

The regular meeting of the Norton City Council was held on Tuesday, August 1, 2006 at 7:30 p.m. in the Municipal Council Chambers with Vice Mayor William Mays presiding.

Present: Jack Wallace, William Mays, and Joseph Fawbush

Absent: Joseph Hunnicutt and Robert Raines

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

The invocation was given by Father Tim Drake followed by the pledge of allegiance led by Police Chief Kenny Jackson.

At this time, Vice Mayor Mays amended the agenda to include Item 7-C-1 Report on the 11th Street Bridge Bid Opening and the Recommendation of Awarding a Bid on this project.

21420

Upon a motion by Joseph Fawbush, seconded by Jack Wallace, and passed by unanimous vote, Council moved to adopt the minutes of the July 18, 2006 meeting as presented.

21421

During the Vice Mayor's call for visitors, Vice Mayor Mays advised that the City was in receipt of a letter from Sister Beth Jasper requesting a donation in the amount of \$1,000 for the annual Remote Area Medical expenditures. Sister Beth had made this request in person to City Council during a previous meeting.

Upon a motion by Jack Wallace, seconded by Joseph Fawbush, and passed by unanimous roll call vote, Council moved to approve a donation in the amount of \$2,000 to the Wise County/RAM with said funds coming from Contingency. This check is to be mailed in care of the St. Mary's Health Wagon, 163 - 10th Street, Clinchco, Virginia.

21422

Scheduled on Council's agenda tonight was a discussion of the proposed amendments to the Erosion and Sediment Control Ordinance.

At this time, the City Manager advised that the Department of Conservation and Recreation had asked that we take no further action on this ordinance until such time that they complete an updated model ordinance that reflects the 2006 law changes that became effective July 1st and forward same to the City.

Upon a motion by Joseph Fawbush, seconded by Jack Wallace, and passed by unanimous vote, Council moved to table this item pending receipt of the updated information from the Department of Conservation and Recreation.

21423

Fred Ramey, Assistant City Manager, presented Council with a brief history and update of the City's Sidewalk Replacement Program.

Mr. Ramey advised that the City started this program in 1988 during the Down Town Revitalization Program. From 1989 to the current year, the City has expended \$855,000 toward this program. He advised Council of the selection criteria, the different zones into which the City has been divided for this program, the amount of new sidewalks in each

zone that has been done, and the issues impacting future sidewalk development. In future projects, Mr. Ramey advised that the City Hall area is one of the upcoming projects to be done and asked Council's input on this particular project.

Councilman Fawbush asked if some work could be done on the parking lot across from the Fire Department during the time the City Hall work is being done. He advised that it needs to be repaved, new striping, and new entries.

21424

Mr. Ward advised that this parking lot has a drainage problem and the City thinks that it has a solution to this. He further advised this parking lot is on the priority list.

Vice Mayor Mays advised that the work in the area of City Hall should be done and thanked Mr. Ramey for the exceptional job done on this project throughout the years.

At this time, Mr. Ramey advised that the work Council had previously funded on the parking lot behind the Hotel Norton will be done this month and the parking lot will be closed for approximately thirty days.

Mr. Ward advised that the City had recently opened the bids for the paving to be done this year and received a quote from W&L Construction of \$68.00 per ton. The City should be able to do the priority streets and have some funds left over to use on the parking lot across from City Hall.

In their packets, Council had a new Antenna Site Lease Agreement from the Virginia Tech Foundation, Incorporated, which now owns WVTF Public Radio.

Mr. Ward advised that WVTF Public Radio acquired the leases and station of the University of Virginia's College at Wise after they were unable to meet financial demands. In order to be in compliance with FCC laws, all lease agreements must be updated with the new owners. This agreement for the antenna and translator box at the upper water tank in the City is the same lease agreement the City had with UVA-Wise with the exception for Section X. This section is needed in order to be in compliance with Federal Communications Commission.

21425

The City Manager advised that he had sent this lease agreement to the City Attorney for review.

Mr. Bradshaw advised that he had approved the lease as presented to the City and Council.

Upon a motion by Joseph Fawbush, seconded by Jack Wallace, and passed by unanimous roll call vote, Council moved to authorize the City Manager to execute this agreement with Virginia Tech Foundation, Incorporated for the antenna and translator box at the upper water tank site in the City.

Council had been presented in their packets a copy of an Authorization to Provide Consent for an Appointments Transfer Between Wachovia Bank and U. S. Bank, National Association.

