

City Council Meeting Packet



March 2, 2021

AGENDA

Norton City Council

March 2, 2021

6:00 P.M.

1. Roll Call
2. Invocation
3. Pledge of Allegiance
4. Approval of Minutes
 1. Meeting of February 16, 2021
5. Special Presentation
6. Audience for Visitors
7. New Business
 - A. Request for Special Use Permit from Lincoln Road Coffee House.
 - B. Overview of the 2020 Parks and Recreation Events and Activities.
 - C. Request for Authorization to Submit a Grant Application to Renew the School Resource Officer at Norton Elementary & Middle School.
 - D. COVID-19 and CARES Act Funding Updates.
 - E. Update on the 2021 Norton Business Challenge.
 - F. Confirmation of a Check/Transfer in Excess of \$100,000.

G. Closed Meeting for Personnel as Per Section 2.2-3711 (A) (1) of the Code of Virginia as Amended.

- 1. Appointment to the Norton Rescue Squad Board of Directors for a One Year Term; Currently Delores “Dee” Belcher and William Mays Whose Terms Expires 2/1/2021.**

To 2/1/2022

- 2. Appointment to the Building Code Board of Appeals for a Five-Year Term; Currently Andy Belcher Whose Term Expires 2/18/2021.**

To 2/18/2026

- 3. Appointment to Fill the Vacancy on City Council.**

8. Comments by the City Manager, City Attorney, and City Council.

9. Adjournment.

The regularly scheduled meeting of the Norton City Council was held Tuesday, February 16, 2021, at 6:00 p.m., in the Municipal Council Chambers with Mayor Joseph Fawbush presiding.

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

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

The invocation was given by Councilman Robert Fultz and was followed by the Pledge of Allegiance led by Police Chief James Lane.

At this time, Mayor Fawbush asked council to consider amending the agenda to include under Item 6-I-4 discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcements has been made of the business or industry's interest in locating or expanding its facilities in the community per Section 2.2-3711 (A) (5), as amended.

It was the consensus of council to amend the agenda to include under Item 6-I-4 Code Section 2.2-3711 (A) (5), as stated above.

Prior to Agenda Item 4, Approval of the February 2, 2021, minutes, Mayor Fawbush noted that City Clerk Rebecca Coffey was not in attendance due to illness.

Upon a motion by Councilman Caruso, seconded by Councilman Fultz, and passed by the following vote: YES – Fultz, Mays, Caruso, Fawbush, NO – None, ABSENT – None, council moved to adopt the minutes of February 2, 2021, as presented.

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

The city manager provided council with a copy of the Norton 2021 Community Calendar of Events/Activities and said that the Norton's Special Projects Coordinator Katie Dunn was present to provide an update on this year's calendar.

Ms. Dunn presented a summary of last year's events noting that the city only held 24 events in 2020 due to the Coronavirus pandemic. She said the activities consisted of 446 participants which were mainly from the larger race events. Ms. Dunn said due to COVID-19 the city provided more digital content in 2020 by offering Outdoor Chats, Trash to Treasure workshops, and highlights of various trails in the High Knob region.

Next Ms. Dunn presented the 2021 Community Calendar and said it included all the running and bike races, guided hikes, and festivals but mentioned that some of the events may be modified for 2021 depending upon the state of COVID-19 at the time of the event.

Mr. Ramey noted that the electronic version of the calendar is on the city's webpage for downloading or printing a current copy. He then showed council a video of one of the digital trail guides that was made available during the COVID-19 pandemic to keep people engaged. Mr. Ramey stated that Ms. Dunn applied for a grant through the Virginia Tourism Corporation (VTC) and the city was awarded a \$20,000 grant for several upcoming projects and he showed a new mountain biking video that will be released this spring.

Mayor Fawbush commented that the videos have the two-fold affect by attracting visitors to the trails and allowing those who cannot walk the trails to experience them.

Next on council's agenda was an update on the activities of the Pro-Art Association.

