

The regularly scheduled meeting of the Norton City Council was held Tuesday, May 18, 2021, at 6:00 p.m., in the Municipal Council Chambers with Mayor Joseph Fawbush presiding.

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

Also Present: Fred L. Ramey, Jr., City Manager and Interim City Clerk

Prior to the start of the council meeting, Mayor Joseph Fawbush provided the following comments pertaining to the May 5, 2021, shooting of Norton Police Chief James Lane:

“On Friday, May 5th, there was a heinous and malicious attempt to take the life of Chief Lane as he responded to a shoplifting call. This dark day should not and will not define Chief Lane or our community. Chief Lane and his fellow officers rushed into harm’s way because it was the right thing to do. They will be known for their courage and dedication to this community, and this community is so fortunate and incredibly proud to have them serving. Also on that day, our emergency dispatchers, first responders, both career and volunteer, emergency room nurses, emergency room physicians and emergency air medical teams were joined by other first responders from Wise County and surrounding towns that quickly and professionally provided aid to Chief Lane.

This city council believes that our community will be defined as a community that is blessed with and deeply values all of our first responders and emergency services team members that proudly work together as Team Norton. This city council is thankful for Chief Lane and truly inspired by the faith and strength that has been shown by him and his family. On this and every other day, we offer prayers and thankfulness for our emergency responders and for the healing of Chief Lane so that he will be able to return to his position soon.”

The mayor also expressed gratitude for the many acts of kindness and support that have been shown to Chief Lane and the Norton community.

He then requested that his comments pertaining to this incident be entered in the minutes of the May 18, 2021, council meeting for the record. It was the consensus of council to do so.

The invocation was given by Councilman Robert Fultz, and was followed by the Pledge of Allegiance led by Councilman Mays.

Upon a motion by Councilman Mays, seconded by Councilwoman Davis, and passed by the following unanimous vote: YES – Fultz, Mays, Davis, Caruso, Fawbush, NO – None, ABSENT – None, ABSTAIN – None, council moved to adopt the minutes of the May 4, 2021, meeting as presented.

During the Mayor’s Call for Visitors, the city manager made a request on behalf of someone who had asked to speak to council by phone. The mayor granted the city manager’s request. At that time, Chief Lane was on the phone addressing council and council members greeted the chief with applause and verbal expressions of joy.

Chief Lane expressed his heartfelt appreciation to council, city administration and departments, citizens of Norton and everyone who has done so much for him and his family, as well as his family in blue. He wanted everyone to know that their thoughts and prayers have been felt and have helped and continue to carry him through his recovery - and that he is coming back

better and stronger than ever. He thanked council, shared his love for them and asked for blessings for council and their families.

Councilman Caruso said Chief Lane's courage is inspiring and he looks forward to having Chief Lane back in council chambers.

Mayor Fawbush said it was great hearing from Chief Lane.

Chief Lane said not to worry he would be back and noted that the outpouring of love and prayers has definitely made a difference in his life.

The mayor extended the Call for Visitors to anyone else wanting to address council and no one responded.

The first agenda item was a public hearing to solicit input on a Community Development Block Grant (CDBG) Proposal to be submitted to the Virginia Department of Housing and Community Development (VDHCD) for continuation of the LENOWISCO Regional Small Business Recovery Assistance Project.

The city manager said this is the second time council has gone through this submission process, and via a PowerPoint presentation, explained the proposal is for an additional \$600,000 to supplement an initial \$1,600,00 joint allocation to Lee, Scott and Wise Counties, as well as the City of Norton. He said the funding is being sought to help small businesses meet their long-term business goals while adjusting to COVID-19 demands, in accordance with state guidelines.

