

The regularly scheduled meeting of the Norton City Council was held Tuesday, August 3, 2021, at 6:00 p.m., in the Municipal Council Chambers with Mayor Joseph Fawbush presiding.

Present: Sarah Davis, Joseph Fawbush, and William Mays

Absent: Mark Caruso and Robert Fultz, Jr.

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

The invocation was given by former Mayor Robert Raines, and the Pledge of Allegiance was led by Norton City Police Department First Sergeant Greg Mays.

Mayor Fawbush said council members were presented corrected minutes of the July 20, 2021, council meeting at tonight's meeting. The updated minutes included the omission of 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 announcement has been made of the business's or industry's interest in locating or expanding its facilities in the community, from the Closed Meeting portion of the minutes. The item was not discussed during the Closed Meeting.

Upon a motion by Councilwoman Davis, seconded by Councilman Mays, and passed by the following vote: YES – Mays, Davis, Fawbush, NO – None, ABSENT – Caruso and Fultz, council moved to adopt the minutes of the July 20, 2021, meeting, as amended.

The mayor said council was also given corrected minutes of the June 1 and June 15, 2021, council meetings at tonight's meeting, with the same omission of Section 2.2 – 3711 (A) (5) of the Code of Virginia, as this code section was not discussed during the Closed Meeting sessions of either council meeting.

Upon a motion by Councilman Mays, seconded by Councilwoman Davis, and passed by the following vote: YES – Mays, Davis, Fawbush, NO – None, ABSENT – Caruso and Fultz, council moved to adopt the minutes of the June 1 and June 15, 2021, meetings, as amended.

During the Mayor's Call for Visitors, Dalton Emershaw of 501 Oak Avenue, Norton, Virginia, informed council that he has heard that timber clear-cutting on what he referred to as the "Chestnut Flats" section of High Knob is supposed to take place. He voiced his concern about how this will impact the environment and the tourism/recreation endeavors the city has done and asked council to do whatever is possible to prevent this from happening.

The mayor thanked him for bringing this matter to the attention of council.

The city manager said the scope Mr. Emershaw is talking about is probably a couple thousand acres owned by Knob Development Corporation and some of that property from Hoot Owl Hollow up to the right side of the Flag Rock entrance is within the city.

Councilwoman Davis asked if there are any permits the property owner has to acquire from the city.

The city manager said he doesn't think so, but he will contact the property owner and see what is being planned.

The first new business item before council was a request to install a historical marker to commemorate the 1951 Little League All-Stars Baseball Team for being the first integrated team in Western Virginia. Via a PowerPoint presentation, the city manager provided a brief history of

the 1951 team and why installation of a historical marker in commemoration of the team is important.

Mr. Ramey said the request is to purchase and install a two-sided marker, similar to the historical marker in front of the Wise County/City of Norton Chamber of Commerce, on the 900 block of Park Avenue in proximity of the former Norton Little League Field. He said members of the 1951 team have commitments of donations to cover the cost of the marker, but would like for donations to be made directly to the City of Norton and for the city to purchase the marker with those donations.

At this time, the city manager welcomed Dr. Bill Kanto, who was a member of the 1951 Norton Little League All-Stars Team, as well as former Mayor Raines and Robert Stump, who played baseball in the league in 1951, and asked Dr. Kanto to address council about the commemorative marker.

Dr. Kanto thanked council for allowing him to speak and emphasized that the commemorative marker would honor the leaders of Norton, under the leadership of Dr. Charles Litton, who made the decision the league would be integrated and stood against segregation at that time. He said what is important is that Norton's leadership had the fortitude to take the stand that they did, even though they were under tremendous pressure to reverse their decision.

Councilwoman Davis asked if a sign is enough.

Dr. Kanto said members of the marker committee would like to have the marker unveiling during the Best Friends Festival next year with a parade like the one held in Norton the day of the 1951 Little League All-Stars game. He also explained that Mr. Ramey suggested that the marker could also include a mobile link to the City of Norton website where people could access more information about this historic event in Norton's history.

The city manager noted that this could also be a project in which the school system can become involved in retelling this story.

