

The regularly scheduled meeting of the Norton City Council was held Tuesday, October 19, 2021, at 6:00 p.m., in the Municipal Council Chambers with Mayor Joseph Fawbush presiding.

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

Absent: Mark Caruso

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 Fire Department Chief and Emergency Management Coordinator Todd Lagow.

Upon a motion by Councilwoman Davis, seconded by Councilman Mays, and passed by the following vote: YES – Mays, Fultz, Davis, Fawbush, NO – None, ABSENT – Caruso, 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.

A public hearing was held to solicit public input on amending the City Code with the addition of Chapter 14, Article II, Section 14.85, an Ordinance Concerning Removal of Wood from City Property.

The city manager provided council with a brief review of the ordinance which would authorize 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 ordinance states that that it shall be illegal or 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. The geographical area of the permit shall be limited to the area lying within 100 feet of either side of Route 619 between the entrance to 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 city manager said permits are valid for 12 months, must be in possession of the permittee when removing wood, and can be revoked by the city manager should it be determined that the permittee violated the terms of the permit. Violation of the permit is a Class 4 Misdemeanor.

Mr. Ramey said the public hearing was duly advertised and if council approves the ordinance tonight, the ordinance would take effect 30 days from October 19, 2021.

There were no questions or comments from council prior to the public hearing.

Mayor Fawbush opened the public hearing.

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

There were no questions or comments from council following the public hearing.

Upon a motion by Councilman Mays, seconded by Councilman Fultz, and passed by the following unanimous roll call vote, YES – Mays, Fultz, Davis, Fawbush, NO – None, ABSENT – Caruso, ABSTAIN – None, council moved to amend the City Code with the addition of Chapter 14, Article II, Section 14.85, an Ordinance Concerning Removal of Wood from City Property.

Noting that it is always a pleasure to have Norton Fire Department's working officers at council meetings, he said the next item on the agenda was the appointment of the fire department's working officers.

The city manager said included in council packets was a letter submitted by Norton Fire Chief Todd Lagow to the city manager listing Norton Fire Department's working officers for fiscal year 2021-2022.

Mr. Ramey told council that the City Code requires council approval of working officers for the city's fire department each year following the department's annual business meeting. He said those officers are brought before city council for confirmation.

The city manager then recognized Fire Chief Todd Lagow who presented council with the list of working officers for 2021-2022. Chief Lagow explained that there are three changes to this year's list. He said Marty Hagy requested a position change from captain to firefighter following his retirement. Paul Wheatley advanced from lieutenant to fill Mr. Hagy's Captain – Incident Safety position, while Shane Potter moved from firefighter to fill Mr. Wheatley's Lieutenant - Facilities/Training position.

Chief Lagow pointed out that all but one person on the working officer list work as fulltime employees of the city or rescue squad.

Mayor Fawbush asked how many firefighters the department currently has.

Chief Lagow said there are 35-36 firefighters as members come and go and the department averages about 18 firefighters per incident. He said he is very proud of the fire department, the staff, and the work they do. He noted that being a firefighter takes a great deal of commitment.

The city manager asked Mr. Lagow to update council on the status of the new fire truck the city has ordered.

The fire chief told council that he and two other fire department staff members went to Appleton, Wisconsin, in February 2021, to complete the fire truck specifications. He explained that the truck is custom designed and went into production the first part of August. The truck is nearing completion, and he is planning to travel to Appleton on November 2, 2021, with inspection of the truck scheduled for November 3<sup>rd</sup> and 4<sup>th</sup>. The truck will be driven to Roanoke, Virginia, where it will be assessed for three days and then delivered to Norton in mid-November. Mounting of equipment and tools and staff training will follow. The hope is to have the new fire truck in service the first part of December.

He said the fire department plans to reveal the new truck to council at the department's Christmas Party/100-Year Anniversary Celebration at 6 p.m., December 4, 2021, at the Wise County Shrine Club Building in Norton. He then invited council members to attend the celebration and see the new fire truck.