He said the initial allocation enabled the four localities to award grant funding to more than 150 businesses, and the proposed additional funding of \$600,000 is expected to serve a minimum of 40 small businesses in the LENOWISCO district. The city manager explained that the maximum benefit to any individual business is \$15,000 and to qualify for this assistance businesses must be locally or regionally owned with 20 or fewer employees, have been impacted by COVID-19, have not already received federal Coronavirus Aid, Relief and Economic Security (CARES) Act of 2020 assistance, and provide local or regional services. He said these services include: tourism, accommodations, restaurants/food service, professional, cultural and education, arts, recreation, retail, nonprofit/social services, health practitioners and personal care.

Mr. Ramey said this additional allocation is anticipated to concentrate on rent/mortgage reimbursements with businesses eligible for up to six months of rent/mortgage. He also noted that the public hearing was duly advertised.

The mayor asked if this round is similar to the first round and requires documentation and receipts related to COVID-19.

The city manager said yes and explained that the process is intensive. Mr. Ramey said the \$1.6 million has truly helped small businesses in the region, adding that funding dedicated to small businesses is rare. He pointed out that the funding has definitely benefited small businesses. He said the \$600,000 in additional funding is not guaranteed, but he feels the possibility of funding is good.

The mayor then opened the public hearing to solicit input on the CDBG proposal to be submitted to VDHCD for continuation of the LENOWISCO Regional Small Business Recovery Assistance Project.

Receiving no public comments on the CDBG grant proposal, the mayor closed the public hearing and asked for comments from council.

The mayor said he has talked to business owners who didn't apply for the first round of funding and they said they are going to apply this time.

The city manager said the \$1.6 million in funding was originally broken down by jurisdiction and Norton and Wise County used their allocations, but Scott County and Lee County did not.

He said the unused funds were then reopened to businesses in Lee, Scott and Wise Counties and the City of Norton. He said if there were any Norton applications that were not funded the first round, it would have been because they didn't meet the threshold, but he isn't aware of any.

It was the consensus of council to proceed with the CDBG application to VDHCD for \$600,000 in additional funding for the continuation of the LENOWISCO Regional Small Business Recovery Assistance Project.

Under new business, the city manager presented the city's FY 2021-2022 Budget, via PowerPoint, and provided an overview of revenue and expenditures for the current fiscal year. He said retail sales revenues are trending positive by eight percent and meals tax, which typically is trending upward, is trending level to budget. The city manager explained that meals tax revenue is actually trending at a four percent loss when compared to FY 2020 actual revenues, because of restaurants being at half capacity for the first six months of 2021 due to COVID-19 mandates.

Mr. Ramey said business license revenue has decreased for FY2021, as have transient occupancy taxes, which have decreased by \$75,000. He said if there is one group that has suffered the most, it has to be hotels. He said COVID-19 impact on the revenue forecast is still unknown and there has been delay in solid information concerning American Rescue Plan funding.

The city manager said the recommended budget includes no revenue enhancements and the use of \$220,000 in surplus funds to balance the budget. There are no proposed rate increases and no changes to the Water Improvement Fee structure or sewer percentages in the Enterprise Fund. He said the city is seeing a reduction in commercial water usage due to the impact of COVID-19. The city's proposed General Operating Fund budget is \$10,510,921, which is an increase of \$465,397. The budget includes an increase in salaries and fringe benefits, a five percent increase for state-supported positions, a four percent Cost of Living Adjustment (COLA) increase for non-state-supported positions, and a one percent rate decrease for the city's insurance plan. The proposed Enterprise Fund budget totals \$3,376,923, which reflects an increase of \$36,441, while the FY 2022 Social Services Operating Fund totals \$1,570,467, which is an increase in state funding of \$139,971. The Norton Social Services Operating Fund also has a local appropriation decrease of \$2,527.

Councilwoman Davis asked if the four percent COLA increase for non-state-supported positions could be increased by one percent to five percent. Mr. Ramey advised that the COLA increase for non-state-supported employees from four to five percent needs to be determined prior to budget advertisement.