Pro-Art Association Executive Director Michael McNulty provided an update on 2020 activities noting that in March the association had to stop live productions due to the COVID-19 pandemic. He said later in the year two events were held that incorporated social distancing and those events were filled to capacity. Mr. McNulty said Pro-Art also presented virtual performances that attracted 3,000 viewers. He said in the spring Pro-Art will provide a science program incorporating the five senses using juggling and magic for area elementary schools and the association hopes to conduct live performances in the summer, resuming a regular schedule in the fall. Mr. McNulty asked council to apply for The Virginia Commission for the Arts Community Creative Partnership Matching Grant and to continue level funding for the Pro-Art Association for the upcoming budget year.

After a brief discussion, Mayor Fawbush thanked Mr. McNulty for the update.

Mayor Fawbush said included in council packets for consideration is a request from Pro-Art Association asking council to consider applying for The Virginia Commission for the Arts 2021-2022 Local Government Challenge Grant in the amount of \$5,000. He stated that council intends to apply for state matching funds during the city's budget process and that council will consider Pro-Art's request at that time.

In their packets, council received a request from Benchmark Gunsmithing LLC, for a Revocable Special Use Permit allowing use of the city's firing range.

Mr. Ramey said the owner of Benchmark Gunsmithing LLC, Scott Beverly of Wise, has inquired about utilizing the city's firing range to fulfill the live fire portion of the National Rifle Association of America (NRA) Certified Basic Pistol Training. He said Mr. Beverly provided a letter and various paperwork with his request and the information was included in council packets for review. Mr. Ramey said he and Norton Police Chief James Lane have discussed the request with Mr. Beverly and that Mr. Beverly has visited the gun range with Chief Lane.

Mr. Beverly introduced himself and shared his background and purpose for the firearm training classes with council. He then provided council with the basic policy and procedures that he follows and has discussed with Mr. Ramey, and he stated that he will provide council with a monthly range use report. Mr. Beverly thanked council for consideration of his request for a Special Use Permit to use the city's firing range.

Following a lengthy discussion and upon a motion by Councilman Caruso, seconded by Councilman Mays, and passed by unanimous vote, council moved to approve the request and to authorize the city manager to prepare a Revocable Special Use Permit for Benchmark Gunsmithing LLC, to use the city's firing range at the discretion of the city manager.

Mr. Ramey noted that he would incorporate wording from Mr. Beverly's paperwork in the Special use Permit so that any requested changes would require council's approval.

In council's packets for consideration was a request from Natural Resource Services, LLC, of 5409 Industrial Park Road for a one-inch commercial water tap. Mr. Ramey said Natural Resource Services, LLC, is requesting a second tap at the former Halliburton site. He said the city's Water and Transmission Department (T&D) has verified water is available at this location and the request is outside city limits which requires council's approval.

Upon a motion by Councilman Mays, seconded by Councilman Caruso, and passed by unanimous vote, council moved to confirm the installation of one outside one-inch commercial water tap for Natural Resource Services, LLC, of 5409 Industrial Park Road for up to one year from the date of approval.

In council packets for discussion was a Memorandum of Understanding (MOU) to establish an Equitable and Competitive Data Center Equipment Tax Rate and Depreciation Schedule to be implemented within the Lonesome Pine Regional Industrial Facilities Authority (RIFA) region.

The city manager said the MOU is a regional project between RIFA member localities (Wise, Scott, Lee, and Dickenson counties, and the City of Norton) and the Commissioners of Revenue of these member localities. He stated that RIFA has decided to focus on recruiting data centers to the region because the centers huge data equipment investments are taxable. The city manager told council that most data centers are located in Northern Virginia but there is an effort to move some of these facilities to rural areas that have access to data, broad band, dual power, and other required services. He said a study was conducted to determine how our area could become more marketable to data centers and the report concluded that one regional equipment tax rate and the endorsement by each member localities' Commissioner of the Revenue to adopt the valuation and depreciation schedule set forth by RIFA would make the region more competitive collectively. The city manager said the MOU sets the valuation at \$0.24 per \$100 of assessed value and that commissioners agree to utilize and the adopted depreciation schedule for all property that meets the definition of a data center. He then provided council with copies of the Virginia State Code that governs data centers taxation and said Norton Commissioner of Revenue Judy Miller has reviewed the MOU, valuation, and depreciation schedule and is in agreement to use the tax rate and depreciation schedule established in the MOU. The city manager stated that if council enters into the MOU a new tax classification would be created during the budget process but no current businesses in the city would fall under the new tax rate classification. He mentioned that Virginia Polytechnic Institute and State University and other colleges are conducting research on using underground mine water to cool the data center equipment which would save these facilities on electrical costs. The city manager said if the research is proven effective, our region may be positioned to receive several data centers.

