

November 16, 1965

The regular meeting of the City Council was held in the Municipal Court Room on November 16, 1965 at 7:30 P.M. with Vice Mayor Woods presiding.

Present: Archie Woods, C.W. Bryant, V.O. Flanary, R.L. Collins

Absent: J. C. Holcomb

Also Present: David Norman, City Manager & Leslie Mullins, Attorney

Minutes of the previous meeting were read and approved.

Mr. Norman, as secretary of the Norton Planning & Zoning Commission, #3478 presented to council recommendation of said board in regard to rezoning request of Frank Bucca for the rezoning of Lot 5 Block 97 from B Residential to General Business. Mr. Norman stated that the recommendation of the Commission was that Lot 5 Block 97 not be rezoned from B Residential to General Business.

On motion by C.W. Bryant, seconded by R.L. Collins and carried by unanimous #3479 vote, the following Radar Ordinance was passed:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTON, VIRGINIA, THAT

(a) The speed of any motor vehicle may be checked by the use of radio microwaves or any other electrical device. The results of such checks shall be accepted as prima facie evidence of the speed of such motor vehicle in any court or legal proceedings where the speed of the motor vehicle is at issue.

(b) The driver of any such motor vehicle may be arrested without a warrant under this section provided the arresting officer is in uniform and displays his badge of authority; provided that such officer has observed the registration of the speed of such motor vehicle by the radio microwaves or other electrical device, or has received a radio message from the officer who observed the speed of the motor vehicle registered by the radio microwaves or other electrical device; provided in case of an arrest based on such a message that such radio message has been dispatched immediately after the speed of the motor vehicle was registered and furnished the license number or other positive identification of the vehicle and the registered speed to the arresting officer.

(c) No operator of a motor vehicle may be arrested under this section unless signs have been placed on the primary highway system and outside the city limits to indicate the legal rate of speed and that the speed of motor vehicle may be measured by radio microwaves or other electrical devices. There shall be a prima facie presumption that such signs were in place at the time of the commission of the offense of exceeding the legal rate of speed, and a certificate by the Director of Public Safety of the City of Norton, who shall be the City Manager as to the placing of such signs shall be admissible in evidence to support the presumption.

Such legal rate of speed and notice of measurement of speed by radio microwaves or other electrical devices may be posted on different signs and need not be posted on the same sign.

Mr. Norman presented requests for street light at 1565 Spring Avenue and #3480 on 5th Street.

On motion by V.O. Flanary, seconded by C.W. Bryant and carried by unanimous vote, council authorized the City Manager to have two street lights installed, one at 1565 Spring Avenue and one on 5th Street.

On motion by V.O. Flanary, seconded by C.W. Bryant and carried by unanimous #3481 vote, the following annexation ordinance was passed:

An Ordinance to Provide for the Extension of the Corporate Limits of the City of Norton, Virginia, in pursuance to the provisions of Chapter 8, Title 15 of the Code of Virginia, as heretofore amended.

WHEREAS, it is deemed desirable by the City of Norton, Wise County, Virginia, to annex in pursuance of the provisions of Chapter 8, Title 15 of the Code of Virginia, as heretofore amended, certain territories lying in the County of Wise adjacent to the corporate limits of the City of Norton as hereinafter accurately described by metes and bounds:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTON, VIRGINIA:

First: That the City of Norton hereby declares that it is desirable to, and that it desires to annex to the City of Norton certain territories now lying in the County of Wise and adjacent to the present corporate limits of the City, which said territory is in one parcel adjoining the present corporate limits of the City on the northern and western portions of the present corporate limits and which said parcel of land is more particularly described as follows:

Beginning at a white oak on top of Backbone Ridge a corner of the Norton Corporation, thence due south 61.26 feet to a point in a line of the original Green B. Jones land (now owned by C. Sterling Jones); thence with said line N 62 45 W, 229.79 feet to a locust stake, a corner to the said Jones land and the Wise Coal and Coke Company property; thence with the property of the Wise Coal and Coke N 45 35 E, 1929.3 feet to a point; thence N 45 30 E, 150.0 feet to a stake; thence leaving the Wise Coal and Coke property S 44 42 E, 403.0 feet to a point; thence S 44 47 3 18.0 feet to a point on top of the said Backbone Ridge in a line of the present Corporation line; thence with the top of Backbone Ridge and the present Corporation line S 11 30 W 51.0 feet; thence S 53 30 W 429.0 feet to a point; thence S 4 30 E 136.0 Feet to a point; thence S 56 W 185.0 feet; thence S 45 00 W. 175.0 feet to a point; thence due west 136.0 feet to a point; thence S 60 45 W 275.2 feet to a point; thence S 15 00 W 153.0 feet to a point; thence S 85 09 W 208.7 feet to a point; thence S 55 W 405.0 feet to the point of Beginning, containing 16.618 acres by traverse.

