

The regularly scheduled meeting of the Norton City Council was held Tuesday, May 19, 2020, at 6:00 p.m., in the Municipal Council Chambers with Mayor Joseph Fawbush presiding.

Present: William Mays, Robert Fultz, Jr., Joseph Fawbush, Mark Caruso, and Delores Belcher

Also Present: Fred L. Ramey, Jr., City Manager, and Jeffery Shupe, Finance Director

The invocation was given by Councilman and Pastor Robert Fultz and was followed by the Pledge of Allegiance led by School Board Chairman Cody McElroy.

Upon a motion by Councilman Mays, seconded by Councilwoman Belcher, and passed by the following unanimous vote: YES – Mays, Fultz, Caruso, Belcher, Fawbush NO – None, ABSENT – None, council moved to adopt the minutes of the April 21, 2020, meeting as presented.

There was no response to the Mayor's Call for Visitors.

A public hearing was held to receive public input on the purchase of emergency vehicles using a loan/grant package from the United States Department of Agriculture, Rural Development (USDA/RD) for the police department.

Mr. Ramey said the city has applied to USDA/RD in the past for assistance to purchase emergency vehicles and each time the city is required to hold a public hearing for the loan portion of the loan/grant package, and the public hearing had been duly advertised.

Mayor Fawbush opened the public hearing.

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

Upon a motion by Councilman Caruso, seconded by Councilwoman Belcher, and passed by the following unanimous roll call vote: YES – Mays, Fultz, Fawbush, Caruso, Belcher, NO – None, ABSENT – None, council moved to adopt a resolution authorizing the city manager to execute any and all related documents to purchase emergency vehicles for the police department using a loan/grant package from the United States Department of Agriculture, Rural Development. (Insert)

Mr. Cody McElroy, chairman of the Norton City School Board, presented council with the school board's proposed budget for Fiscal Year 2020-2021.

Prior to the chairman's presentation, Dr. Gina Wohlford, superintendent of Norton City Schools, handed a line item budget to council members. Mr. McElroy presented a PowerPoint presentation on the school's FY21 budget highlighting key areas of the financial plan. He said the total budget for FY21 is \$10,398,592, and is based upon an Average Daily Membership (ADM) of 775 students. Mr. McElroy told council the budget included a two percent salary increase for employees, a freeze on large purchases until funding is secured for necessary items due to decrease in sales tax and lottery revenues related to COVID-19, and funding of a school resource officer. He said Norton City Schools is requesting a Local Required Effort (LRE) of \$2,591,588, which is an increase of \$89,756, over last year's budget. Mr. McElroy thanked council members and said the school board appreciates the city for its continued support of Norton City Schools.

After a few brief comments and upon a motion by Councilman Mays, seconded by Councilman Fultz, and passed by unanimous vote, council moved to authorize the city manager to advertise the school's proposed FY20-21 budget.

The next agenda item was discussion of Norton City Schools FY19 Surplus.

Norton School Board Chairman Cody McElroy told council that the school board would like to purchase the old dialysis center for the new school board office. He said the school board is requesting an appropriation from the FY19 audited surplus funds in the amount of \$156,000. Mr. McElroy informed council the purchase price of the building is \$130,000 and that the additional \$26,000 is for building a fire wall and the replacement of the HVAC systems.

It was the consensus of council to authorize the city manager to advertise a public hearing for the June 2nd meeting to reallocate \$156,000 from the FY19 audited surplus funds to the FY20 budget.

Included in council's packet for consideration was Norton City Schools FY19 financial encumbrances in the amount of \$50,963.11.

Norton School Board Chairman Mr. Cody McElroy told council the \$50,963.11, is FY2018-2019 local carryover funds from encumbrances and Norton City Schools is requesting a supplemental appropriation for that amount to the FY20 budget.

Upon a motion by Councilwomen Belcher, seconded by Councilman Mays, and passed by unanimous roll call vote, council moved to adopt Norton City Schools encumbrances in the amount of \$50,963.11.

