

The regularly scheduled meeting of the Norton City Council was held Tuesday, January 3, 2023, at 6:00 p.m., in the Municipal Council Chambers with Mayor Joseph Fawbush presiding.

Present: Chris Jones, Stacy Salyers, Robert Fultz, Jr., Mark Caruso and Joseph Fawbush

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

The invocation was given by Councilman Fultz, and the Pledge of Allegiance was led by Norton Police Chief James Lane.

Mayor Fawbush welcomed new council members Chris Jones and Stacy Salyers to council.

Upon a motion by Councilman Caruso, seconded by Councilman Fultz, and passed by the following vote: YES –Fultz, Caruso and Fawbush, NO – None, ABSENT – None, ABSTAIN – Jones and Salyers, council moved to adopt the minutes of the December 6, 2022, council meeting as presented.

During the Mayor's Call for Visitors, retired coalminer and paralegal Bethel Brock, who has been working on a project to erect a statue of a coalminer in Norton to commemorate and honor area coalminers, came before council to present an update on the project.

Mr. Brock estimated the cost for the six- to seven-foot bronze statue with pedestal to be over \$50,000. He said \$1,000 had been collected with promises of additional funding and the location he proposed for the coalminer statue was somewhere between the Wise County/City of Norton Chamber of Commerce building and Doughmaker's. Another possible location would be at the east end wall coming into Norton. Mr. Brock, who serves as president of the Southwest Virginia Black Lung Association Chapter 2, discussed possible statue details and noted that the statue would help area tourism.

He requested council consideration of the coalminer statue project and the statue's possible location in the city.

Mayor Fawbush said council would discuss the coalminer statue project and evaluate the statue's best location at its next work session. He thanked Mr. Brock for his efforts in undertaking this project honoring area coalminers.

Vice Mayor Caruso, whose grandfathers were coalminers, commended Mr. Brock for initiating this important project, noting that he believed that once the project is publicized there would not be a problem raising \$50,000 for the statue.

Council had been presented with a draft of a Memorandum of Understanding (MOU) for a School Safety Officer (SSO) for Norton Elementary and Middle School (NEMS).

Explaining that the city had to submit the SSO grant application on behalf of the school system, the city manager advised that the city was awarded \$37,500 by the Department of Criminal Justice Services grant for an SSO at NEMS for the period of Oct. 10, 2022, through June 30, 2023. The school will have both a school resource officer (SRO) and an SSO at the school. Mr. Ramey said the city will be responsible for grant-oriented documentation.

Norton City Schools Superintendent Dr. Gina Wohlford was at the meeting to present background about the SSO position and duties and to address questions from council.

Dr. Wohlford said the SSO would enforce policy at the school, while the SRO enforces the law. She said the officers will work collaboratively, but there is a separation of their duties and

responsibilities. She said the SSO will hopefully start when school resumes the week of January 9-13, 2023.

The city manager advised that Norton Police Chief James Lane participated in the MOU draft process and the draft MOU was reviewed by former City Attorney William Bradshaw.

A discussion about SSO duties and training requirements followed.

Mr. Ramey read the training requirements contained in the SSO MOU.

Councilman Caruso said the SSO MOU should include proper training and required training defined by State of Virginia Code Section.

The vice mayor said he would like to see the person for the SSO position DCJS certified.

School Superintendent Dr. Gina Wohlford advised in the event of a true crisis the SRO would take charge.

The city manager read a Commonwealth of Virginia administrative section that listed minimum training certifications and requirements.

Councilman Caruso said he would like to see the SSO have a Stop the Bleed Class and have a full trauma kit, because that person will be the first responder in an emergency situation.

Dr. Wohlford said the school system is trying to get trauma kits for the teachers and the kits are very expensive.

Mr. Ramey advised that if council was comfortable with the suggestions for the MOU, council could allow the school system to move forward with hiring an SSO and wait until the next council meeting to officially approve the MOU. He told council the MOU for the SSO is not a DCJS grant requirement. He also reminded council of the time constraint for hiring the SSO for the school system.