After a brief discussion and upon a motion by Councilman Caruso, seconded by Councilman Fultz, and passed by unanimous vote, council moved to adopt the Memorandum of Understanding to establish an Equitable and Competitive Data Center Equipment Tax Rate and Depreciation Schedule to be implemented within the Lonesome Pine Regional Industrial Facilities Authority region, as presented.

The next agenda item was an update on COVID-19 and the Coronavirus Aid, Relief, and Economic Security Act (CARES Act).

Via a PowerPoint presentation, the city manager provided council with the total number of COVID-19 cases in Norton and he noted that the total number of cases in the city continues to decrease, as well as the number of daily cases. The city manager reported that Wise County's numbers still indicate a bending of the curve but not as much as the city's. He stated that the Commonwealth had distributed over 1.6 million vaccines with 972,493 vaccines administered statewide. The city manager advised that 293 Norton citizens have been fully vaccinated and 1,229 have received one dose of the vaccine, and that 1,339 have been fully vaccinated in Wise County with 7,159 having received one dose of the vaccine.

The city manager reported no changes in the CARES Act funding since the last meeting and that the city has received another drawdown from the LENOWISCO Small Business Recovery Assistance Program. He said the city received 33 applications for round two of CARES funding under the Municipal Utility Relief Program and the applications are currently under review by the city's finance department.

Mr. Ramey provided an update on the 2021 Norton Business Challenge.

Mr. Ramey gave council a copy of a brochure and application for this year's business competition and said that city administration is marketing the challenge on the city's social media accounts. He said once the number of participants has been determined, class dates and location will be finalized for the competition. He said the Norton Industrial Development Authority provided a monetary match for the state grant and that businesses must be located in the downtown revitalization area.

After a brief discussion, Mayor Fawbush said he is looking forward to another successful Norton Business Challenge.

Also included in packets for council consideration was a transfer to Norton City Schools, dated December 11, 2020, in the amount of \$250,000 to cover December 18, 2020, payroll expenditures.

Upon a motion by Councilman Mays, seconded by Councilman Caruso, and passed by the following unanimous roll call vote: YES – Fultz, Mays, Caruso, and Fawbush, NO – None, ABSENT - None, council moved to confirm the transfer to Norton City Schools, as stated above.

Upon a motion by Councilman Caruso, seconded by Councilman Fultz, and passed by the following roll call vote: YES – Fultz, Mays, Caruso, and Fawbush, 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, and Section 2.2-3711 (A) (5) of the Code of Virginia for discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcements have been made of the business or industry's interest in locating or expanding its facilities in the community, 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 city manager polled each member of council as to the Certification of Closed Meeting with each answering yes. Mr. Ramey then read a Resolution of the Certification of Closed Meeting.

Upon a motion by Councilman Mays, seconded by Councilman Caruso, and passed by unanimous vote, council moved to adopt A Resolution of the Certification of Closed Meeting. (Insert)

In comments from the city manager:

Mr. Ramey handed out council with a copy of the governor's official announcement on the awarding of the city's \$1.5 million Southside Comprehensive Community Development Block Grant Application award.

He also provided council with a copy of the press release on the Wi-Fi Project partnership between the city and Norton City Schools.

