

The regularly scheduled meeting of the Norton City Council was held on Tuesday, September 21, 2010 at the Municipal Council Chambers at 6:00 p.m. with Mayor William Mays presiding.

Present: Mark Caruso, Joseph Hunnicutt, William Mays, and Terry Roop

Absent: Joseph Fawbush and Bill Bradshaw

Also Present: E. W. Ward, City Manager

The invocation was given by Rev. Ken Taylor followed by the pledge of allegiance led by Police Captain James C. Lane.

At this time, the City Attorney took his seat.

24824

Mayor Mays amended the agenda to include Item No. 8-H Closed Meeting to conduct a consultation with legal counsel pertaining to actual litigation as per Section No. 2.2-3711 (A) (7) of the Code of Virginia, as amended.

24825

Upon a motion by Councilman Hunnicutt, seconded by Councilman Caruso, and passed by unanimous vote, Council moved to adopt the minutes of the September 7, 2010 meeting as presented.

24826

During the Mayor's call for visitors, Ms. Delores Bolling of Hillcrest Drive, spoke to Council advising that she wanted Council members to drive up and look at her street. She stated that the road needs to be paved, ditches need to be cleaned out, pot holes need to be filled, weeds need to be cut, and that she and several of her neighbors are fed up and want better service for their tax dollars.

24827

Ms. Carrie Mullins Potter asked Council for permission to conduct a Walk-A-Thon on September 30, 2010 for those who have recovered from any type of addiction. The walk will begin at 6:30 or 7:00 in the evening and will start at either the Norton Cinema or United Methodist Church and end at the Norton City Park.

Mayor Mays advised that the City Administration can give permission for this Walk-A-Thon. Mr. Ward advised that he had already talked with Ms. Potter and there is no problem with this event being held.

A public hearing was held on A Resolution Authorizing the Issuance and Sale of A General Obligation Water Facilities Bond of the City of Norton and Providing for the Form, Details, and Payment Thereof.

Mr. Ward advised that the sale of these bonds is to cover the necessary repairs to the upper reservoir dam in the amount of \$1,260,000. This is a low interest loan and the City is required to hold a public hearing on this resolution.

24828

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

Mayor Mays opened the public hearing.

There being no public comment, Mayor Mays closed the public hearing.

Mr. Ward advised that the City hopes to bid this project in October, open bids in December, and award the bid in February. The start date will be dependent upon the weather.

Councilman Caruso stated that these repairs are being done due to State mandate. Mr. Ward advised that this was the case and a concrete weir will be built on the existing dam for flood control.

Following a brief discussion and upon a motion by Councilman Hunnicutt, seconded by Councilman Roop, and passed by the following unanimous vote: YES – Caruso, Hunnicutt, Roop, Mays, NO – None, ABSENT – Fawbush, Council moved to adopt A Resolution Authorizing the Issuance and Sale of A General Obligation Water Facilities Bond of the City of Norton and Providing for the Form, Details, and Payment Thereof. (Insert)

The Superintendent of the Water Treatment Plant, Tommy Roberts, presented Council with an update on reservoir totals. As of September 15, 2010, there was a combined storage total of 82 million gallons. The City is continuing to monitor the water levels and continues to buy water from the Wise County Public Service Authority. There is approximately 159 days supply of water and the Administration feels the City will have an adequate supply; however citizens are still being asked to conserve water.

24829

Ms. Crystal Breeding of People, Incorporated spoke briefly to Council advising that they now have \$750,000 which can be used to start small businesses or to help businesses stay in operation. She has been going to meetings of the various entities and area banks in their service areas to discuss this and make the program known. She then presented Council members with a flyer and thanked them for their time.

24831

Mayor Mays thanked Ms. Breeding for her presentation.

In their packets, Council had a request for one water tap for Mr. Paul E. Phillips, 6221 W. Norton Road, in the Josephine section of the County.

Mr. Ward advised that the City Administration is seeking Council's favorable action on this request.

24831

Upon a motion by Councilman Roop, seconded by Councilman Caruso, and passed by unanimous vote, Council moved to approve one water tap for Mr. Paul E. Phillips, 6221 West Norton Road.

Council had been presented with A Proclamation Declaring October 1, 2010 as the 2nd "International Walk to School Day" in the City of Norton.

The City Manager advised that the walk will begin at 7:45 a.m. from the Norton City Park and will proceed to the Norton Elementary and Middle School. Council members are invited to attend and hopefully the Mayor or Vice Mayor will attend, speak, and walk.

Upon a motion by Councilman Hunnicutt, seconded by Councilman Caruso, and passed by unanimous vote, Council moved to adopt A Proclamation Declaring October 1, 2010 as the 2nd "International Walk to School Day" in the City of Norton. (Insert)

24832

A Resolution for Amendment of Consortium By-Laws was included in Council's packets for consideration.

