

The regular meeting of the Norton City Council was held on Tuesday, March 21, 2006 in Council Chambers at 7:30 p.m. with Mayor Robert Raines presiding.

At this time, Mayor Raines recognized Mayor and Mrs. Bill Cole of Big Stone Gap and two members of the Forward Wise County Class, Henrietta Dotson and Corey Dotson.

Present: Joseph Hunnicutt, Jack Wallace, Robert Raines, and William Mays

Absent: Joseph Fawbush

Also Present: E. W. Ward, City Manager and Bill Bradshaw, City Attorney

The invocation was given by Rev. John Ellington and was followed by the pledge of allegiance led by Dr. John Sessoms, Superintendent of the Norton City School System.

Upon a motion by Joseph Hunnicutt, seconded by William Mays, and passed by unanimous vote, Council moved to adopt the minutes of the March 7, 2006 meeting as presented.

21316

During the Mayor's call for visitors, Mayor and Mrs. Bill Cole of Big Stone Gap spoke briefly to Council and expressed the thanks of the Town of Big Stone Gap and its citizens for the assistance given to them by the City of Norton during their recent water crisis. Mrs. Cole read a Resolution Commending the City of Norton and Mayor Cole presented Mayor Raines with a plaque of appreciation.

21317

At this time, Councilman Fawbush took his seat on Council.

21318

Mayor Raines thanked Mayor and Mrs. Cole for both the resolution and plaque and stated that the City was glad that they were in a position to help.

21319

Mr. Danny Price of Gott Street spoke briefly to Council asking about the handrails on the steps leading from 10<sup>th</sup> Street to Gott Street. He had been at Council's previous meeting asking that a railing be put on these steps.

21320

Mayor Raines advised Mr. Price that this had been turned over to the City Administration and he should contact the City Manager.

A public hearing was held to solicit input on the proposed Community Development Block Grant (CDBG) to be submitted to the Virginia Department of Housing and Community Development for Entrepreneurship Development in Wise County and the City of Norton.

Mayor Raines advised that Phil Black and Brian Phipps of People, Incorporated were present at tonight's meeting. He asked that they speak briefly to Council regarding this grant application.

Mr. Black advised that Wise County would be the lead applicant on this grant with the City of Norton being a co-applicant. This grant, if funded, will provide technical

assistance services and provide loan funds of \$120,000, which will be matched dollar to dollar by People Incorporated for a total of \$240,000. These funds will be available for loans to businesses not otherwise eligible to get loans from banks. Wise County will receive 65% of the funds for their businesses with the remaining 35% will be earmarked for City of Norton businesses. The lending affiliate handling the funds will be the Southwest Virginia Community Development Financing, Incorporated. Mr. Black advised he would be willing to answer any questions and thanked Council for their time.

21321

Following a brief discussion, Mayor Raines advised the public hearing had been duly advertised and then opened the public hearing.

There being no public input, Mayor Raines closed the public hearing.

A public hearing was held to consider financial encumbrances as of June 30, 2005 in the amount of \$435,870 in the General Operating Fund and \$17,104 in the School Operating Fund.

Mr. Ward advised that Council had been provided with a list of these encumbrances in their packets and that he would be willing to answer any questions Council may have concerning them. Also, Dr. John Sessoms, Superintendent of the Norton City Schools, was present to answer any questions regarding their encumbrances.

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

Mayor Raines opened the public hearing.

There being no public input, Mayor Raines closed the public hearing.

21322

Upon a motion by Joseph Hunnicutt, seconded by William Mays, and passed by unanimous roll call vote, Council moved to approve encumbrances for the Norton City Schools in the amount of \$17,104 and the General Operating Fund of the City in the amount of \$435,870.

Council had been presented with a copy of A Resolution Authorizing and Supporting the Filing of an Application for a CDBG Grant for the Entrepreneurship Development Project.

Mayor Raines advised this is the resolution covering the item for our first public hearing held tonight wherein Mr. Black spoke to Council.

Upon a motion by William Mays, seconded by Joseph Hunnicutt, and passed by the following unanimous roll call vote: YES – Hunnicutt, Wallace, Mays, Fawbush, Raines, NO – None, ABSENT – None, Council moved to adopt A Resolution Authorizing and Supporting the Filing of an Application for a CDBG grant for the Entrepreneurship Development Project. (Insert)

21323

Council had been presented with A Resolution Authorizing an Application to the Virginia Department of Health for a Grant for the Isabell Circle Water Improvement Project. He advised that the City had been successful in the past in receiving these grants. One was used on the 21<sup>st</sup> Street area and the other on the Frog Level Project.

Mr. Ward advised that this grant, if awarded, has a maximum amount of \$50,000 and would be used in the Isabell Street Circle area to increase the size of the water line from a 2" line to a 6" line. This would encompass Isabell, Jake, Nosler, and Cedelia Streets.

21324

Following a brief discussion and upon a motion by Joseph Hunnicutt, seconded by Joseph Fawbush, and passed by the following unanimous roll call vote: YES –

Hunnicut, Wallace, Fawbush, Mays, Raines, NO – None, ABSENT – None, Council moved to adopt A Resolution Authorizing an Application to the Virginia Department of Health for a Grant for the Isabell Circle Water Improvement Project. (Insert)

Council had been presented with A Resolution Authorizing an Application to the Virginia Department of Health for a Grant for the 5<sup>th</sup>/Oak Street Water Improvement Project.