The consensus of council was to authorize the school system to move forward with hiring a School Safety Officer with the understanding that the MOU with suggested additions would be officially considered by council at the January 17, 2023, meeting.

Dr. Wohlford welcomed the new council members and said she was looking forward to working with them.

The mayor thanked Dr. Wohlford for being present to address questions from council.

Council had been presented with two Memorandums of Understanding (MOU's) with the Southwest Virginia Children's Advocacy Center of Mountain Empire Older Citizens, Inc. (CAC MEOC). One MOU was with Norton Department of Social Services (NDSS), while the other was with Norton Police Department (NPD).

The city manager explained the reason council has seen an increase in MOU's, Memorandums of Agreement (MOA's), and cooperative agreements is because of state and federal grant requirements which require relationship documentation by participating grant partners. Mr. Ramey said following counsel review, former City Attorney William Bradshaw advised that these documents be presented to council for formal approval.

Mr. Ramey said Norton Social Services Director Abe Rutherford and Norton Police Chief James Lane were present at the meeting to discuss the MOU's.

He asked Norton Social Services Director Abe Rutherford to present an overview of how NDSS works with the Southwest Virginia Children's Advocacy Center of MEOC.

Mr. Rutherford spoke briefly about the working relationship of NDSS and CAC MEOC as outlined in the MOU. He said the only change in the MOU is the percentage of cases in the following passage – (5.) NDSS agrees to participate in joint forensic interviews with victims of child sexual abuse and severe physical abuse at the CAC for at least 75 percent of cases.

He said Norton had 77 cases of abuse and neglect of children in 2022. He explained that the 77 cases were not how many children, but the number of investigations that NDSS had. He said

only about half of the cases are actual investigations. Mr. Rutherford noted that most of what NDSS deals with in the City of Norton are cases of neglect instead of abuse.

Mr. Rutherford said he and Chief Lane are on the Healthy Families Board and the CAC Board and NDSS and NPD have a good working relationship with both boards.

He asked if council had any questions.

There were no questions from council.

Police Chief Lane said NPD's relationship in the CAC MOU deals with the legal aspect of these cases. He said CAC's expertise and facility result in fewer interviews being necessary and a better atmosphere for conducting the interviews, rather than doing the interviews at the police department.

Mr. Rutherford and Chief Lane explained that fewer interviews result in less trauma for the child.

The NDSS director said the percentage change has to do with CAC's funding.

Upon a motion by Councilman Caruso, seconded by Councilman Fultz, and passed by unanimous roll call vote: YES – Jones, Salyers, Fultz, Caruso and Fawbush, NO – None, ABSENT – None, ABSTAIN – None, council authorized the NDSS director to sign a Memorandum of Understanding with Southwest Virginia Children's Advocacy Center of Mountain Empire Older Citizens, Inc., and the Norton Department of Social Services, as presented. The motion also authorized the NPD chief to sign the Memorandum of Understanding with Southwest Virginia Children's Advocacy Center of Mountain Empire Older Citizens, Inc., and the Norton Police Department, as presented.

The mayor thanked Mr. Rutherford and Chief Lane for speaking to council.

Next on the agenda was council consideration of drafts of Cooperative Agreements with the Wise County and City of Norton Victim/Witness Program and the Wise County and City of Norton Commonwealth's Attorney, Norton Department of Social Services and Norton Police Department.

The city manager said City Attorney William Bradshaw had reviewed the drafts of the cooperative agreements and the recommended terminology modifications were made but had not been implemented as of the time council packets were printed. Mr. Ramey said he is waiting for the modifications to be resubmitted and he believes what is driving this is the change in the Commonwealth Attorney's Office.

NDSS Director Abe Rutherford said it was his understanding that the agreements need the signature of Brett Hall, the new Commonwealth Attorney for Wise County and the City of Norton.

Mr. Ramey asked Norton Chief of Police James Lane to provide a brief overview of the agreements.