Mayor Fawbush commended Dr. Kanto and the committee for taking the steps to place the marker in downtown Norton and said he agrees that this is a fresh look at our current-day situation. He said he has always thought Norton is probably the most progressive area in Southwest Virginia in terms of racial relations and integration. He added that Norton can be proud of that history and of its leadership.

Councilman Mays said he believes the city manager should proceed with this project in a first-class way and keep council informed about what needs to be done.

Upon a motion by Councilman Mays, seconded by Councilwoman Davis, and passed by the following roll call vote: YES – Mays, Davis, Fawbush, NO – None, ABSENT – Caruso and Fultz, council moved to allow donations for the marker to be made to the city and for the city manager to proceed with the purchase and installation of the 1951 Norton Little League All-Stars Team commemorative marker at the designated location as presented.

The mayor thanked the committee for its efforts and said council looks forward to the unveiling of the marker next year.

Next on the agenda was an update on new absentee voting requirements by Norton Electoral Board Member Mike Brown. Prior to the update, Mr. Brown announced that Registrar Marie Muir will retire August 31, 2021, and introduced R. Gwyn Carlton as Norton's new registrar, effective September 1, 2021. Mr. Brown said that prior to coming to Norton she served as the assistant registrar for Washington County, Virginia.

Mr. Brown reported a change in Virginia law took place July 1, 2021, with House Bill 1888. Code of Virginia, Section 24.1-712, as amended, requires the establishment of a central absentee voter precinct that will have at least three officers of election. He explained that these will be

paid positions and the officers will only work in the central absentee voter precinct. He said the establishment of a central absentee voter precinct, which will be located beside the registrar's office at the community center (201 Park Avenue NE), has to be done by city ordinance. Mr. Brown told council that the next election is November 2, 2021, and the central absentee voter precinct officers of election will have to work that election.

The city manager said the electoral board provided council with a sample ordinance in council packets and the city attorney drafted an ordinance that was distributed to council members. He said council could not adopt the ordinance tonight, but could begin the process by authorizing a public hearing that would take place at the August 17th council meeting.

Following a brief discussion about absentee voting procedures, Mayor Fawbush thanked Registrar Marie Muir, Mr. Brown and Ms. Carlton for addressing council and welcomed Ms. Carlton to her new position with the City of Norton.

Upon a motion by Councilwoman Davis, seconded by Councilman Mays, and passed by the following vote: YES – Mays, Davis, Fawbush, NO – None, ABSENT – Caruso and Fultz, council authorized the city manager to advertise a public hearing to be held at the August 17th council meeting for discussion of An Ordinance Establishing a Central Absentee Voter Precinct at 201 Park Avenue N.E.

Council had been presented in their packets with A Resolution Approving the Planning District One Community Services Board Performance Contract for FY 2022 and FY 2023.

Mr. Ramey explained that the Code of Virginia requires that every city and county has to establish or join a community services board that contractually plans and provides publicly funded mental health, mental retardation and substance abuse services.

Following a brief discussion and upon a motion by Councilman Mays, seconded by Councilwoman Davis, and passed by the following vote: YES – Mays, Davis, Fawbush, NO – None, ABSENT – Caruso and Fultz, council moved to adopt the resolution as presented. (Insert)

The city manager presented council with a draft overview of the Vacant Home Demolition Program's Vacant Home Demolition/Replacement Program and Dilapidated Home Demolition Program.

Mr. Ramey said as part of the city's FY 2021-2022 Budget council funded \$20,000 for these two programs - \$15,000 for the Vacant Home Demolition/Replacement Program and \$5,000 for the Dilapidated Home Demolition Program.

He said the Vacant Home Demolition/Replacement Program is a program the city has had, but hasn't had the ability to fund in recent years, while the Dilapidated Home Demolition Program is a new program in which council has shown interest.

The Vacant Home Demolition/Replacement Program seeks to offer an incentive to existing property owners and potential homeowners to demolish older dilapidated homes and rebuild a new home within a timely manner on the same lot or parcel. The \$15,000 allocated to this program will provide funding for two deferred loans of up to \$7,500 each per unit demolished.

At this time, Councilwoman Davis left the meeting. The meeting resumed once she returned to her council seat.