The mayor said people who have worked through COVID-19 rather than draw unemployment deserve the cost-of-living increase. He also questioned whether employees would want the increase spread over 12 months or all in December.

The city manager noted that the city's allocation to the Regional Jail Authority was projected to be higher during the budget process and the actual amount is \$74,859 less than what was expected.

Councilman Caruso added that there was a significant positive change in the budget and if council had seen that positive outlook at the budget workshop council would have probably agreed on the five percent increase for non-state-supported employees at that time.

The consensus of council was to increase the COLA increase from four to five percent for the city's non-state-supported positions.

Mr. Ramey said council still has flexibility to change the budget if revenues change. He asked if there were any other changes that needed to be made to the budget and reminded council

members that council has to formally establish, based on a Memorandum of Understanding with Lonesome Pine Regional Industrial Facilities Authority entered into in February 2021, a data center equipment tax of \$0.24 cents per \$100 of assessed value. He said this doesn't impact the current budget, but could in the future if a data center locates in the region. The city manager said he needs to consult with City Attorney William Bradshaw concerning how this needs to be done for budget advertising purposes.

The city manager reviewed the budget schedule for June and requested council's permission to advertise a public hearing on the proposed FY 2021-2022 Budget.

It was the consensus of council to authorize the city manager to advertise a public hearing to receive input on the proposed Fiscal Year 2021-2022 Budget with the one percent change, as stated above, with the understanding that the amount of surplus funds will be increased in order to balance the budget.

Councilman Caruso asked the city manager if he had received a document from the Commissioner of Revenue requesting to refurbish the Commissioner of Revenue office, specifically for two desks and a new floor/carpet.

City Finance Director Jeff Shupe said what was submitted was presented to council at the budget work session.

The mayor said he thought this had been discussed and what the Commissioner's office really needs is space for separation of different clients.

The city manager said both the Treasurer's office and Commissioner of Revenue's office need new carpet, but there isn't a place to move them while the work is being done.

Councilman Mays expressed his appreciation to the city manager and finance director for their hard work putting together the budget.

Included in packets for council consideration was Norton City Schools FY 2021-2022 Budget totaling \$11,405,710.63. A public hearing was held during the May 4, 2021, council meeting to solicit input on the proposed school budget. Mr. Ramey said the \$11,405,710.63 budget is based on a projected average daily membership (ADM) of 785 students. He said the required local effort (RLE) by the city is \$2,736,879, of which \$1,998,419 is operational funding, \$715,597 is Debt Service, and \$22,863 is Textbook Fund. He said this local funding is an increase of \$145,291 over last year's budget.

Upon a motion by Councilman Mays, seconded by Councilman Caruso, and passed by unanimous roll call vote, council moved to adopt the FY 2021-2022 Norton City Schools Budget in the amount of \$11,405,710.63, of which \$2,736,879 is the local appropriation by the city. The local funding increased by \$145,291 compared to last year and consists of \$1,998,419 in operational funding, \$715,597 for Debt Service, and \$22,863 for the Textbook Fund.

Councilman Mays made a few comments concerning Norton City Schools prior to council's adoption of the budget. He said he has always been extremely proud of the city school system and the students. He said he has noticed that moral is up and the school board and school administration have a great deal to do with that because they took on a challenge last fall which not very many school systems were willing to do by staying open during COVID-19. He noted that the school system has been a leader in the Commonwealth for the last year or so and his pride in the school system has grown stronger.

Following the adoption of the school budget, Mayor Fawbush thanked Norton City Schools Superintendent Gina Wohlford for the hard work the school system has done on the budget.

Dr. Wohlford invited council to attend John I. Burton High School's graduation ceremony at 5 p.m., Friday, May 21, 2021, at Lawson-Fitchko Stadium. She attributed part of the school system's success to the relationships and the partnerships the school system has formed the past

two years. She said if she hadn't had local support in what the school system has done and endeavors to do it would have been much more difficult.