He said the truck will be shown to the public at the Norton Christmas Parade the evening of December 5, 2021. Weather permitting, the department will conduct a Push-In Ceremony for the fire truck after the parade where Norton firefighters will push the fire truck into the municipal building fire station. He explained that this is a fire service tradition that dates back to the 1800's when fire departments used hand-drawn pumpers and horse-drawn equipment. Horses had a difficult time backing the fire equipment into the station so firefighters would push the equipment back into the station.

Fire Chief Lagow said so far in 2021 the department has received 231 calls, which is almost .8 calls per day and this is more than double what the department received 10 years ago. Ten years ago, the department received .37 calls per day. He said the department is responding to different types of incidents and people and other agencies are requesting more assistance. Mr. Lagow reported a 31.7 second response time for the fire department and credited the quick response time largely to the department's quick response vehicle program. Two city trucks double as

emergency response vehicles, enabling department personnel to arrive on the scene quickly, are not extremely expensive to replace, maintain or operate, and to either request additional assistance or cancel it. He explained that this program saves time and wear and tear on the big fire truck and limits the liability of the large fire truck being on the road. He said he thinks the emergency response vehicles have been very beneficial.

Mayor Fawbush inquired about the age of the emergency response vehicles.

The city manager said Chief Lagow is working on a cost estimate for a new emergency response vehicle.

Chief Lagow said a truck and a Suburban were purchased in 2009 and another truck was purchased in 2012. He said the vehicles are showing their age.

Councilman Mays pointed out that the vehicles serve multiple purposes.

Mr. Lagow advised that the department applied for four federal grants this year. One grant was awarded through the Federal Emergency Management Agency's (FEMA) Assistance to Firefighters Grant Program for COVID-related supplies and provided personal protective equipment like the powered air purifying respirators that provide fresh filtered air when emergency management services personnel respond to COVID calls, as well as sprayers and additional items.

He said the department also applied for grant funding for a new aerial truck, hoses, and communications equipment, for which the department was denied. He told council that the department has tried to replace hoses gradually without grant funding and hose replacement should be completed.

Special events Mr. Lagow discussed with council centered on the Cloudsplitter 100 that was held in Norton Oct. 16-17, 2021. He said the event was successful and had a record number of runners. He also credited the city manager with doing many behind-the-scene tasks during the event, such as picking up runners from aid stations.

Following a brief discussion about the Cloudsplitter 100 and cold weather conditions during the event, Mr. Lagow reported that one runner was transported by Norton Rescue Squad to Norton Community Hospital due to hypothermia. He also told council there were a few minor communication issues and a plan is being developed to correct those issues for next year's event.

Mayor Fawbush commended Chief Lagow and the fire department on the excellent job they do daily and their quick response time to emergency incidents. He said he is amazed at the number of times the fire department is called for assistance.

Councilman Mays said he would be honored to make a motion to approve the List of Working Officers for the Norton Fire Department for 2021-2022 and saluted the entire department, adding that it is good to see junior members progressing through the ranks.

Councilman Mays made a motion to accept and approve the List of Working Officers for the Norton Fire Department for 2021-2022. The motion was seconded by Councilwoman Davis, and passed by the following vote: YES – Mays, Fultz, Davis, Fawbush, NO – None, ABSENT – Caruso, ABSTAIN – None, with council approving the list of working officers, as presented.

Chief Lagow said he couldn't do his job without these officers.

The mayor and Councilman Fultz thanked Chief Lagow and the working officers.

Council had been presented in their packets two erroneously assessed 2021 real estate public service taxes.

The city manager said the State Corporation Commission did not provide an assessed value prior to the city's first-half real estate public service tax billing, so a correct assessment could not be determined. Therefore, refunds are due to Windstream KDL for real estate public service

taxes in the amount of \$87.69 and to A.T. & T. Communications of Virginia in the amount of \$3.45.

