

The regular meeting of the City Council was held in the Municipal Court Room on July 23, 1974 at 7:40 P.M. with Mayor Fulks presiding.

Present: Ike Fulks, W. F. McElroy, Roy Roberts

Absent: Jim Humphreys, George Hunnicutt

Also Present: Milas D. Franks, City Manager, Montie Meeks, City Attorney

Minutes of the previous meeting were read and approved.

Mr. L. H. Hash of 416 Kentucky Avenue, SE appeared before Council asking that something be done about the dust problem created by Bo Par. Dock Company. Mr. Hash stated that his house was located in front of the Coal Dock. He stated that the dust was ruining his property. He told Council that the Coal Dock now had an extra coal pile that was causing a tremendous amount of dust. He asked that the City Council appoint a Committee to come and inspect his property and see for themselves the damage. Mr. Hash stated that he did not think that it was right for everything that he had worked for be destroyed so that this Coal Company can make money. 6607

Mr. Johnny Scott of 436 Kentucky Avenue also appeared before Council asking that something be done about the Coal Dock and the terrible dust problem. He felt that they should be made to do away with the stock pile of coal. He also stated that the Coal Company was not keeping the coal watered down. He said that if he asked them to water the coal down they got mad. Mr. Scott told Council that he had moved into his new house last December and that he had already had his carpet cleaned three times. 6608

Mr. Willis Collins of 401 Kentucky Avenue another resident of this section told Council that they were dumping coal within fifty feet of his house. He said that the dust was so bad that they could not have their windows or doors opened. He also stated that they were causing damage to his property with their coal trucks. 6609

Mr. Ted Jenkins of 352 Kentucky Avenue told Council that he had just had Aluminum Siding put on his house and that the dust had just about ruined it. He also stated that he worked nights and that he could not sleep for the noise. 6610

Mr. Hash spoke again and told Council that he felt that they did not have adequate hose to supply water for the purpose needed.

Mr. Donald Baker of 440 Kentucky Avenue another resident of this area stated that he had just bought his house and that he was in the attic to inspect it, and found coal dust about a quarter of an inch thick. He told Council that he had ceiling heat and that this dust was creating a very dangerous condition. He told Council that he had paid \$20,000.00 for his home and that after moving in he had spent an additional \$4,000.00. He said that he was trying to improve his property and felt that the Coal Dock was causing the value to go down. 6611

Charlie Daniels told Council that he was in the process of building some new houses above the Coal Dock. He told Council that he felt that the Coal Dock was breaking all of the laws. Mr. Daniels told Council that he felt that they should be closed down until they make an effort to do something. 6612

Mayor Fulks stated that he had visited the site and that it is a bad situation. He instructed the City Manager and City Attorney to see what can be done.

Councilman Roberts stated that he had visited the site and that it was bad. He told the people that the Council had instructed the City Manager to write the Owners a letter and ask for a Meeting. Councilman Roberts stated that they will be told that if they do not do something the City Council will do everything in their power to close them down.

City Attorney advised the Citizens that in his opinion they had a private suit against the Coal Company. He advised them to see an attorney.

On motion by Roy Roberts, seconded by W. F. McElroy and carried by unanimous vote Council authorized the City Manager to write the Owners of Bo Par Dock Company and ask for a meeting to advise them of the corrective actions needed to abate the dust problem that exists. 6613

Joe O'Brien, County Administrator for Wise County appeared before the City Council and advised that the Board of Supervisors had adopted a Resolution setting forth three alternatives of abating the shortage of water that exists in the Wise County Public Service Authority's Coeburn Mountain Water System. The alternatives are as follows: 6614

1. The Public Service Authority would like to buy on an alternating weekly basis a maximum of 128,000 gallons of water per week.
2. The Public Service Authority has applied to the Civil Defense for portable water filtering plant. This plant can be made available for 60 to 90 day period.
3. That the Public Service Authority would assist the Town of Wise in constructing a water line to tie into the City of Norton Water System in the vicinity of the Copper Kettle Restaurant on old Route 23 at the North Corporate Limits of the City of Norton.

The City Manager advised that the City is starting into its dry season. He stated that if it was for just one week the City could probably overcome the loss, but that further studies would be needed to determine how long the City could spare this amount of water. He advised Mr. O'Brien that the City has made prior commitment to the Town of Wise and that this commitment would be honored first. 6615

Council instructed the City Manager to make a study of the water situation and report back to Council as to his findings. Council advised Mr. O'Brien that a decision would be made and he would be advised.

Mr. McGannon appeared before Council asking about parking situation on Oak Street. He was advised by the City Attorney that no reply had been received from the Virginia Municipal League. 6616

Ted Jenkins ask Council about the Street that Charlie Daniels was building on Woodland Terrace. The City Manager told Mr. Jenkins that Mr. Daniels would be required to surface treat the road before the City would accept it. The City Manager further advised Mr. Jenkins that the alleged drainage problem being created by the new Street would have to be corrected prior to the City taking responsibility of maintaining said Street. 6617

On motion by W. F. McElroy, seconded by Roy Roberts and carried by the following unanimous roll call vote Council approved the Zoning change on East Park Avenue requested by Glenn Roberts Firestone Tire and Recapping Company. 6618

The Zoning change affected is from A - Resident Zone to B - 3 General Business Zone and is further described in the attached description of the said property. (Page 122)

Ike Fulks - Yes
W. F. McElroy - Yes
Roy Roberts - Yes

Jim Humphreys - Absent
George Hunnicutt - Absent

On motion by Roy Roberts, seconded by W. F. McElroy and carried by the following roll call vote Council adopted Resolution requesting access to C. C. C. Camp. (Page 123)

Ike Fulks - Yes
W. F. McElroy - Yes
Roy Roberts - Yes

Jim Humphreys - Absent
George Hunnicutt - Absent

On motion by Roy Roberts, seconded by W. F. McElroy and carried by the following roll call vote Council adopted Resolution on Route 620. (Page 124)

Ike Fulks - Yes
W. F. McElroy - Yes
Roy Roberts - Yes

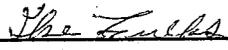
Jim Humphreys - Absent
George Hunnicutt - Absent

City Manager requested that the Ordinance on Water and Sewer Rates be tabled until a later date, so that he could do further study on it. He said that he would bring a report back to Council. 6619

Mayor asked if something could be done to the canopy in front of City Hall. He stated that he is afraid that it might be a safety hazard. 6620

There being no further business to come before Council same adjourned.


Clerk


Mayor