The city manager said the John I. Burton High School Class of 2021 banners should be delivered May 19 or 20 and would be displayed downtown as quickly as possible. He noted that there were more graduates this year so the banner display will extend from J. T. Caruso Little League Field to First Bank & Trust. He said the banners should be displayed for about a month.

A Resolution Adopting the 2021 Update to the LENOWISCO Hazard Mitigation Plan was included in council packets for council consideration. Mr. Ramey presented a brief history of the plan and asked if council had any questions

Upon a motion by Councilman Caruso, seconded by Councilwoman Davis, and passed by unanimous vote, council moved to adopt A Resolution Adopting the 2021 Update to the LENOWISCO Hazard Mitigation Plan. The mayor declared the resolution adopted as presented.

Next on the agenda was the city manager's COVID-19 update. The city manager provided an update on COVID-19 and the Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 as of May 14, 2021.

Via a PowerPoint presentation, Mr. Ramey reported three new COVID-19 cases in the city, for a total of 286 cases and no additional deaths. He said Wise County had an increase of 159 new COVID-19 cases for a total of 3,198 cases with two additional deaths reported.

Mr. Ramey then provided a vaccine update as of May 14, 2021, He said 1,195 Norton residents had been fully vaccinated, 9,975 Wise Countians had been fully immunized, and 4,079,656 Virginians had received full inoculation.

He said Norton ranks second in Southwest Virginia for the number of people (40.9%) who have received one vaccination, ranking behind Washington County (41.6%), according to vaccination statistics reported in the May 14, 2021, Bristol Herald Courier.

Mr. Ramey reported that the city has received an update on CARES Act funding. He said city administration received an email from the Commonwealth of Virginia Office of the Comptroller in reference to Subrecipient Monitoring Review of the \$694,654 in finding that the city received last year. He said city administration has been asked to submit specific information and a conference call has been scheduled for June 22 to meet with the Virginia Department of Accounts analysts who will assist the city with the monitoring effort.

The city manager said the 2021 CARES Act funding the city was supposed to receive by May 11, 2021, was not received and the city had to register online and complete some paperwork in order to receive the funding. He said a May 5, 2021, Bristol Herald Courier article reports Norton is to receive \$773,263 and Wise County \$7.26 million, but the actual amount the city is to receive is still unknown at this time.

City Finance Director Jeff Shupe said the finance department is still trying to allocate the Municipal Utility Relief Program grant funding and must spend the first round of funding before the city can be considered for additional funding. He said the city still has \$17,000 or \$18,000 in utility relief funding to spend and changes to the program are expected by June 1, 2021. Mr. Shupe said once the first funding is spent, the city will request additional funding.

In packets for council consideration was a request from Jovich Papuckoski of 410 Woodland Terrace for a water tap for a residential garden at 6404 West Norton Road. Mr. Ramey said the request is outside city limits and must be approved by city council. He said the city's Water and Transmission Department (T&D) has checked for the availability of water at this site and water is available at this location.

Upon a motion by Councilman Mays, seconded by Councilwoman Davis, and passed by unanimous vote, council moved to confirm the installation of one outside 5/8" water tap for Jovich Papuckoski at 6404 West Norton Road, with the stipulation that the water tap is good for one year from the date of approval by council.

Included in packets for council consideration was a check to Norton Industrial Development Authority (NIDA), dated April 1, 2021, in the amount of \$131,409.96 for transferal of Coronavirus Aid, Relief and Economic Security Act funding.

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

Upon a motion by Councilman Caruso, seconded by Councilman Fultz, and passed by the following roll call vote: YES – Fultz, Davis, 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 Mays, seconded by Councilwoman Davis, 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 Caruso, seconded by Councilman Mays, and passed by unanimous vote, council moved to adopt A Resolution of the Certification of Closed Meeting. (Insert)

The mayor opened the floor for nominations to the Wise County/City of Norton Youth Services Board for a four-year term to expire May 2 2025.