Mayor Mays advised that this resolution covers the Cleo Board (Chief Locally Elected Officers for the Work Force Investment Board) and that six of the eight entities have adopted the same resolution for the amending of the by-laws, which permits the board to conduct business faster by changing Article III, Section E Amendments which states that an adopted resolution will no longer be required when a by-law needs to be changed.

24833

Mayor Mays advised he was willing to answer any questions or address any comments Council may have.

Upon a motion by Councilman Roop, seconded by Councilman Hunnicutt, and passed by the following unanimous vote: YES – Caruso, Hunnicutt, Roop, Mays, NO – None, ABSENT – Fawbush, Council moved to adopt A Resolution for Amendment of Consortium By-Laws. (Insert)

Mr. Ward had furnished Council with information regarding potential refinancing opportunities for the Norton Elementary School Debt. He advised that, in November of 2009, the City had refinanced its interim debt with First Bank and Trust wherein the City would make interest only payments for a five year period based on a 3.86% interest rate.

Both he and Mr. Shupe had recently met with Mr. David Rose, an investment banker with Davenport and Company. He explained that there may be an opportunity to refinance this obligation again and save the City some additional interest expense. He also cautioned that there is no guarantee; however at this time, it is looking favorable. There would be the potential annual interest expense savings of between \$40,000-\$50,000 per year; however the City would incur some cost which is anticipated to be approximately \$7,500. He further advised that the City Administration feels it is worth the risk to go forward to save this amount of money on an annual basis.

24834

Following a brief discussion and upon a motion by Councilman Hunnicutt, seconded by Councilman Roop, and passed by unanimous roll call vote, Council authorized the City Manager to move forward to refinance the Norton Elementary School Debt.

Mayor Mays advised that three of the five City Council members will be out of the City on Tuesday, October 5th, attending the Virginia Municipal League Conference. This is Council's regular meeting night and a quorum will not be present; therefore Mayor Mays suggested canceling the October 5, 2010 meeting.

24835

Upon a motion by Councilman Hunnicutt, seconded by Councilman Caruso, and passed by unanimous vote, Council moved to cancel the October 5, 2010 City Council Meeting.

Council had been presented with copies of checks to be approved. These checks are as follows: A check to Boring Contractors dated 9/3/10 in the amount of \$321,219.41 for the Guest River Interceptor Project – Phase 2; the second is a check to Boring Contractors dated 9/3/10 in the amount of \$102,660.51 for the Guest River Interceptor Project – Phase 1; the third check is to Boring Contractors in the amount of \$206,448.13 dated 9/15/10 for the Guest River Interceptor Project – Phase 1; and a check in the amount of \$150,255.09 dated 9/15/10 made payable to Estes Bros. Construction, Inc. for the Josephine Sewer Extension Project Payment Request #2.

24836

Upon a motion Councilman Hunnicutt, seconded by Councilman Caruso, and passed by unanimous roll call vote, Council moved to approve the four checks as listed above.

Upon a motion by Councilman Caruso, seconded by Councilman Hunnicutt, and passed by unanimous roll call vote, Council moved to go into closed meeting to discuss consultation with legal counsel pertaining to actual litigation as per Section No. 2.2-3711 (A) (7) of the Code of Virginia, as amended.

Mayor Mays declared Council in closed meeting.

Upon a motion by Councilman Caruso, seconded by Councilman Hunnicutt, and passed by unanimous vote, Council moved to go back into open meeting.

Mayor Mays declared Council back in open meeting.

The Clerk polled each member of Council as to the Certification of Closed Meeting with each answering yes. The Clerk then read A Resolution of the Certification of Closed Meeting. Upon a motion by Councilman Hunnicutt, seconded by Councilman Caruso, and passed by the following unanimous vote: YES – Caruso, Hunnicutt, Roop, Mays, NO – None, ABSENT – Fawbush, Council moved to adopt A Resolution of the Certification of Closed Meeting. (Insert)

Mayor Mays advised there was no announcement to come from the Closed Meeting.

In comments from the City Manager, Mr. Ward advised that the second half of real estate taxes and the personal property taxes have been mailed out and are due October 15th.

There were no comments from the City Attorney.

In comments from City Council, Councilman Caruso advised that:

The Farmers Market Committee needs to be thanked and acknowledged for the wonderful job they have done this season – especially Chairman Carmen Cantrell, Fred Ramey, and the crew that has kept it going.

Congratulations are to be given to the Kiwanis Club for the 9th Annual Kiwanis Benges Revenge Bicycle Challenge which was held on September 19th.

Councilman Roop advised he would like to see the City develop a form to be used for those seeking financial assistance from the City. Mr. Ward advised that this has been done.

Mayor Mays advised that he has received praise from neighboring counties on the Farmers Market. Comments included how nice and friendly the people were.

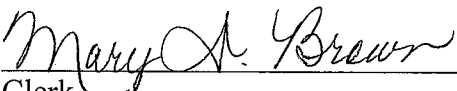
There being no further business to come before the Council, the meeting was adjourned.

CITY OF NORTON, VIRGINIA



William J. Mays, Mayor

ATTEST:



Clerk