Council was given an update on Norton City Schools FY20 Fiscal Budget and potential budget amendments.

Cody McElroy Norton City School Board chairman, informed council that the city school system was over its projected Average Daily Membership (ADM) but state funding decreased in the amount of \$6,289, and local revenue decreased \$3,320. He said the Textbook Fund showed an increase in state funding of \$365 and an increase in local funding of \$38. Mr. McElroy told council if the request is approved, the school board would like to apply the net \$3,320 to purchase 2020 senior banners to hang downtown.

Norton City School Superintendent Dr. Gina Wohlford added that the school system may see a reduction in funding this year due to COVID-19, but she will keep council informed as the school's budget changes.

Upon a motion by Councilman Caruso, seconded by Councilwoman Belcher, and passed by the following unanimous roll call vote: YES – Fultz, Mays, Belcher, Caruso, Fawbush, NO – None, ABSENT – None, council moved to reduce the Operations Appropriation to Norton City Schools by \$3,320 and increase the Textbook Fund by \$38, for a net of \$3,282 to be kept by Norton City Schools to purchase banners for the 2020 graduating class.

Councilman Fultz added that Life Touch, the company that does the school's professional photos, has provided the school with JPEG portrait files of 50 John I. Burton High School's seniors, and he is working on gathering photos of the eight remaining seniors. Councilman Fultz said he hopes to have the 58 individual banners printed and hung downtown by June 1st.

The next agenda item was an update on Coronavirus Disease 2019 (COVID-19).

The city manager provided council members with a handout and told them Virginia Governor Ralph Northram issued Phase I of easing certain temporary restrictions. He said

that the Virginia Secretary of Finance Aubrey Layne sent information to cities and counties regarding local allocations for Federal CARES Coronavirus Relief Funds (CRF). Mr. Ramey said the Commonwealth received \$3.1 billion as its share of CRF based upon population and at this time the funds can only be used for direct costs associated with COVID-19. He said the Federal CARES Act does not require the funds to be dispersed, but the state set aside funds for localities. Mr. Ramey said the city's allocation is \$347,327 and the city has to certify that the CRF funds are strictly being used for direct costs of COVID-19, and not to balance the budget. He said city administration would set aside the funds that are not expended for COVID-19 and would be required to return the money to the state should no more expenses arise due to the pandemic. Mr. Ramey said city administration wants authorization to request these funds when they become available June 1st. He said the certification to request the funds is due May 22nd.

After a brief discussion and upon a motion by Councilman Caruso, seconded by Councilwoman Belcher, and passed by unanimous roll call vote, council moved to authorize the city manager and finance director to execute any documents related to the request for the Federal CARES Coronavirus Relief Funds Act.

Mr. Ramey provided council members with a handout and said Delegate Terry Kilgore sent a letter updating localities about COVID-19 Phase I reopening. He also said the Virginia Department of Health (VDH) issued a press release and provided council with a handout from LENOWISCO Health District indicating that COVID-19 testing would be available at various sites in Norton on May 27th. Mr. Ramey informed council that he had spoken with the U.S. Forest Service and they will begin a phased reopening of day-use sites. He said since city hall closure drop box usage has gone extremely well and he hopes citizens will continue to use the box for payments in the future.

Mr. Ramey said the "Norton Strong" Business Loan Pool has processed 50 loans for a total of \$247,500. He said city staff is continuing discussion on opening Flag Rock Recreation Area. Mr. Ramey said the governor gave some guidance last week and that parks and recreation staff are working to sterilize the water and repair a water leak. He said the Norton Friends and Farmers Market is working on a phased opening and the Best Friend Festival (BFF) Committee is working with vendors and volunteers to reschedule a portion of the BFF activities to coincide with the Independence Day Celebration.

In council's packets for consideration was a Special Use Permit to allow parking on city right-of-way.

Mr. Ramey said the city received a request from Meghan Dennehy to park a camper on a paper street located adjacent to her property. Mr. Ramey, via a PowerPoint Presentation, indicated on a map the location of the paper street and Ms. Dennehy's property located at 400 Hagan Avenue, N.W. Mr. Ramey said the street had never been developed and the permit is revocable.