Upon a motion by Councilman Fultz, seconded by Councilwoman Davis, and passed by the following unanimous roll call vote: YES – Mays, Fultz, Davis, Fawbush, NO – None, ABSENT – Caruso, ABSTAIN – None, council authorized refunds for erroneously assessed 2021 real estate public service taxes to Windstream KDL in the amount of \$87.69 and to A.T. & T. Communications of Virginia in the amount of \$3.45.

Via a PowerPoint presentation, the city manager provided council with COVID-19 case trends for October 1-10, 2021, for the City of Norton and Wise County.

LENOWISCO Health District COVID-19 case statistics for October 4-10, 2021, in Norton totaled 44 (11 being 0-18 years), while Wise County cases were 138 (29 of those 0-18 years).

LENOWISCO Health District COVID-19 case statistics for October 1-10, 2021, in Norton totaled 28 (8 being 0-18 years), while Wise County cases totaled 199 (39 of those 0-18 years).

Mr. Ramey said Virginia Department of Health (VDH) COVID-19 statistics for the City of Norton as of October 15, 2021, were: Cases (544), 498 as of October 1, 2021; Hospitalizations (28), 28 as of October 1, 2021; Deaths (13), 11 as of October 1, 2021; Increase in Cases Over 7-Day Period (27); and 7-Day Average Number of Daily New Cases Reported (4).

He said VDH reported new COVID-19 cases from October 7-13, 2021, for Norton totaled 17, with a 17.6 percent positivity rate, and 42.9 percent fully vaccinated. Wise County statistics for the same period totaled 151 new cases, with a 15.8 percent positivity rate, and 39.9 percent fully vaccinated.

Mr. Ramey told council there was no update concerning the American Rescue Plan Act.

He said council conducted a brief work session at 6 p.m., Wednesday, October 13, 2021, in council chambers for the purpose of discussing possible American Recue Plan Act projects, COVID-19 compensation for city employees who worked during the pandemic, and for procurement preparation for a garbage truck and a dump truck.

The city manager said he received a request from Norton Rescue Squad for council to consider a project either under the American Rescue Plan Act or otherwise for the purchase of a small ambulance, estimated to cost \$125,000, that can more easily traverse the area's narrow and steep roads and the Dnor tunnel. Mr. Ramey asked Norton Rescue Squad President Buddy Cash, who was in attendance, to explain the request details to council.

Informing council that he looked at one earlier today, the assistant fire chief told council the ambulance the rescue squad is requesting to purchase is a Ford Transit F350 ambulance that will be stocked like the large ambulance. This ambulance would replace the squad's 20-year-old F423 which is no longer in service and would cost too much to repair.

The city manager asked if Councilman Mays, who is a council appointee to the Rescue Squad Board of Directors, wanted to comment.

Councilman Mays said the board voted at the last board meeting to move forward with the new ambulance as soon as funding can be secured and felt there was certainly a need for a small ambulance. He explained that the new ambulances are too large to travel the area's narrow roads and driveways and he thought it would be a good investment to preserve the current life of the city's box-type ambulances.

The city manager told council that Norton Rescue Squad is willing to contribute \$50,000 toward the purchase of a small ambulance. He noted that the rescue squad has done an excellent job managing the money the city has set aside in the budget. He said Mr. Cash has done a tremendous job managing that money and recommended that council try to fund the entire cost of the small ambulance, which could qualify as a possible ARP project.

Mr. Cash explained that it is difficult to get these ambulances right now, so it could take six months to a year.

Mayor Fawbush and Councilman Mays agreed that council should make a decision on the request during tonight's council meeting.

Upon a motion by Councilman Mays, seconded by Councilwoman Davis, and passed by the following unanimous roll call vote: YES – Mays, Fultz, Davis, Fawbush, NO – None, ABSENT – Caruso, ABSTAIN – None, council moved to authorize Mr. Cash to procure a price for the purchase of a small ambulance for the Norton Rescue Squad.

Mr. Cash thanked council for allowing him the opportunity to address council and expressed his appreciation to the city for providing food for emergency services personnel during the Cloudsplitter 100.

In packets for council consideration was a check to the Wise County Treasurer, dated September 17, 2021, in the amount of \$271,912.53, for reimbursement of the city's annual share of courthouse and law enforcement costs for FY2020-2021.