The city manager said after following council authorization for city administration to explore refinancing a portion of the city's Enterprise debt, city administration submitted an application to the Virginia Resources Authority and will update council at the March 2nd meeting.

Mr. Ramey distributed the Virginia Department of Wildlife Resources (formally known as the Virginia Department of Game and Inland Fisheries) Virginia Wildlife Viewing Plan that provides the agency's 10-year plan to engage and support wildlife viewers. He then referred council to page 100 that noted the city's Green Salamander Sanctuary on High Knob.

The city manager said Cloudsplitter Organizer Susan Howell informed him that 53 runners have registered for this year's Cloudsplitter Ultra 100 Trail Race.

He provided council with the latest Retail Sales Report.

Mr. Ramey asked council to review their calendars and email him available dates so a workshop can be scheduled in early March.

The following comments were made by council members:

Councilman Fultz told city manager he was available any date in early March.

He said he noticed the fire department went out on several early calls this week and he is thankful and appreciative for the city's first responders.

Councilman Mays echoed Councilman Fultz's comments on the city's first responders.

Councilman Caruso said he toured the rescue squad's new emergency vehicle and stated that it is an excellent piece of equipment and will be an asset for the community. He thanked the city's fire, rescue and police departments for their service to the citizens of Norton.

Mayor Fawbush thanked Katie Dunn, Shelly Knox, Rebecca Iozzi, and others who produce videos, brochures, and other materials to promote various city events.

He told council that the city will need to prioritize items for this year's budget and that council had done a good job the past several years tackling this responsibility.

Mayor Fawbush said to listen to WLSD Radio, Wednesday, February 17th, at 8:30 a.m., on Wednesday for the Mayor's Report.

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



Inter-Office Memo

To: Mayor and City Council
From: Fred L. Ramey, Jr., City Manager *FR*
CC:
Date: February 26, 2021
Re: Special Use Permit

A representative of Lincoln Road Coffee House in Downtown Norton will attend the City Council meeting to request Council's consideration of a Special Use Permit request to use City property.

Thank You.



Inter-Office Memo


To: Mayor and City Council
From: Fred L. Ramey, Jr., City Manager *FR*
CC:
Date: February 26, 2021
Re: 2020 Parks and Recreation Activities

The City's Parks and Recreation Director, Michele Knox, will be at the City Council meeting to provide an overview of the 2020 Parks and Recreation Events and Activities.

Thank You.



Inter-Office Memo

To: Mayor and City Council
From: Fred L. Ramey, Jr., City Manager 
CC:
Date: February 26, 2021
Re: SRO Grant Application – Norton Elementary & Middle School

The City of Norton is eligible to reapply for a grant that will fund a School Resource Officer at Norton Elementary & Middle School for an additional year. The City Administration plans to provide City Council with a brief update of this program and request authorization to reapply for funding.

Thank You.



Inter-Office Memo

To: Mayor and City Council
From: Fred L. Ramey, Jr., City Manager *FR*
CC:
Date: February 26, 2021
Re: CARES Act Funding

Earlier this year, the Commonwealth of Virginia shared a portion of the \$3.1 billion funds that it received from the Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 with counties and cities across the Commonwealth. At this meeting, I plan to share an update on recent use of the CARES funds and the City Administration's plans moving forward. In addition, I plan to provide an update on recent COVID-19 trends.

Thank You.

NORTON BUSINESS CHALLENGE

Plant your flag in
NORTON

Sponsored by Virginia
Department of Housing and
Community Development's
Business Launch Program &
Norton Industrial
Development Authority

DOWNTOWN NORTON IS OPEN FOR BUSINESS!

The City of Norton is hosting a Business Challenge.

The Norton Business Challenge will offer a business training series targeting new entrepreneurial ventures and existing businesses looking to expand in Downtown Norton.

Over \$50,000 in Business Investment Awards Available!