After a lengthy discussion and upon a motion by Councilman Caruso, seconded by Councilman Mays, and passed by unanimous vote, council moved to authorize the city manager to prepare a Special Use Permit to allow Meghan Dennehy to park her camper on city right-of-way.

In their packets, council had a request from Daniel C. Swanson to use the City of Norton's "Woodbooger" Service Mark for the purpose of a fictional story to be entered into the 2020 Golden Nib Contest sponsored by the Virginia Writers Club.

Councilman Caruso advised council members that Mr. Swanson is a local author who resides in Abingdon, Virginia, and he is the same person who wants to bid on building cabins on High Knob and structures on Whitaker Farm.

Upon a motion by Councilman Fultz, seconded by Councilman Mays, and passed by unanimous vote, council moved to approve the request by Daniel C. Swanson to use the city's Service Mark "Woodbooger" for the purpose of writing a fictional story to be entered into the 2020 Golden Nib Contest sponsored by the Virginia Writers Club.

Included in council's packets was a list of encumbrances in the amount of \$72,295 for the year ending June 30, 2019.

Mr. Ramey said at the May 5th meeting the auditor certified the city's encumbrances and the amount is less than one percent of the budget so a public hearing is not required to amend the FY20 Budget.

Upon a motion by Councilman Caruso, seconded by Councilwoman Belcher, and passed by unanimous roll call vote, council moved to amend the FY20 budget in the amount of \$72,295.

A resolution recognizing the city's law enforcement officers was included in council's packet for council's consideration in joining communities across the nation in honoring law enforcement and the vital contributions they make to ensure public safety.

Mr. Ramey said in 2019, Norton Police Department answered 8,424 calls and assisted Norton fire and rescue on 1,425 calls. He noted President Donald Trump proclaimed May 15, 2020, as Peace Officers Memorial Day, and May 10th – May 16th as Police Week. Mr. Ramey said he felt it was important to bring this resolution before council to recognize the city's law enforcement officers and the work they do to keep our citizens safe.

Police Chief James Lane added that last year 135 officers across the country lost their lives in the line of duty. He said he is very proud of the men and women in his department and that he is impressed with the officers' professionalism and their responses to situations.

Councilman Caruso noted that he had recently visited the Wise County Sheriff's Department and the building was first rate. He said the city needs to do something to the city's police department to update employee working conditions.

Upon a motion by Councilman Mays, seconded by Councilman Caruso, and passed by unanimous vote, council moved to adopt the resolution recognizing the city's law enforcement officers and the vital contributions they make to ensure our safety. (Insert)

Included in packets for council consideration was a check to the City of Norton General Operating Fund, dated May 1, 2020, in the amount of \$109,189.79.

Upon a motion by Councilman Caruso, seconded by Councilwoman Belcher, and passed by unanimous roll call vote, council moved to confirm the check to the City of Norton General Operating Fund, as stated above.

Upon a motion by Councilman Fultz, seconded by Councilman Mays, and passed by the following roll call vote: YES – Mays, Fultz, Fawbush, Caruso, and Belcher, NO – None, ABSENT – None, council moved to go into closed meeting for Personnel as per Section 2.2-3711 (A) (1) of the Code of Virginia, as amended.

Mayor Fawbush declared council in closed meeting.

Upon a motion by Councilman Caruso, seconded by Councilman Mays, and passed by unanimous vote, council moved to go back into open meeting.

Mayor Fawbush declared council back in open meeting.

The clerk 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 Caruso, seconded by Councilwoman Belcher, and passed by unanimous vote, council moved to adopt A Resolution of the Certification of Closed Meeting. (Insert)

Mayor Fawbush opened the floor for two nominations to the Norton Industrial Development Authority for four-year terms to expire May 10, 2024.

Councilman Caruso nominated Byron Cantrell and Bryan Lewis to be reappointed to the Norton Industrial Development Authority.