Second: The City of Norton does hereby set forth the necessity for and expediency of the proposed annexation as follows:

(a) That certain parties are now interested in the development of a residential area in that portion of Norton and the portion sought to be annexed known as Whitaker Farm. That the portion sought to be annexed is a portion of this area known as Whitaker Farm and will be contiguous to the residential development of that portion of property now in the City of Norton that is known as the Whitaker Farm. That it would be practicable to develop this residential area at one time, that is the portion now in the City of Norton and the portion lying just outside the limits of the City of Norton in the above described area. That this is undeveloped property and that there are no residents of this area at this time.

(b) That this territory at this time does not have fire and police protection.

Third: The City of Norton hereby sets forth the terms and conditions upon which it desires to make the proposed annexation and the provisions for the future improvement of the annexed territory as follows:

1. That the territory described if annexed will be attached to the present City and become a part thereof and that any parties moving into said area will become citizens of the City of Norton.

2. That the City of Norton will, as soon as annexation is accomplished, afford police protection to any citizens that may move or build in said territory.

3. That the City of Norton will, as soon as reasonably possible and upon the terms and conditions as contained in its subdivision ordinance, maintain streets and alleys that may be dedicated.

4. The City of Norton is not informed as to the extent of any existing debt of Wise County, but if any there be the City will assume a just proportion of such existing debt.

5. That the City of Norton will, as soon as annexation is accomplished, with all reasonable dispatch afford and furnish to any citizens that may locate in the annexed territory the public school facilities.

6. That after the annexation of such territory the management, improvement and government thereof will be under the supervision and control of the City Council and will be managed, improved and governed in like manner in that part of the City which is in within its present corporate limits, and that all the laws and ordinance of the present City now in existence are to be hereafter adopted shall apply as far as applicable to the territories proposed to be annexed in the present City in like manner.

7. That the future inhabitants of the annexed territory shall be managed and treated in all respects as existing territory and the inhabitants of the City of Norton are managed and treated.

Fourth: The City of Norton hereby sets forth a map annexed to this ordinance the information of the area sought to be annexed. This map shows areas containing farm lands and vacant areas. There are no general subdivisions in this area at this time.

Fifth: That the City of Norton be, and hereby is, instructed to institute and prosecute an annexation proceeding with as little delay as possible, in the name of and for the City of Norton by a proper decree or judgment of the Circuit Court of Wise County, to be constituted in the manner prescribed by law to annex the territory hereinbefore described, upon the terms and conditions hereinbefore set forth.

An emergency is declared to exist and the foregoing ordinance is declared to be in full force and take effect from its passage.

Thereupon by the affirmative vote of the majority of the members elected to the Council of the City of Norton, the foregoing ordinance was adopted.

Adopted this _____ day of _____, 1965

Approved this _____ day of _____, 1965

MAYOR

CLERK OF THE CITY OF NORTON

Mr. Norman advised Council that the City Sergeant's budget for year ending Dec. 31, 1965 lacked \$38.10 for telephone expense for this year. #3482

On motion by R.L. Collins, seconded by C.W. Bryant and carried by unanimous vote, Council moved that the City Sergeant's expense budget be increased in the amount of \$38.10 to cover telephone expense for remainder of this year.

Mr. Norman advised Council that the securities at the bank were being processed. Council instructed the City Manager to continue with this matter. #3483

Mr. Norman discussed with Council paving of Chestnut Street. Council decided to leave street as it is for time being. #3484

Mr. Norman gave report on City's water supply. He stated the City had approximately 3 months water supply. He also stated the water crews were working on leaks in water system. #3485

Mr. Norman gave a report to Council of repairs to sewers. #3486

Councilman Collins presented a request of Bill Keith for water connection to his property in Josephine section. Council instructed the City Manager, that upon receipts of \$450.00 cost of three connections, to go ahead and make connection. #3487

Councilman Bryant again brought request of Bill Ringley on Spruce Street for something to be done to eliminate water running across his property from street. Mr. Norman advised Council that he had advised Mr. Ringley that if he would buy the culvert pipe the City would install the same. #3488

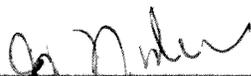
On motion by C.W. Bryant, seconded by R.L. Collins and carried by unanimous vote, Council moved that the Treasurer & City Manager be instructed to transfer \$25,000 from City of Norton General Operating Fund to the City of Norton Public Works Sewer Improvement Fund, said funds to be repaid at such time as the funds become available in the Public Works Sewer Improvement Fund. #3489

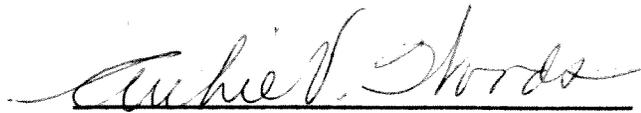
Mr. Norman presented Treasurer's Report for month of October, 1965. #3490

Council discussed briefly with the City Manager group insurance rates of the City Employees. #3491

Council inquired of the City Manager the status of the roof for the Municipal Building. #3492

There being no further business to come before the council, same adjourned.


Clerk


Vice Mayor