Mr. Ward advised that Wachovia Bank had administered some of our school bonds and sold their trust administration business to U. S. Bank. He is asking for City Council's approval to execute this document. He further advised that this is considered a housekeeping item. The City Attorney stated that he had reviewed this document and concurs with the City Manager.

21426

Following a brief discussion and upon a motion by Jack Wallace, seconded by Joseph Fawbush, and passed by unanimous roll call vote, Council moved to authorize the City

Manager to execute Schedule I – An Authorization to Provide Consent for an Appointments Transfer Between Wachovia Bank and U. S. Bank, National Association.

At this time, Vice Mayor Mays announced the City Manager would advise them on the bid opening on the 11th Street Bridge Project and the discussion of awarding a bid on this project.

Mr. Ward advised that the bid opening was held on Tuesday, July 25th, with a total of three (3) bids received. The low bid on this project was from Lanford Brothers for a total price \$1,336,679. The City Manager further advised that he feels that the City should do the entire bridge project at this time due to the fact that it will be a long term solution to the bridge, which should last 15 to 20 years. If only partially repaired, it will only be a 5 to 7 year fix. Also, the City can receive some funds from the Virginia Department of Transportation to pay one half of the cost, which is \$668,000. The City Administration also wants to secure the remaining \$668,000 needed for this project in place. The City can apply for funds from the VML/VACO Commercial Paper Program for the total amount of the project. Then, when receipt of the funds from VDOT are received, they will be paid to retire that portion of the debt. If the City chooses to retire the remainder of this debt after five (5) years at 3-1/2%, it would be a payment of \$150,000 per year.

Mr. Ward advised Council that he had discussed with the Wise County Administrator the possibility of the County paying some of the cost of this bridge project as this bridge is definitely a Coal Haul Road. As of this date, he has heard nothing back from the County.

21427

Following a lengthy conversation and upon a motion by Jack Wallace, seconded by Joseph Fawbush, and passed by unanimous roll call vote, Council authorized the City Manager to award the bid on the 11th Street Project to Lanford Brothers in the amount of \$1,336,679 and also to secure funding through the VML/VACO Commercial Paper Program in the amount of \$1,336,679.

Upon a motion by Joseph Fawbush, seconded by Jack Wallace, and passed by unanimous roll call vote, Council moved to go into closed meeting to discuss personnel as per Section No. 2.2-3711 (A) (1) of the Code of Virginia, as amended.

21428

Vice Mayor Mays declared Council in closed meeting.

Upon a motion by Jack Wallace, seconded by Joseph Fawbush, and passed by unanimous vote, Council moved to go back into open meeting.

21429

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

21430

Vice Mayor Mays opened the floor for nominations to the City of Norton Planning Commission for a four year term which will expire on July 31, 2010.

Joseph Fawbush nominated Robert Isaac to be reappointed to this Commission. Upon a motion by Jack Wallace, seconded by Joseph Fawbush, and passed by unanimous vote, Council moved that the nominations cease.

2143

Vice Mayor Mays declared Robert Isaac reappointed to the City of Norton Planning Commission for a four year term which will expire on July 31, 2010.

Vice Mayor Mays opened the floor for nominations to the Community Services Board for the unexpired term of Carol Caruso who has resigned. This term will expire on May 1, 2008.

21432

Jack Wallace nominated Sarah Davis.

Upon a motion by Joseph Fawbush, seconded by Jack Wallace, and passed by unanimous vote, Council moved that the nominations cease.

Vice Mayor Mays declared Sarah Davis appointed to the Community Services Board for the unexpired term of Carol Caruso which will expire on May 1, 2008.

Vice Mayor Mays opened the floor for nominations to the RADA Board to replace Mr. William Stokes, who has retired from the City.

Joseph Fawbush nominated Sherry Adams.

Upon a motion by Jack Wallace, seconded by Joseph Fawbush, and passed by unanimous vote, Council moved that the nominations cease.

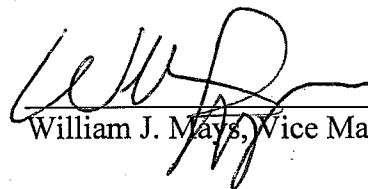
21433

Vice Mayor Mays declared Sherry Adams appointed to the RADA Board to replace Mr. William Stokes, who has retired from the City.

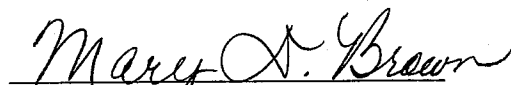
There were no comments from the City Manager or the City Attorney.

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

CITY OF NORTON, VIRGINIA


William J. Mays, Vice Mayor

ATTEST:


Clerk of Council