APPLY NOW: www.nortonva.gov/challenge



PLANT YOUR FLAG IN NORTON: BUSINESS CHALLENGE APPLICATION

Primary Applicant Information		
Full Name:		
Business Name:		
Phone:	Email:	
Address:		
City:	State:	Zip:
Please Check All That Apply: <input type="checkbox"/> Not Currently A Business <input type="checkbox"/> Existing Business with Storefront <input type="checkbox"/> Home Based Business <input type="checkbox"/> I plan to compete for the prize money <input type="checkbox"/> I don't plan to compete for the prize money. I am interested in the education and networking opportunity.		
Existing Business Location: <input type="checkbox"/> Inside Norton City Limits <input type="checkbox"/> Outside Norton City Limits <input type="checkbox"/> N/A		

Additional Co-Applicants?		
Full Name:		
Phone:	Email:	
Address:		
City:	State:	Zip:

Additional Co-Applicants?		
Full Name:		
Phone:	Email:	
Address:		
City:	State:	Zip:

Applications **MUST** be submitted by March 1, 2021. See below for submission details.

Completed applications can be emailed to nortonbc@nortonva.gov, or mailed to Norton Business Challenge at P.O. Box 618 or dropped by City Hall located at 618 Virginia Avenue NW, Norton, VA 24273.



BUSINESS CHALLENGE TIMELINE

An applicant of the business must attend **ALL** sessions.

Class 1: TBD	Intro to Business Plan & SBDC Services
Class 2: TBD	Understanding Credit & Managing a Business
Class 3: TBD	Professional Panel – Attorney, Insurance, CPA, Local Ordinances & Taxes
Class 4: TBD	Financing a Business and Panel of Local Bankers and Funders
Class 5: TBD	Intro to Marketing and Social Media
Class 6: TBD	Pitch Night & Business Plans Due

Identify the category that most closely describes your business or business idea. *(Mark all that apply)*

Outdoor Recreation – Emphasis on products or offerings that promote, showcase, or make use of natural assets and outdoor opportunities.

Restaurants & Hospitality – Emphasis on services that provide meals, lodging, or other guest services that enhance the visitor and/or tourist experience, including brewery or brewpub.

Specialty Retail – Emphasis on businesses that provide unique offerings.

Arts & Culture – Emphasis on products that value handmade, authentic, and distinctive characteristics of the Southwest Virginia culture.

Value Added Agriculture/Agritourism – Emphasis on products or offerings that use raw indigenous materials and, through production, create a product that has a substantially higher value. This could include agritourism or a brewery.

Technology/Advanced Manufacturing – Emphasis on industries that use advanced technology to improve their products or services or for research and development.

Light Manufacturing – Emphasis on businesses employing 25 or less that process, fabricate, assemble, or disassemble that take place wholly within an enclosed building.

Support services for the above.

I am interested in attending the business workshops to learn and currently have no specific business idea.

Tell us more about your existing business or business idea:

By checking this box, I understand that I may/may not be selected to compete for prize money in the Norton Business Challenge. If I am not chosen to compete for prize money, I understand I may still attend classes which offers training and networking opportunities. If selected to compete for prize money, I will be on time and attend **all** scheduled trainings and events and participate as an engaged member of the group in order to be eligible to win awards. If my business or business idea is selected as an award winner, once I establish an eligible business in Downtown Norton, I will use the funds for qualified business expenses.

Signature: -----

Date: -----

COPY

155825

INV. DATE	INVOICE#	S/L ACCT. #	GROSS AMOUNT	DISC. AMOUNT	NET AMOUNT
12/18/2020	STM 12/18	40-010-81000-5604131.250.00		.00	131,250.00

12/18/2020	496	155825	131,250.00	.00	131,250.00
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CITY OF NORTON		155825	
GENERAL OPERATING FUND		68-446514	
NORTON, VA 24273		155825 10	
FIRST BANK & TRUST COMPANY		AMOUNT	
131 THOUSAND 250 DOLLARS 00 CENTS		\$*131250.00	
PAY TO THE ORDER OF:		DATE	
N. I. D. A.		12/18/2020	
		AUTHORIZED SIGNATURE	
		<i>[Signature]</i>	

Security Features Included

Details on Back