

The regularly scheduled meeting of the Norton City Council was held Tuesday, August 2, 2022, at 6:00 p.m., in the Municipal Council Chambers with Mayor Joseph Fawbush presiding.

Present: William Mays, Sarah Davis, Mark Caruso and Joseph Fawbush

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

Absent: Robert Fultz, Jr.

The invocation was given by Rev. Roger Sloce and was followed by the Pledge of Allegiance, led by Norton Police Department First Sergeant Greg Mays.

Upon a motion by Councilwoman Davis, seconded by Councilman Caruso, and passed by unanimous vote, YES – Mays, Davis, Caruso and Fawbush, NO – None, ABSENT – Fultz, ABSTAIN – None, council moved to adopt the minutes of the July 19, 2022, council meeting as presented.

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

Mr. Ramey introduced Virginia Department of Health Office of Drinking Water Deputy Field Director David Dawson, P.E., who was in attendance to make a special presentation.

Mayor Fawbush welcomed Mr. Dawson to the council meeting.

Mr. Dawson thanked the mayor and council for the opportunity to attend the meeting. He briefly discussed the scope of the Regional Field Office located in Abingdon.

The deputy field director said he was at the meeting to present the 2021 Excellence in Water Works Operation Gold Award which indicates that the city's water treatment plant met the Virginia Optimization Program Standards for Clarification, Filtration and Backwash for 2021. He provided a brief award background and noted that this is the ninth consecutive year the plant staff have earned the Gold Award, which is a major accomplishment. He said the plant staff do a very good job and he commended city administration for supporting the water plant staff.

Mr. Dawson presented the Gold Award to Norton Superintendent of Water Andrew Greear and his staff.

At this time, Councilman Fultz took his seat on council.

Photos of the award presentation were taken with Mr. Dawson, Mr. Greear, the mayor, council, and plant staff.

Mr. Greear introduced water plant operators Wes Ward, Dakota Peters, Jacob Kilgore, and Caleb Ramsey, who were in attendance. Plant operator Scott Craft was not present. Council honored the superintendent and staff with applause.

Mr. Greear commended his staff for their commitment to producing safe and natural water.

The city manager said Mr. Greear has served as the city's water plant superintendent for almost 10 years, is very conscientious, and does an excellent job operating the water plant and keeping everything going.

Mr. Greear thanked council and city administration for their support and commitment to continue to improve the city's water system.

Mayor Fawbush thanked the water superintendent and his staff.

The next agenda item was council consideration of a Memorandum of Agreement (MOA) Between Kid's Central, Inc./Head Start and the Norton Department of Social Services.

The city manager explained this MOA outlines the way the agencies operate on a day-to-day basis and is often required by grant agencies. He said City Attorney William Bradshaw reviewed the MOA and provided a few comments which were placed at council member's desks for review.

Norton Social Services Director Abe Rutherford II was present at the meeting to address questions from council.

After a brief discussion, the city manager said adoption of the MOA by council would authorize the city manager and the social services director to sign the MOA.

Upon a motion by Councilman Mays, seconded by Councilman Fultz, and passed by unanimous vote, council moved to adopt a Memorandum of Agreement (MOA) Between Kid's Central, Inc./Head Start and the Norton Department of Social Services.

Mr. Ramey also provided council with an update on the Designated Outdoor Refreshment Area (DORA) Application for the Sports Car Club of America (SCCA) Flag Rock Hill Climb scheduled for August 27 and 28, 2022, in Norton.

He said council at the June 21st meeting authorized the city manager to prepare a DORA application for submission to the Virginia Alcoholic Beverage Authority. The city manager said the license for the city to operate a DORA was received last week for up to 16 events per year. He distributed the license for council review.

Mr. Ramey explained that the city has three DORA zones (1, 2 and 3) and any combination of those zones could comprise the DORA. He said Norton Police Department has been very involved in this process and provided a letter of support in which the department indicated how officers would assist with managing those areas from a law enforcement standpoint. He advised the next step for council would be to consider authorization of a particular event to be under the DORA. He said if council's intent is for the SCCA hill climb event to be a DORA event, then council will need to authorize that to move forward.

The city manager said he met with licensees within all three DORA zones and met last week with licensees within Zone 1 since that will likely be the DORA for the first hill climb event and invited the ABC officer to attend the meeting to answer questions. The ABC official informed licensees about their responsibilities and what was needed to accommodate service within the DORA. He said the only thing that could hold the process up would be if the businesses are not ready to do their part, noting that one of those responsibilities is having special cups designed that indicate where the cup originated within the DORA. He said those business owners are focusing on determining cup design and whether the cups can be delivered in time for the August 27 and 28 SCCA event. Mr. Ramey said the cup must have the name of the business on the cup in some way, whether by sticker or printed on the cup.