Mr. Ward advised this is the same grant process as discussed on the Isabell Circle Water Improvement Project and, if awarded, would upgrade lines in the 5<sup>th</sup> Street, Oak Street, and Pine Hills area of the City.

21325

Following a brief discussion and upon a motion by Joseph Hunnicutt, seconded by William Mays, and passed by the following unanimous roll call vote: YES – Hunnicutt, Wallace, Mays, Fawbush, Raines, NO – None, ABSENT – None, Council moved to adopt A Resolution Authorizing an Application to the Virginia Department of Health for a grant for the 5<sup>th</sup>/Oak Street Water Improvement Project. (Insert)

Council had been presented with a draft request for proposals (RFP) for a Comprehensive Sewer Study.

Mr. Ward advised that the City had already done a Comprehensive Water Study and by securing a sewer study, he hopes to achieve a good working document for the City. He then briefly went over the scope of the work that is to be done in this study. He would like to advertise this Request for Proposal by April 1st and hoped that it would be concluded by the end of the year. He asked council members if they would like to add anything to this draft document. He advised that \$80,000 had been budgeted for this study in the 2005-2006 budget and he does not know if this will cover the costs or not.

21326

Following a brief discussion, it was the consensus of Council to authorize the City Manager to solicit requests for proposals for a Comprehensive Sewer Study.

Council had been supplied with the information covering the alternatives for the Upper Norton Dam as pertains to the probable maximum flood. Council had discussed this earlier and had decided to make their selection at this council meeting.

Mr. Ward advised that Pat Murphy from Thompson and Litton was out of town and not able to attend tonight's meeting.

The City Administration has been made aware of some notice of intended regulatory action which may or may not amend the impounding structure regulations. This is being considered by Dam Safety now and is a lengthy process. At some point, the Department of Soil and Water Conservation will either amend, modify, or keep the existing regulations in tact. The purpose of this proposed regulatory action is to consider amendments to the Virginia Soil and Conservation Board's impounding structure regulations that would establish an alternative procedure that would allow for the evaluation of spillway design floods less than the probable maximum flood. This would mean that there is a chance that the City could make improvements and modifications to the upper dam that might be something less than what we have to do. This may affect the schedule we have submitted to Dam Safety. Mr. Ward is expecting a written response from them by the end of the month. The timetable we have in place states that a contract will be awarded in March 2008 and completion will be by the end of 2008.

21327

Following a brief discussion and upon a motion by Joseph Hunnicutt, seconded by William Mays, and passed by unanimous vote, Council moved to do the improvements at the upper reservoir by means of a labyrinth weir at a cost of \$2.8 million dollars.

Upon a motion by Joseph Fawbush, seconded by Joseph Hunnicutt, and passed by unanimous roll call vote, Council moved to go into closed meeting to discuss probable litigation as per Section No. 2.2-3711 (A) (7) of the Code of Virginia, as amended.  
Mayor Raines declared Council in closed meeting.

21328

Upon a motion by Jack Wallace, seconded by Joseph Hunnicutt, and passed by unanimous vote, Council moved to go back into open meeting.  
Mayor Raines declared Council in open meeting.

21329

The Clerk then 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 Joseph Hunnicutt, seconded by Joseph Fawbush, and passed by the following unanimous vote, YES – Hunnicutt, Wallace, Mays, Fawbush, Raines, NO – None, ABSENT – None, Council moved to adopt A Resolution of the Certification of Closed Meeting. (Insert)

21330

In comments from the City Manager, Mr. Ward advised that the posters hung in Council Chambers tonight are those of the winners of the Keep Norton Clean Poster Contest.

21331

In comments from the City Attorney, Mr. Bradshaw advised that he had contacted New Peoples Bank and advised them that a Conditional Permit had been issued with the satisfaction of certain conditions, one of which is the execution and signing of a valid and binding Assignment, that will close the door on Mr. Barnette's potential claim to another sewer tap outside the City. He is in receipt of the Assignment form they had drawn up. He has reviewed it, approved it, and it is signed.

21332

Mr. Bradshaw advised that he appreciated Mr. Hunnicutt's pointing this out to Council and him at the last meeting.

Mayor Raines apologized to Tommy Roberts, Superintendent of the Water Plant, for failing to recognize him and his staff during the presentation made tonight by Mayor Cole of Big Stone Gap. Mayor Raines thanked Mr. Roberts and his employees for the good job done during the Big Stone Gap water crisis.

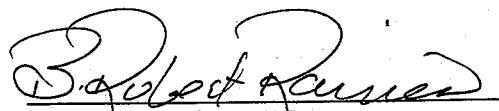
21333

Mayor Raines advised that during the month of April the City Council meetings will be held on the first and fourth Tuesdays.

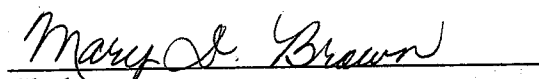
21334

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

CITY OF NORTON, VIRGINIA

  
B. Robert Raines, Mayor

ATTEST:

  
Clerk