Upon a motion by Councilman Mays, seconded by Councilman Fultz, and passed by unanimous vote, council moved that the nominations cease.

Mayor Fawbush declared Byron Cantrell and Bryan Lewis to be reappointed to the Norton Industrial Development Authority for four-year terms to expire May 10, 2024.

In comments from the city manager:

Mr. Ramey said the Route 74 paving project funded by the Virginia Department of Transportation (VDOT) has been completed.

Mr. Ramey said he had a pre-construction meeting last week for the Abandoned Mine Land Highwall Removal Project.

Mr. Ramey said Mark Leonard, Ballad Health vice president and CEO for Wise and Dickenson Counties is expected to be at the June 2nd meeting.

Mr. Ramey said the contractor for the VDOT Pedestrian Safety Action Plan (PSAP) has started mobilizing to begin work on Park Avenue.

Mr. Ramey told council he provided members with copies of the latest traffic counts for High Knob and Flag Rock Recreation Area.

Mr. Ramey reminded members of council's workshop scheduled at 8:00 a.m., Saturday, May 23rd.

Mr. Ramey distributed to each council member a Fire Department Challenge Coin provided by Fire Chief Todd Lagow.

The following comments were made by council members:

Councilman Fultz noted that Life Touch Photography has provided the senior photos to use on the banners downtown, and the school system did not have to purchase the rights to use the photos.

Councilman Fultz said he felt our area was somewhat insulated economically from the impacts of the pandemic because most people have been able to continue working. He said there were some retail businesses and restaurants impacted by the closure of "non-essential" businesses, but it could have been worse for our area.

Councilwoman Belcher said she is thankful that the city has not had many cases of COVID-19. She said the city has been fortunate and she thanked the city's first responders and police officers.

Councilman Mays echoed Councilwomen Belcher's comments.

Councilman Caruso asked the city manager if he had any information from the engineer on the Ridge Avenue wall.

Mr. Ramey advised he would provide the information at the workshop on Saturday.

Councilman Caruso said a citizen told him she is very disgruntled with Comcast and asked if the city could get another provider.

Mr. Ramey said the city could ask for other franchises to bid.

Mayor Fawbush suggested contacting the State Corporation Commission.

Councilman Caruso asked for an updated dilapidated housing listing.

Councilman Caruso said Mr. Ramey has been working a couple of weeks to get an answer from Dr. Sue Cantrell of the LENOWISCO Health District about the number of active COVID-19 cases in the City of Norton and Wise County. Councilman Caruso said as Mr. Ramey can attest, he did not receive an answer. Councilman Caruso said he obtained the information from another source and there are no active cases in the City of Norton and Wise County has five active cases with three cases in the hospital and two at home. Councilman Caruso said when council makes decisions this information is needed when discussing reopening the city and city hall. He said he is displeased with LENOWISCO Health District's lack of transparency and cooperation with elected leaders who have to make decisions.

Councilman Caruso noted he is glad to see foul keepers in the city.

Councilman Caruso said the governor has disregarded many first amendment protections, such as attending church, assembly, association, and protests that he is not authorized by the Virginia Constitution or the United States Constitution to place upon residents of the state. Councilman Caruso said he is proud of the city encouraging business owners to keep working and business owners getting themselves back to work. He told members he was proud of council for their efforts to help Norton businesses during this pandemic.

Mayor Fawbush stated he agreed with Councilman Caruso's comments regarding some of the decisions made by the governor.

Mayor Fawbush stated council will have a workshop at 8:00 a.m., Saturday, May 23rd.

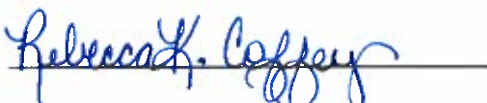
There being no further business to come before council, Mayor Fawbush declared the meeting adjourned.

CITY OF NORTON, VIRGINIA



Joseph Fawbush, Mayor

ATTEST:



Rebecca K. Coffey, Clerk of Council