The city manager said if council so chooses, council could test the DORA on a smaller scale during the High Knob Outdoor Fest the weekend prior to the SCCA hill climb, depending on if businesses within the DORA are ready and have the cups. The High Knob Fest would count as one of the 16 events covered by the license, which is effective from July 28, 2022, to June 30, 2023.

Following a brief discussion, the city manager said this is something new that is going to take a while for everyone, including the businesses, to get used to doing.

Mr. Ramey asked council if they wanted to approve designating the SCCA hill climb as a DORA event at the next council meeting once he has met with businesses and determined if they

are ready. He explained that council approval of all DORA events is not required by Virginia ABC but is good policy because a DORA involves street closures that impact traffic flow and businesses.

Councilwoman Davis voiced her concern about not having enough time to prepare for the SCCA event if council action is not taken tonight.

Councilman Caruso asked if any business had inquired about having a DORA for the High Knob Fest.

Mr. Ramey said he has not had that conversation with the businesses yet and no business had contacted him about a DORA for the High Knob Fest.

Norton Special Projects Coordinator Katie Dunn, who was present at the meeting, said Lincoln Road Coffee Lounge is going to have a beer garden Friday night, August 19, 2022.

Following a discussion, the consensus of council was to wait until the August 16, 2022, meeting to officially approve a DORA for the August 27 and 28, 2022, SCCA hill climb.

Next on the agenda was an update on the High Knob Outdoor Fest scheduled for August 15-20, 2022, in Norton.

The city manager said for the past 10 years or so the city has done everything possible to promote more outdoor activities and connect High Knob to downtown Norton. One of these efforts was the creation of a High Knob Outdoor Master Plan from a regional perspective, out of which came the need for a festival centered around the mountain from a recreational standpoint. After explaining that the city has taken the lead with the festival, which is celebrating its fourth year this year, Mr. Ramey said Norton Special Projects Coordinator Katie Dunn was at the meeting to update council on this year's High Knob Outdoor Fest.

Ms. Dunn distributed festival promotional items such as stickers, event posters and postcards to council members.

She said the fourth annual festival features something new, outdoor trips and talks throughout the week of August 15-20, and culminates with a celebration in downtown Norton from 2-9 p.m., Saturday, August 20. The city has partnered regionally with guides to lead the trips and a documentary with a panel is being planned at the Park Avenue Theater in downtown Norton. New to this year's festival is a Mountain Bike Poker Ride. Additional festival activities currently include 20 outdoor vendors, two food trucks, a craft beer/wine garden, and live music featuring four bands. She noted that a grant from Virginia Tourism Corporation (VTC) enabled expansion of this year's festival offerings.

Ms. Dunn said festival layouts being looked at include the same as last year, which is closing Park Avenue between 7th and 8th Streets, and the Expo Center in the event of rain.

The special projects coordinator said the QR code on the promotional materials takes visitors to the festival website for additional information. She said the festival is being promoted more this year than last year because organizers were not sure what was happening with public events last year because of COVID-19.

After a brief discussion, the mayor thanked Ms. Dunn for the festival presentation.

The city manager said Ms. Dunn will be on WCYB tomorrow at noon.

In packets for council consideration was a transfer to Norton City Schools, dated June 23, 2022, in the amount of \$250,000, to cover June 2022 payroll expenditures.

Upon a motion by Councilman Caruso, seconded by Councilman Mays, and passed by unanimous roll call vote, YES – Mays, Fultz, Davis, Caruso and Fawbush, NO – None,

ABSENT – None, ABSTAIN – None, council moved to confirm the transfer to Norton City Schools, as stated above.

Upon a motion by Councilman Caruso, seconded by Councilwoman Davis, and passed by the following roll call vote: YES – Mays, Fultz, Davis, Caruso and Fawbush, NO – None, ABSENT – None, ABSTAIN – None, council moved to go into closed meeting to discuss Personnel as per Section 2.2-3711 (A) (1) of the Code of Virginia as amended.

Mayor Fawbush declared council in closed meeting.

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

Mayor Fawbush opened the floor for nominations to the Black Diamond Rural Conservation Development Council for a two-year term to expire July 1, 2024.

Councilman Caruso nominated Adam Wells to be reappointed to the Black Diamond Rural Conservation Development Council for a two-year term to expire July 1, 2024.

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

The mayor declared Adam Wells reappointed to the Black Diamond Rural Conservation Development Council for a two-year term to expire July 1, 2024.

In comments from the city manager:

Mr. Ramey provided the following project updates: city administration will meet with SCCA representatives Friday to discuss **Flag Rock Hill Climb** logistics for August 27th and 28th; the contractor for **Project Intersection - Phase II** has submitted the required contract materials and a pre-construction conference is expected in the next couple of weeks; and the **Destination Center** bid opening was held July 21st with two bids, Ball Construction of Norton having the low bid. The city manager said the low bid for the Destination Center Project came in over budget by about \$700,000, so city administration will work with the contractor and architect on cost savings alternatives.