Councilman Mays nominated Renee Robinson to be reappointed to a four-year term to expire May 4, 2025.

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

The mayor declared Renee Robinson reappointed to the Wise County/City of Norton Youth Services Board for a four-year term to expire May 4, 2025.

Mayor Fawbush opened the floor for nominations to the Kids Central (Head Start) Board for a three-year term to expire May 31, 2024.

Councilman Caruso nominated Scott Addison to be reappointed to the Kids Central (Head Start) Board for a three-year term to expire May 31, 2024.

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

The mayor declared Scott Addison reappointed to the Kids Central (Head Start) Board for a three-year term to expire May 31, 2024.

The consensus of council was to allow the mayor to appoint the city representative to the Chief Local Elected Officials (CLEO) Consortium of the Southwest Virginia Workforce Development Board. Mayor Fawbush appointed Councilwoman Sarah Davis as the city's representative on the CLEO Consortium of the Southwest Virginia Workforce Development Board. He then thanked Councilwoman Davis for serving.

Mayor Fawbush opened the floor for nominations to the Southwest Virginia Regional Recycling and Solid Waste Working Group.

Councilman Fultz nominated Stephen McElroy to be appointed to the Southwest Virginia Regional Recycling and Solid Waste Working Group.

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

The mayor declared Stephen McElroy appointed to the Southwest Virginia Regional Recycling and Solid Waste Working Group.

In comments from the city manager:

The city manager reported the city had a significant water leak May 18 on Bear Creek Road at the intersection with US58 impacting four houses. City crews have located the leak and are in the process of making repairs.

The following comments were made by council members:

Councilwoman Davis said it was wonderful to hear Chief Lane's voice and how impressed she is with the city's emergency responders and police. She said she and her family are keeping Chief Lane and everyone involved in the incident in their thoughts and prayers.

Councilman Fultz said it isn't unusual for city council to receive positive comments concerning the city's emergency responders. He said he doesn't think he can say enough about how fortunate the city is to have these first responders and to have plans set in place for when emergencies occur. He said he appreciates all the first responder groups do for the city. The councilman added that it is an honor to have James Lane as Norton's police chief and he is proud to have him serve the city and citizens of Norton. He said Chief Lane brings a great balance to his role as police chief because he serves with integrity in regard to the law and with kindness in regard to people. He said he looks forward to Chief Lane's recovery and return.

Councilman Mays said he is proud of two gentlemen attending the council meeting - his son, Norton Police Sergeant Greg Mays, and City Manager Fred Ramey, who have gone above and beyond what they have had to do. He said he is also proud of Finance Director Jeff Shupe and his assistance with dispatch communication.

Councilman Caruso noted that last week was National Police Week and he wanted to recognize the honor and valor it takes for officers to run toward gunfire. He thanked all police officers who do this on a daily basis.

The mayor said he agrees with comments by Councilman Mays and added that he is so proud of the city manager because he took care of the Chief Lanes' family following the shooting, making sure they had a place to stay and were fed while the police chief was in the hospital. He said city administration takes care of its employees from the minute they are hired all the way through. He said that is something the city can be extremely proud of, and the city pulls together when it needs to do so. Mayor Fawbush said it is a privilege to serve in the City of Norton

because he believes the citizens care. He said he is proud to be a citizen of Norton, proud to be representing the citizens of Norton, proud of the things going on, and proud to offer the employees the raise they deserve.

He also thanked City Code Official and Building Administrator Winfred Collins and city administration for helping Lee County with inspections for the new Lee County Hospital.

The city manager noted that Mr. Collins has assisted Lee and Wise counties as a building official while those counties have been short staffed due to medical reasons.

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

CITY OF NORTON, VIRGINIA



Joseph Fawbush, Mayor

ATTEST:



Fred Ramey, Jr., Interim Clerk of Council