

The regularly scheduled meeting of the Norton City Council was held Tuesday, October 5, 2021, 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 Sarah Davis

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

The invocation was given by Councilman Robert Fultz, Jr., and the Pledge of Allegiance was led by Norton Police Department First Sergeant Greg Mays.

Upon a motion by Councilman Caruso, seconded by Councilman Fultz, and passed by the following vote: YES – Mays, Fultz, Caruso, Davis, Fawbush, NO – None, ABSENT – None, ABSTAIN – None, council moved to adopt the minutes of the September 21, 2021, council meeting as presented.

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

Mr. Ramey reported that AmeriCorps/National Civilian Conservation Corps (NCCC) Southern Region Team Tide 5 was not in attendance at the council meeting because the team was reassigned to help with emergency disaster assistance in Louisiana. He said the team was supposed to remain in Norton until October 18, 2021, but left Norton Monday, October 4, 2021, for the reassignment following a brief meeting with the city manager and the mayor.

During that meeting on behalf of council, the mayor presented each of the 11 members with an Outstanding Service Award Plaque and a group photo was taken with the mayor. Mr. Ramey also gave the team members copies of local newspaper articles and photos featuring the team and said special t-shirts were in the process of being printed and would be mailed to them.

The city manager told council he and the mayor thanked Tide 5 for their service to the City of Norton and wished them the best on their reassignment.

Mr. Ramey voiced disappointment that the team couldn't attend the October 5th council meeting and he is hopeful the city will receive another AmeriCorps/NCCC team next year. He said the team left a thank-you card and expressed their appreciation for the opportunity to work for the City of Norton.

Councilman Caruso asked if Norton Trail Coordinator Shayne Fields could update council on the trail development Tide 5 team completed.

The city manager said he would ask Mr. Fields to provide a trail development update to council. Mr. Ramey said the team worked on trail segments rather than one trail and was unable to finish a couple of segments which Mr. Fields will have to complete with his crews. Mr. Ramey informed council that Bigfoot Trail is almost complete except for a connector bridge and trail development totals 12 miles including the Forest Service Loop.

Council had been given in their packets for consideration a draft Ordinance Concerning Removal of Wood from City Property with a draft Revocable Special Use Permit for Firewood Removal on City Property.

Mr. Ramey said he consulted City Attorney William Bradshaw and was advised that the best way to approach this would be through an ordinance and not just a simple permit. He said they drafted an ordinance which authorizes the city manager to issue revocable special use permits for the removal of fallen wood on city property along Route 619 for non-commercial household use.

The city manager said Mr. Bradshaw suggested amending the Code of the City of Norton with the addition of Chapter 14, Article II, Section 14.85 Removal of Wood from City Property, which states that it shall be unlawful for any person or entity to remove wood from city property, except pursuant to a revocable special use permit issued by the city manager.

Mr. Ramey then discussed the various permit conditions and restrictions. The geographical area of the permit shall be limited to the area lying within 100 feet of either side of Route 619 between the City Water Plant and the southern boundary of the city near the City Reservoir. Only fallen wood shall be removed, not standing trees, living or dead.

The mayor asked if there would be a permit fee.

The city manager said it was his intent that there would not be a permit fee; however, he noted that the U.S. Forest Service does charge a nominal fee for wood removal on forest service property.

After a brief discussion, the consensus of council was to allow the city manager to advertise a public hearing to solicit public input on amending the City Code to add Chapter 14, Article II, Section 14.85 Removal of Wood from City Property.

The next agenda item was a resolution authorizing a United States Department of Agriculture, Rural Development (USDARD) loan/grant application for the purchase of emergency vehicles.

Mr. Ramey explained that this is a loan/grant program the city has participated in for a number of years that has helped the city with its emergency vehicle fleet. He said the city is preparing to close out two grant years and advised that the city should apply for additional funding for the purchase of emergency vehicles.

Upon a motion by Councilman Mays, seconded by Councilwoman Davis, and passed by the following vote: YES – Mays, Fultz, Caruso, Davis, Fawbush, NO – None, ABSENT – None, ABSTAIN – None, council moved to adopt a resolution authorizing the city manager to apply for United States Department of Agriculture, Rural Development (USDARD) funding for the purchase of emergency vehicles. (Insert)

In packets for council consideration was a request from Mark Allen Dykstra, Sr., of 4639 Overlook Road for an outside water connection.

After a brief discussion and upon a motion by Councilwoman Davis, seconded by Councilman Mays, and passed by unanimous vote, council moved to approve the installation of one outside water tap request for Mark Allen Dykstra, Sr., of 4639 Overlook Road.

Via a PowerPoint presentation, the city manager showed council COVID-19 case trends for September 2021 and October 1-3, 2021, for the City of Norton and Wise County.