Chief Lane said the services for victims of crime specified in the agreements are services that are normally provided by the participating agencies, but by signing the agreements the agencies agree to measures that will enable the agencies to provide better services to victims of crime. He said the Victim/Witness Program is a great program which guides victims of crime through the judicial process. The police chief said this is a program that the police department can use when needed. He said most of the time NPD is contacted by the Commonwealth Attorney's Victim/Witness Program about providing the services when needed, but NPD can also request those services.

Chief Lane asked if council had any questions.

Councilman Caruso inquired about costs associated with the services.

The city manager explained that it may be that the majority of these services are grant funded and a portion is a local match. He said the cost would be passed on to the city as part of the city share of funding for services provided by the Commonwealth Attorney's Office.

Mr. Rutherford added that the previous MOU's and these two cooperative agreements go hand-in-hand to facilitate the multi-disciplinary team approach.

Mr. Ramey said these documents are basically a formalization of the existing relationships. He explained that the modifications suggested by Mr. Bradshaw were changes to the document language from a departmental to a city perspective.

Upon a motion by Councilman Fultz, seconded by Councilman Salyers, and passed by the following roll call vote: YES – Jones, Salyers, Fultz, Caruso and Fawbush, NO – None, ABSENT – None, ABSTAIN – None, council authorized the NDSS director to endorse a Cooperative Agreement with the Wise County and City of Norton Victim/Witness Program and the Wise County and City of Norton Commonwealth's Attorney and the Norton Department of Social Services, once the necessary modifications made by former City Attorney William Bradshaw are implemented. The motion also authorized the NPD chief to endorse a Cooperative Agreement with the Wise County and City of Norton Victim/Witness Program and the Wise County and City of Norton Commonwealth's Attorney and Norton Police Department, once the necessary modifications made by former City Attorney William Bradshaw are implemented.

Mr. Ramey said he would include the implemented agreements in council packets for the next council meeting.

Included on the agenda for council consideration was the 2023 Commonwealth of Virginia Holiday Calendar published by the Virginia Department of Resource Management.

The city manager provided council with a brief background on how the city started this practice. He explained that council is provided with the opportunity the beginning of each year to approve the calendar for the city's employees. He said this allows City Finance Director Jeffery Shupe to budget the number of days that are going to be included and to inform city employees of the observed holidays. Mr. Ramey asked if council had any questions.

Upon a motion by Councilman Caruso, seconded by Councilman Jones, and passed by unanimous vote, council moved to approve the 2023 Commonwealth of Virginia Holiday Calendar published by Virginia Department of Resource Management.

In packets for council consideration was a check to McFall Excavating, Inc., of Clintwood, Virginia, dated September 30, 2022, in the amount of \$112,680.00 for the Maple Avenue Sewer Line Project.

Upon a motion by Councilman Caruso, seconded by Councilman Jones, and passed by the following roll call vote: YES – Jones, Salyers, Fultz, Caruso and Fawbush, NO – None, ABSENT – None, ABSTAIN – None, council moved to confirm the check to McFall Excavating, Inc., of Clintwood, Virginia, as stated above.

Upon a motion by Councilman Caruso, seconded by Councilman Fultz, and passed by unanimous roll call vote, 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 and per Section 2.2-3711 (A) (5) 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.

Mayor Fawbush declared council in closed meeting.

Upon a motion by Councilman Caruso, seconded by Councilman Salyers, and passed by unanimous vote, 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 Salyers, seconded by Councilman Fultz, 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 Norton Industrial Development Authority to fill the unexpired term of Robert Leonard, whose term expires on May 10, 2023.

Councilman Caruso nominated William Mays to be appointed to fill the unexpired term of Robert Leonard, whose term expires on May 10, 2023.

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

The mayor declared William Mays appointed to the Norton Industrial Development Authority to fill the unexpired term of Robert Leonard, whose term expires on May 10, 2023.

In comments from the city manager:

Mr. Ramey said he placed at council desks information about the Norton City Charter revision update. The city manager said last Friday he received an email from Delegate Kilgore's assistant sharing documentation that she had received from the Virginia Division of Legislative Services. He explained that the draft is prepared for the General Assembly process, is expected to receive a bill number in the next day or so and will be formally introduced and ready to go to committee. He advised that the city may have to participate in a virtual committee meeting to explain the revisions and he will keep city council informed about this. He wanted council to know that the city charter revisions are on their way to being accomplished during this General Assembly session.