The Dilapidated Home Demolition Program seeks to offer an incentive to existing property owners to demolish abandoned, vacant, blighted, and dilapidated homes even though there is no intent to replace the home with a new structure. The \$5,000 in FY 2021-22 funding will not exceed \$2,500 per home to be demolished.

Upon a motion by Councilman Mays, seconded by Councilwoman Davis, and passed by the following vote: YES – Mays, Davis, Fawbush, NO – None, ABSENT – Caruso and Fultz, council moved to approve the Dilapidated Home Demolition Program as presented. The motion was then amended to include the acceptance of an applicant who completed demolition of a home prior to the start of the Dilapidated Home Demolition Program as a program participant and, therefore, eligible for reimbursement. After further discussion, the consensus of council was to table action on the Vacant Home Demolition/Replacement Program draft until a few requested modifications are made.

The mayor said he believes this program is money well spent.

Council had been presented in their packets with A Resolution Defining Signature and Access Requirements for Various City Accounts, Investments, and Certificate Storage.

Upon a motion by Councilman Mays, seconded by Councilwoman Davis, and passed by the following roll call vote, YES – Davis, Mays, Fawbush, NO – None, ABSENT – Caruso and Fultz, council approved the resolution as presented. (Insert)

The city manager provided council with a brief update on city funding from the 2021 Rescue Plan Act Coronavirus State and Local Fiscal Recovery Fund (CSLFRF). He said not much has changed since the previous council meeting. City administration is still participating in information sessions to gain clarity on how the funding can be spent. He said the city is clear on the infrastructure, water line, sewer line and broadband efforts category, but city administration is still looking at how to best spend this funding. He said broadband efforts in the city should be minimal, but the city could easily spend the \$4.7 million in funding on water and sewer projects and still have more projects to do. The goal is to spread the money around and take care of as many different types of things as possible. He explained that before the city makes a list of possible projects, it is important for city administration to know what projects can be incorporate into the funding scenario.

Mr. Ramey reported that the 2020 Coronavirus Aid, Relief, and Economic Security Act (CARES Act) funding review is going well and should be finished within the next couple of weeks, with a report being issued sometime later.

City Finance Director Jeff Shupe explained that some expenditure reclassifications may be required.

Mr. Ramey said a council work session will be scheduled once the city knows how the funding can be spent. He said the key area he is most interested in is what lost revenue monies can potentially be recaptured in the General Fund and he is hopeful there will be more flexibility with these funds.

Also in packets for council consideration was a transfer to Norton City Schools dated June 21, 2021, in the amount of \$730,177.50 to cover the General Obligation School Bond, Series 2012, payment. Principal totals \$625,000, while the interest is \$105,177.50.

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

Upon a motion by Councilwoman Davis, seconded by Councilman Mays, and passed by the following roll call vote: YES – Davis, Mays, Fawbush, NO – None, ABSENT – Fultz and Caruso, 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 per Section 2.2-3711 (A) (7) of the Code of Virginia,

as amended, for Consultation with Legal Counsel and Briefings by Staff Members or Consultants Pertaining to Actual or Probable Litigation, Where Such Consultation or Briefing in Open Meeting Would Adversely Affect the Negotiating or Litigating Posture of the Public Body.

Mayor Fawbush declared council in closed meeting.

Upon a motion by Councilman Mays, seconded by Councilwoman Davis, and passed by the following vote, YES – Davis, Mays, and Fawbush, NO – None, ABSENT – Fultz and Caruso, council moved to go back into open meeting.

Mayor Fawbush declared council back in open meeting.

Mr. Ramey polled each member of council as to the Certification of Closed Meeting with each answering yes. The city manager then read A Resolution of the Certification of Closed Meeting.

Upon a motion by Councilman Mays, seconded by Councilwoman Davis, and passed by the following vote, YES – Davis, Mays, Fawbush, NO – None, ABSENT – Fultz and Caruso, council moved to adopt A Resolution of the Certification of Closed Meeting. (Insert)

The mayor announced that placed before council tonight was a resolution authorizing city council to authorize and approve the Virginia Abatement Fund and Settlement Allocation Memorandum of Understanding and directs the city manager or the city attorney to execute and enter into such a Memorandum of Understanding on behalf of the City of Norton.