LENOWISCO Health District COVID-19 case statistics for September 2021 in Norton totaled 73 (26 being 0-18 years), while Wise County cases totaled 499 (119 of those 0-18 years).

LENOWISCO Health District COVID-19 case statistics for October 1-3, 2021, in Norton totaled 9 (5 being 0-18 years), while Wise County cases were 52 (10 of those 0-18 years).

The city manager provided council with graphical analysis of COVID-19 cases in the City of Norton from March 1, 2020, to September 1, 2021, showing ebb and flow of COVID-19 cases and the large percentage jump the city is currently seeing.

Mr. Ramey said Virginia Department of Health COVID-19 statistics for the City of Norton as of October 1, 2021, were: Cases (498), 436 as of September 17, 2021; Hospitalizations (28), 21 as of September 17, 2021; Deaths (11), 8 as of September 17, 2021; Increase in Cases Over 7-Day Period (16); and 7-Day Average Number of Daily New Cases Reported (2).

The city manager reported the following Ballad statistics as of September 29, 2021: 324 patients hospitalized (305 unvaccinated or 94 percent and 19 vaccinated); 97 patients in the intensive care unit (95 unvaccinated or 98 percent and two vaccinated; and 73 patients on ventilators (72 unvaccinated or 99 percent and one vaccinated). He noted that the percentage of unvaccinated COVID patients in the hospital had increased from 92 to 94 percent, but the number of hospitalized COVID patients had decreased from 396 to 324.

Mr. Ramey said city administration is continuing to learn more about American Rescue Plan Act funding guidelines and is still awaiting the final ruling by the United States Treasury.

The city manager told council the Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 funding monitoring review by the Virginia Office of the Comptroller was completed and the city funds are considered fully expended and completely and accurately reported. He said the only recommendations were some categorization changes and for the city to implement internal policies and procedures for the expenditure of federal funds, which most small localities do not have. He said city administration is working to establish those internal policies and procedures for federal expenditures.

Mr. Ramey said he thinks the review is very good feedback and will be helpful as council begins to consider a plan for use of the American Rescue Plan Act funds that have been provided by the federal government.

Following a brief discussion, council members congratulated city administration on passing the state review.

Mr. Shupe reminded council that this is the state review and that there is the possibility that a federal review will take place as well.

The city manager commended City Finance Director Jeffery Shupe and his staff for their work during the state monitoring review process. He said he is proud of the finance department and the job they do especially considering the department's size and resources. He told council that the city may have to hire an additional finance department employee to handle increased paperwork associated with American Rescue Plan Act projects.

He told council he would like to conduct another council work session and asked council to think about how council can use the funds for lost revenue and to help the city with projects the city would be doing anyway. He asked council to consider purchasing a garbage truck and a dump truck. He said if purchased today, delivery of those items could take 18 to 24 months, so being prepared for procurement of these items needs to be done now.

Another item he asked council to be thinking about for the work session is what council wants to do to compensate city employees for working throughout the COVID-19 pandemic. He asked council to be thinking about which employees they think should be compensated and how much.

Councilwoman Davis asked if this compensation is specific to emergency personnel.

The city manager explained that if using American Rescue Plan funding the term that is crucial in determining employee qualification is premium pay and there are very specific guidelines that have to be followed.

He asked council to consider their goals and objectives, and city administration will try to come up with a plan for the compensation.

Councilman Mays said he thinks all city employees should be compensated, and Councilwoman Davis agreed.

Following a brief discussion concerning the matter, the consensus of council was to conduct a work session at 6 p.m., Wednesday, October 13, 2021, in Municipal Council Chambers for the purpose of discussing this compensation and potential American Rescue Plan Act projects.

Upon a motion by Councilman Fultz, seconded by Councilwoman Davis, and passed by the following unanimous roll call vote: YES – Mays, Fultz, Fawbush, Caruso, Davis, NO – None, ABSENT – None, council moved to go into closed meeting to discuss Personnel as per Section 2.2-3711 (A) (1); 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 as per Section 2.2-3711 (A) (7); 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 as per Section 2.2-3711 (A) (5); and for Discussion or Consideration of the Acquisition of Real Property for a Public Purpose or the Disposition of Publicly Held Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiating Strategy of the Public Body as per Section 2.2-3711 (A) (3), as amended.

Mayor Fawbush declared council in closed meeting.

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

Mayor Fawbush opened the floor for nominations to the Mountain Empire Regional Business Incubator Board for a four-year term to expire June 30, 2025.

Councilman Caruso nominated Blake Salyer to be appointed to the Mountain Empire Regional Business Incubator Board for a four-year term to expire June 30, 2025.

