ramey with a PowerPoint presentation was Glenda Collins. They advised Council that the Comprehensive Services Act (CSA) was passed in 1992 to address the strengths and needs of troubled and at-risk youth and their families within the Commonwealth. They advised Council of the eligibility requirements for state pool funds, the scope of these pool funds, and ages of eligible youths.

Mr. Ramey advised Council that he would like to request additional funding in the amount of \$135,000, of which \$43,929 will be local funds and the remainder will be state funds, to carry them over until the end of this fiscal year. They also request that a

member of Council be selected to serve on the Community Policy and Management Team (CPMT) and to properly budget a CSA local and state share in the 2009-2010 budget.

Following this presentation, Mr. Ramey answered questions from members of Council and gave each member of Council a packet containing information presented tonight.

2422

Upon a motion by Joseph Hunnicutt, seconded by Terry Roop, and passed by unanimous vote, Council authorized the City Manager to advertise a public hearing to cover additional funding to the Department of Social Services in the amount of \$135,000, of which \$43,929 will be local funds, and the remainder will be state funds to carry them over until the end of this fiscal year.

Mr. Ward advised that he will place the appointment to the CPMT on Council's agenda for the April 21<sup>st</sup> meeting.

Mr. Ramey thanked Council for their time and consideration.

Mr. Ward advised that the City had been notified the previous week that it will receive a \$500,000 ARC Grant for the Josephine Sewer Project.

The Josephine/Benges Branch Sewer Project budget totals 2.7 million dollars, which is all grant monies. It is now time to proceed on this project. There are several documents that need to be adopted, among them are two resolutions.

Following a brief discussion and upon a motion by Joseph Hunnicutt, seconded by Joseph Fawbush, 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 City of Norton and A Resolution for Compliance of the City of Norton Sewer Rehabilitation and Extension Project. The adoption of this resolution also covers the adoption of several other required documents. (Inserts)

2422

In their packets, Council had a request to confirm a wire transfer of funds in the amount of \$229,745.87 payable to the Norton City Schools. Of this amount, \$200,385.87 is to cover the Norton Elementary School Renovation/Additions Project expenditures to Quesenberry's, Incorporated and \$29,360.00 to Thompson and Litton, Incorporated.

2423

Upon a motion by Joseph Hunnicutt, seconded by Joseph Fawbush, and passed by unanimous roll call vote, Council moved to confirm a wire transfer of funds totaling \$229,745.87 payable the Norton City Schools.

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

On April 18<sup>th</sup>, two events will be held. The first event is the Big Read, which will be held at the Hotel Norton, and is sponsored by the Lonesome Pine Regional Library. Any Council member wishing to attend should contact him as soon as possible.

The annual Wise County Chamber of Commerce Gala will also be held on this date at The Inn at Norton. The City has purchased a table and tickets are available for Council members and their guests. Please advise him as soon as possible if tickets are needed.

2423:

In Council's informational packet, he has included a list of current projects the City is working or will be working on which totals over 11 million dollars.

On this list, he had listed monies for Phase II of the Benges Branch Sewer Line; however, he has recently found out that these funds, totaling \$1,390,000 from the Department of Environmental Quality, are for Phase II of the Guest River Sewer Line Project. Phase I is already funded and this will allow the City to upgrade the main interceptor from the old Ramsey Sewage Treatment Plant to the vicinity of Daniels Plumbing and Heating toward Rt. 74.

The School Board will be present at the next Council meeting to present their budget. City Council's budget workshop will be held on April 28, 2009. Flag Rock will open on April 15, 2009.

In comments from the City Attorney, Mr. Bradshaw advised that:

Regarding delinquent tax sales, he has received court approval for the sale of seven different parcels due to delinquent real estate taxes. Notices have gone out and the sale will be held at 2:00 p.m. May 2, 2009 at Norton City Hall.

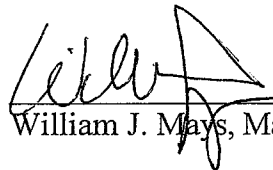
There were three other properties on this list at the last meeting. One has been exonerated as it is a cemetery, the Treasurer has set up an agreement with the property owner to pay the taxes on another, and he has filed suit on the third property.

In comments from Council members, Councilman Caruso asked for a consensus from Council to have the City Manager research and find means for the City to allow fishing at the City's lower reservoir and to have a draft ordinance written or prepare an amendment to the current ordinance.


It was the consensus of Council for Mr. Ward to research this and bring the information back to them for review.

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

CITY OF NORTON, VIRGINIA

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

ATTEST:

  
\_\_\_\_\_  
Clerk