Upon a motion by Councilwoman Davis, seconded by Councilman Mays, and passed by the following vote, YES – Mays, Davis, Fawbush, NO – None, ABSENT – Fultz and Caruso, council adopted the resolution as presented. (Insert)

Mayor Fawbush opened the floor for nominations to the City of Norton Planning Commission for a four-year term to expire August 31, 2025.

Councilman Mays nominated Robert Mitchell Kennedy to be reappointed to the City of Norton Planning Commission for a four-year term to expire August 31, 2025.

Councilwoman Davis moved that the nominations cease.

The mayor declared Robert Mitchell Kennedy reappointed to City of Norton Planning Commission for a four-year term to expire August 31, 2025.

Mayor Fawbush opened the floor for nominations to the Appalachian Community Action & Development Agency, Inc. (AppCAA) to fill the unexpired term of Delores Belcher which expires April 1, 2022.

Councilman Mays nominated Sarah Davis to be appointed to the Appalachian Community Action & Development Agency, Inc. to fill the unexpired term of Delores Belcher.

The mayor moved that the nominations cease.

Councilwoman Sarah Davis abstained from voting.

Mayor Fawbush declared Sarah Davis appointed to the Appalachian Community Action & Development Agency, Inc. to fill the unexpired term of Delores Belcher which expires April 1, 2022.

In comments from the city manager:

Mr. Ramey thanked City Finance Director Jeff Shupe and City Engineer Stephen McElroy for filling in for him at the July 20, 2021, council meeting. He said he knew they would do a wonderful job and he is glad to have them on the City Team.

He advised that the city recently received notification that the School Resource Officer grant has been extended and that the city will receive an AmeriCorps/National Civilian Community Corps (NCCC) Team the end of August. The team will do more trail development this year and will be invited to attend the September 7th council meeting.

A new wayfinding directional sign has been installed along the incoming lane at the Tipple Hill intersection. Mr. Ramey noted that this sign is the 11th wayfinding sign that has been installed throughout the city.

The city manager reminded council that the annual Virginia Municipal League Conference will be held October 3-5, 2021, in Leesburg, Virginia, and asked council members to let him know if they plan to attend.

He showed council a recently released Norton marketing video that is being featured on the city's social media.

He said he anticipates that Jerry Wharton will be on the September 7th council meeting agenda.

Mr. Ramey distributed copies of the latest High Knob traffic counts for council review.

Upcoming events noted by the city manager included: Gravelachia, a 35- and 90-mile cycling event on paved and gravel roads, August 7; High Knob Outdoor Festival with a community concert, August 20 and 21; Flag Rock Bio-Blitz, August 28; Mountain Fork Half Marathon, September 19; High Knob Hellbender 10K, October 2; Woodbooger Festival, October 2; Cloudsplitter 100, October 16.

He reported that as of August 1, 163 participants from 29 states, the District of Columbia and two countries have registered for the Cloudsplitter. So far, 74 participants have registered for the 100-mile event, representing 28 states, Panama (2) and Peru (3). Approximately 33 participants from 16 states and DC have registered for the 100K; 38 from 13 states including Hawaii have registered for the 50-mile; and 18 from eight states have registered for the 25-mile.

Mr. Ramey noted that 32 participants from four states had registered for Gravelachia with only two of those participants being from the local area.

The following comments were made by council members:

Councilwoman Davis said she thought it was important for city employees to belong to the city's civic organizations and asked if the city pays for membership dues.

The city manager said to his knowledge the city has not funded membership dues for city employees in the past, but it is something council could address. He said historically city employees have participated in Norton's civic organizations, but not with memberships paid by the city.

Mayor Fawbush said it was a pleasure to meet Ms. Gwyn Carlton at tonight's council meeting.

He said there was an article by Mike Still in the Sunday, August 1, 2021, Kingsport Times News about how the Woodbooger has increased tourism in Southwest Virginia. The mayor said that while he and Parks and Recreation Director Rebecca Iozzi were participating in a photo shoot at Flag Rock for the article, they met two motorcyclists from Pennsylvania who said they had made a special trip to Norton to see the Woodbooger statue. He said the visitors said they were going to the Woodbooger Restaurant to eat and to Home Hardware and Furniture Company. He said they were impressed by the area hospitality and they planned on visiting again and bringing their families.

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