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

The mayor declared Blake Salyer reappointed to Mountain Empire Regional Business Incubator Board for a four-year term to expire June 30, 2025.

The mayor opened the floor for nominations to the Mountain Empire Older Citizens Board for a four-year term to expire September 15, 2023.

Councilman Mays nominated Michele Knox to be reappointed to the Mountain Empire Older Citizens Board for a four-year term to expire September 15, 2023.

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

The mayor declared Michele Knox reappointed to Mountain Empire Older Citizens Board for a four-year term to expire September 15, 2023.

Mayor Fawbush opened the floor for two nominations to the Tourism Committee for four-year terms to expire September 30, 2025.

Councilman Fultz nominated Becky Lagow and Patty Bates to be reappointed to the Tourism Committee for four-year terms to expire September 30, 2025.

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

The mayor declared Becky Lagow and Patty Bates reappointed to the Tourism Committee for four-year terms to expire September 30, 2025.

The mayor asked council to consider a resolution approving the partial settlement of the opioid litigation.

Upon a motion by Councilman Mays, seconded by Councilman Fultz, and passed by the following vote: YES – Mays, Fultz, Caruso, Davis, Fawbush, NO – None, ABSENT – None, ABSTAIN – None, council moved to adopt the resolution approving the partial settlement of the opioid litigation.

In comments from the city manager:

Mr. Ramey told council the Appalachian Regional Commission (ARC) held its annual conference in Southwest Virginia with Governor Ralph Northam and the Virginia Department of Housing and Community Development hosting the conference, and a portion of the conference was held in St. Paul today. He said a group from the ARC conference was in Norton today.

The city manager reported that the installation of festival lighting in Veterans Park has been completed and shared PowerPoint photos of the lighting project with council. He said the cost of the lighting was a little more than anticipated, but the project looks good. He noted that the first evening event with the festival lights installed is scheduled for later this month and a downtown Halloween event is scheduled for October 30.

Mr. Ramey told council that Scott DeLeon of Boutte, Louisiana, recently donated an umbrella from Fourth of July 1915 festivities that has JULY 4TH NORTON VIRGINIA 1915 printed on it. He showed the umbrella to council as he explained that the umbrella has been in Mr. DeLeon's family for over 100 years and Mr. DeLeon wanted the umbrella to be displayed in Norton.

Council members were amazed by the donation, and the city manager said the umbrella is his favorite piece that has been donated to the city.

The mayor said the city needs a museum so the city can display items such as this.

Council was given the latest High Knob traffic counts, and the city manager noted the counts from this report indicate that the Flag Rock unit was not functioning last month.

Mr. Ramey provided council with an update on the Cloudsplitter 100 scheduled to take place October 16-17 in Norton. He reported that as of Friday, October 1, approximately 231 participants had registered for all four races combined and were from 32 states and the District of Columbia as well as the countries of Peru (4) and Panama (2). As of that date, 33 had registered for the 25K, 60 for the 50K, 47 for the 100K, and 90 for the 100 Mile.

The following comments were made by council members:

Councilwoman Davis said she was saddened by the passing of James H. "Jimmy" Fawbush and Betty Brooks. Both were great losses for the city.

Councilman Fultz concurred with her comments and added that Charles Buddy Hubbard also passed away and will be missed.

Mr. Fultz said the John I. Burton High School Homecoming Parade with the theme "Let's Glow Raiders" is scheduled for 7 p.m., Thursday, October 7, and is followed by a pep rally. Tailgating will take place Friday at 4:30 p.m. on the practice field prior to the game. He noted

that downtown businesses continued the custom of decorating their windows/storefronts for Burton's homecoming.

Councilman Caruso noted that Jimmy Fawbush loved the Norton Reservoir and a citizen approached him about having something at the reservoir to honor Mr. Fawbush, his love of the reservoir and fishing, and for his ambassadorship of the reservoir. Mr. Caruso said Mr. Fawbush greeted and made everyone feel welcome at the reservoir and he was the inspiration for the dock at the reservoir.

He requested the consensus of council to do something (resolution or plaque) to honor Mr. Fawbush and his stewardship of the reservoir.

Councilwoman Davis suggested that the reservoir be named after Jimmy Fawbush.

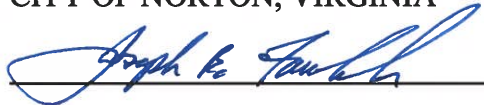
The consensus of council was to commemorate Mr. Fawbush and his stewardship of the reservoir and for the city manager and city attorney to work together to develop the best approach for the commemoration.

Mayor Fawbush thanked everyone for their thoughts and prayers following the passing of his brother Jimmy Fawbush, who lived his life to the fullest and was a positive influence for many students at Norton Elementary and Middle School.

He said he is looking forward to the Cloudsplitter.

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