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

Upon a motion by Councilwoman Davis, seconded by Councilman Fultz, and passed by the following unanimous roll call vote: YES – Mays, Fultz, Fawbush, Davis, NO – None, ABSENT – Caruso, council moved to go into closed meeting to discuss Personnel as per Section 2.2-3711 (A) (1) as amended; and for Discussion or Consideration of the Acquisition of Real Property for a Public Purpose, or of the Disposition of Publicly Held Real 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).

Mayor Fawbush declared council in closed meeting.

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

In comments from the city manager:

Mr. Ramey told council that he and Mayor Fawbush attended the Southwest Virginia Regional Jail Authority meeting today. He said the City of Bristol, Virginia, has requested to join the regional jail authority and the authority unanimously approved a resolution accepting Bristol into the regional jail system, which will also require 100 percent approval by all member regional jail authority localities.

The city manager provided council with a brief history of the city's Virginia Department of Transportation Smartscale Application grant projects (Park Avenue at Tipple Hill Alternative 2, Park Avenue from 11<sup>th</sup> Street to 16<sup>th</sup> Street, Park Avenue from Coeburn Avenue to 11<sup>th</sup> Street Alternative 1, and a Downtown Road Diet that would enhance pedestrian traffic). He then asked council members to be thinking about which of these projects council would like to see funded for 2021-2022.

Updating council about the Cloudsplitter 100, Mr. Ramey said that it is always interesting to hear other people's perspectives about Norton. He said a professional photographer was in Norton covering the event and his Facebook post is something that should make Norton proud. Mr. Ramey then shared the Facebook post with council members. He said the photographer said Cloudsplitter stood out more than any other event he had covered in regards to community and recognized the involvement of the mayor, city council members, and emergency services personnel. Mr. Ramey said he ended his post with "Beautiful place with special people."

The city manager said he is pleased with the event despite some logistical concerns and bad weather. This was the fifth year the event has been conducted in Norton, and there was a record number of runners this year.

Discussion about the Cloudsplitter 100 and possible dates for the 2022 Cloudsplitter 100 followed, and the city manager told council a definite date has not been determined.

Mr. Ramey provided the latest Retail Sales Tax Report for council review.

He told council a Downtown Halloween Block Party will be held from 6-10 p.m., Saturday, October 30, 2021, with Park Avenue being closed from 7<sup>th</sup> to 8<sup>th</sup> Streets during the event. He also said Norton will observe Halloween Trick-or-Treat activities from 5:30 to 8 p.m., Sunday, October 31, 2021.

The following comments were made by council members:

Council members discussed the success of this year's Cloudsplitter 100 and made suggestions about how to possibly improve the event.

Councilwoman Davis informed council that retired John I. Burton High School English Teacher Jackie Mainous celebrated her 90<sup>th</sup> birthday on October 16.

Councilman Fultz asked when the city was planning to put up the city Christmas tree.

The city manager said a date has not been set, but probably sometime in November. He told council that this year's tree will be eight feet taller.

Mayor Fawbush spoke briefly about the jail authority board meeting held today and said he is looking forward to the City of Bristol, Virginia, joining the Southwest Virginia Regional Jail Authority.

The mayor briefly noted that council was given in their packets information concerning the Old Dominion Power/Kentucky Utilities proposed rate increase which includes a service charge increase as well as a 20 percent increase for some residential customers.

Mayor Fawbush asked for the consensus of council to cancel the November 2, 2021, regular council meeting due to the meeting falling on Election Day, and to conduct its next regularly scheduled meeting on November 16, 2021.

The consensus of council was to cancel the November 2, 2021, council meeting and conduct its next regularly scheduled meeting on November 16, 2021, unless a special meeting is deemed necessary.

The mayor commended Team Norton and said he believes Norton is going in the right direction.

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

CITY OF NORTON, VIRGINIA



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Joseph Fawbush, Mayor

ATTEST:



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Fred Ramey, Jr., Interim Clerk of Council