Regarding Project Intersection, the city manager told council the city Board of Zoning Appeals conducted a public hearing on December 19, 2022, regarding the need for additional blasting associated with Phase II of Project Intersection. The Board of Zoning Appeals approved a special use permit for the blasting, and the blasting plan had also been presented to the Virginia Fire Marshal's Office and the Virginia Department of Energy with both approving the plan. Mr. Ramey anticipates that the blasting will begin sometime in January 2023.

The city manager reminded council that the annual financial disclosure statements have been provided to council and the deadline for submission to the city clerk is February 1, 2023. He said state law states that failure to submit the financial disclosure statements by that date will result in a \$250 penalty which is assessed by the Commonwealth Attorney's Office.

He provided council with a 2022 council highlights handout.

Mr. Ramey asked for council consideration for a council work session in January.

The consensus of council was to conduct a council work session at 5 p.m., Wednesday, January 11, 2023, in council chambers.

He distributed copies of the December 2022 Retail Sales Tax Report for council review.

City of Norton Finance Director Jeffery Shupe provided copies of the monthly financial report for review by council.

The following comments were made by council members:

Councilman Jones said it is an honor to serve and he appreciated the opportunity.

Mr. Jones said Dr. Bill Kanto approached him last week about doing a historical walk and placing historical markers at Home Hardware emphasizing that the building was a retail outlet for Norton Hardware Company and one at the Municipal Building noting that Jean Wray was one of the first female code breakers during World War II. Councilman Jones said Dr. Kanto indicated that he would do the leg work and the fundraising. Mr. Jones identified other possible marker locations.

He also said he would like to do a program with downtown businesses to identify Norton's strengths and weaknesses and the direction the city is going in terms of goals.

Mr. Ramey suggested that Councilman Jones touch base with Blake Salyer because the state recently spent about \$30,000 working with downtown businesses identifying strengths, weaknesses, and opportunities.

Councilman Salyers said he appreciated being elected, looked forward to working with council the next four years, and was excited to be here.

Councilman Fultz welcomed the new council members and the return of Joseph Fawbush as mayor. He said it is going to be a big year with projects city administration and council have been working on for a long time such as Project Intersection becoming visible.

He voiced his excitement about the potential for area housing opportunities and finding ways to add housing to the city for current and future residents.

Councilman Caruso requested that city crews address the turned over tables and canopies at the former Sugar Hill Cidery location.

He asked if council would be having a work session in February for budget and projects.

The city manager said maybe the later part of February.

The finance director said the budget would be dependent on how quickly the General Assembly moves, but on projects council could meet in February.

He said council needs to review and renew the city's comprehensive plan.

Mr. Caruso said he liked the idea of the historic walk if Dr. Kanto is willing to get the first two done. He said maintaining the same sign standard throughout the city would be a great thing to do.

The city manager reminded Mr. Caruso that council has discussed the challenges of putting together that kind of program.

Councilman Caruso said council needs to prepare for the possibility of a recession during 2023 as council and city administration develop/work on the budget.

He asked if something could be done to clean up the trash along the curve on Trent Street.

The city manager said he would take a look at the issue.

Councilman Caruso discussed the need for a short-term, mid-term, and long-term housing plan for the city and having a council work session on the issue with housing experts in attendance. He said he is concerned about the homelessness and the crime the housing issue is generating.

Councilman Caruso welcomed the new council members.

Mayor Fawbush said Coeburn-Norton-Wise Regional Waste Water Treatment Authority did not have a rate increase this year and housing is a top priority.

The mayor said there was a good turnout for the Destination Center Groundbreaking on December 16, 2022, the ribbon-cutting for the JGreat Entertainment Skating Rink took place December 28, 2022, Alfredo's Italian and Greek Restaurant opened in December, and he is looking forward to the Japanese restaurant opening soon.

He welcomed the new council members.

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., Clerk of Council