The city manager shared the following historical rainfall statistics dating back to the 1980's for July and August with council: **July Average Rainfall** - 5.81 inches; **July Minimum Rainfall** - 1.55 inches in 1997; and the **Most Rainfall in July** - 12.32 inches in 2012. Mr. Ramey said July 2022 had the second highest total rainfall amount of 11.50 inches. August rainfall statistics included: **August Average Rainfall** - 4.85 inches; **Least Rainfall in August** - 1.88 inches in 1997; and **Most Rainfall in August** - 10 inches in 2020.

He said the Virginia Municipal League Conference is scheduled for October 2-4, 2022, in Richmond, Virginia, and hotel registration is currently taking place. He asked council members to let him know as soon as possible if they plan to attend the conference.

Mr. Ramey said city administration recommended having a council work session to update council on ongoing projects.

The consensus of council was to conduct a work session from 4-6 p.m., Tuesday, August 9, 2022, in council chambers.

The following comments were made by council members:

Councilwoman Davis discussed the need for entertainment funding for the Norton hill climb event and requested suggestions for bands with an Appalachian focus for the upcoming event.

The city manager explained that Councilwoman Davis was requesting council consideration for funding from unappropriated reserves for entertainment for the hill climb event, but the funding request amount had not been determined yet. He suggested projecting an amount, in the \$2,500 to \$5,000 range, which could be adjusted by council once the amount was determined.

Mayor Fawbush said he would talk to the SCCA and other organizations about possible entertainment funding.

A discussion followed about possible funding sources and the funding amount to be requested.

Upon a motion by Councilman Mays, seconded by Councilwoman Davis, and passed by unanimous roll call vote, YES – Mays, Fultz, Davis, Caruso and Fawbush, NO – None, ABSENT – None, ABSTAIN – None, council moved to approve funding from unappropriated reserves not to exceed \$5,000 for the purpose of entertainment for the SCCA Norton Hill Climb.

Councilman Caruso said he wanted to see a plan in the end where the funding was spent.

After urging caution in spending the entertainment funding, Councilman Mays said he is extremely proud of the area, its organizations and churches for prayer and assistance providing supplies and aide following recent flooding in Southwest Virginia and Eastern Kentucky. He informed council that Norton Fire Chief and Emergency Management Coordinator Todd Lagow had returned to Norton after helping with flood relief efforts. He said Mr. Lagow said he has not seen such devastation in the 34 years he has worked in emergency management. Councilman Mays requested prayers for the flood victims and communities and asked council if there was anything else that could be done.

Councilman Caruso agreed with Councilman Mays and asked if there was anything that could be done as a municipality.

The city manager said he became aware of a need yesterday as he heard that there were law enforcement agencies in the flood impacted areas that do not have emergency response vehicles. He said the city has at least one unmarked police vehicle that will be sold in the next city auction and asked council if they would like for the city to give those vehicles to a law enforcement agency that is in need.

Councilman Caruso said doing this was a good idea because that community is going to need first responders back on their feet. He encouraged Norton's first responders to pull items from their reserves to donate to those agencies impacted by recent flooding.

Mr. Ramey said he would be happy to begin this endeavor the first thing Wednesday morning. He said with council approval the city would consider other forms of assistance such as allowing use of a city dump truck and a couple of workers to assist with graveling roads.

A discussion about what areas were impacted by the flooding and the devastation of the flooding followed.

Councilwoman Davis pointed out that the flooding could easily have happened to Norton.

Upon a motion by Councilman Mays, seconded by Councilman Fultz, and passed by unanimous vote, council authorized the city manager to donate two surplus city law enforcement vehicles scheduled for public auction, if suitable and can be done, to a law enforcement agency in flood affected areas that need the vehicles following recent flooding and to encourage city administration to find other ways to provide assistance.

Mr. Ramey said he would keep council apprised of any assistance possibilities as they arise.

Councilwoman Davis asked if this would also include Pound, Virginia.

The city manager said he did not think Pound was impacted to the extent that Eastern Kentucky was but noted that if there is something the city could do for Pound the city would certainly try to do so.

Councilman Caruso suggested that the motion state agencies within the flood affected areas, not just Eastern Kentucky.

A discussion followed about if the area had been declared a federal disaster area.

Councilman Caruso said it is his understanding that the Commonwealth of Kentucky is assessing the flooding in preparation for applying for federal disaster relief.

Mayor Fawbush reminded council there will be a work session from 4-6 p.m., Tuesday, August 9, 2022, in council chambers.

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