

The regular meeting of the Norton City Council was held on Tuesday, September 5, 2006 at 7:30 p.m. in the Municipal Council Chambers with Mayor Robert Raines presiding.

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

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

The invocation was given by the City Manager and the pledge of allegiance was led by a delegation of veterans who were present at tonight's meeting.

Upon a motion by Jack Wallace, seconded by William Mays, and passed by unanimous vote, Council moved to adopt the minutes of the August 1, 2006 meeting as presented to Council.

21435

Mayor Raines stated that no action needed to be taken on the minutes presented for the August 15, 2006 meeting since there was no quorum and no meeting was held.

21436

At this time, Mayor Raines amended the agenda to include Item No. 7-D-1 under New Business. This item covers A Resolution Defining Signature and Access Requirements for various City Accounts, Investments, and Certificate Storage.

21437

Mayor Raines advised this is due to the change of the Director of Social Services.

During the Mayor's call for visitors, Mr. Bill Ryan, of the VFW Post No. 4201 in Norton spoke briefly to Council regarding a project on which they are working for the City's Veterans Park.

Mr. Ryan showed Council a layout of the area where they want to install a lighted flag pole and a memorial for all veterans who have died in service of their country since World War I to the present. The new flag pole will be approximately 20 feet tall and funds for this have been donated by a local coal company.

The memorial, when purchased, will be paid for by private donations.

21438

Mayor Raines advised that the members of this post want to proceed on the Veterans Park (which has not been officially named as such) and have been working on this project for over one year.

Following a brief discussion and upon a motion by Joseph Hunnicutt, seconded by William Mays, and passed by unanimous roll call vote, Council moved to authorize the City Manager to issue a revocable permit to the V.F.W. Post No. 4201 of the City of Norton to proceed with the purchase and installation of a new lighted flag pole in Veterans Park. They are to coordinate this installation with City Manager.

Mayor Raines also advised that this delegation should come back to Council once they are ready to proceed further on the park. He also thanked the veterans for their work, not only on this project but other projects as well.

At this time, Mr. Ward advised he would like to introduce two individuals who have accepted new positions with the City. Effective September 1, 2006, Mr. Roger Ramey

has accepted the position of the Director of Social Services following the retirement of Mr. Bill Stokes.

Mr. Todd Lagow has accepted the position of the Emergency Services Coordinator and Hazardous Materials Coordinator effective September 1, 2006, following the retirement of Mr. Bill Stokes, who also had held this position.

Both Mr. Ramey and Mr. Lagow were present and welcomed by Mayor Raines and received applause from those present at tonight's meeting.

A public hearing was held on a request to amend the 2006-2007 General Fund Budget in the amount of \$1,332,746 for the renovation of the 11th Street Bridge and \$666,373 for the reimbursement from the Virginia Department of Transportation.

Mr. Ward advised that the repairs are underway on the bridge and part of it, the West Main Avenue section, is closed. He advised that the total cost of the bridge repairs is \$1,332,746. The City will receive one-half of this cost, \$666,373, from the Virginia Department of Transportation for a total of \$1,999,119 with a total outlay of \$1,332,746. There were no questions or comments from Council prior to the public hearing.

Mayor Raines opened the public hearing.

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

Mayor Raines asked the City Manager for a synopsis on this project. Mr. Ward advised that most of the work will be done on the under side of the bridge; however, most of the problem areas are on the West Main Avenue side of the bridge. The West Main Avenue section of the bridge will be closed for 30 consecutive days due to this work. The contractor is trying to expedite this timeframe and worked over the week-end to try to speed up the opening of this section of the bridge. The total project should take 90 days with some flagging done and maybe a lane closed on the remainder of the bridge.

Upon a motion by Joseph Hunnicutt, seconded by Joseph Fawbush, and passed by unanimous roll call vote, Council moved to amend the 2006-2007 General Fund Budget in the amount of \$1,332,746 for the renovation of the 11th Street Bridge and \$666,373 for the reimbursement from the Virginia Department of Transportation.

This total request is in the amount of \$1,999,119.

A public hearing was held on An Ordinance of the City of Norton, Virginia Rezoning Certain Property on Coeburn Avenue from General Business (B-3) to Central Business (B-2).

Mr. Ward advised that the City had a request from JJS Properties LLC and Mitch Cox Developers to rezone the area that includes the Norton Plaza Shopping Center and the Dairy Queen from General Business B-3 to Central Business B-2.

The Planning Commission, at their August 17th meeting, made a recommendation to the City Council for a favorable consideration of this request.

Mr. Winfred Collins, the City's Building Official, had a brief video showing Council the area that is included in this request.

Mr. Ward advised that there are representatives from both JJS Properties, Mitch Cox Development, and Dairy Queen present at tonight's meeting.

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

Mayor Raines opened the public hearing.

Mr. Leonard Rogers spoke as a representative of both JJS Properties and the Dairy

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21441

Queen and asked that City Council rezone the property to B-2 Central Business.

Mr. Phillip Cox, representing Mitch Cox Development Group, spoke briefly to Council and asked for the rezoning of this area to B-2 Central Business.

There being no further comments, Mayor Raines closed the public hearing.

Upon a motion by William Mays, seconded by Joseph Fawbush, and passed by the following unanimous roll call vote: YES – Hunnicutt, Wallace, Mays, Fawbush, Raines, NO – None, ABSENT – None, Council moved to adopt An Ordinance of the City of Norton, Virginia Rezoning Certain Property on Coeburn Avenue from General Business (B-3) to Central Business (B-2). (Insert)

Council was given an update on the Virginia Avenue Sewer/Storm Sewer Project. Mr. Ward advised that this just happened in early August. A representative from our engineer on this project, Mr. Jeff Cochran of Lane Engineering, is present tonight to give Council an update.

Mr. Cochran told Council that the emergency has been abated. He then showed Council a PowerPoint presentation of the project which occurred between 12th and 13th Streets and Virginia Avenue, N. W., where the sewer was either clogged or collapsed. City crews made two attempts to clear the clog and a contractor had to be called in.

During the work done on this project, old water, sewer, and storm sewers lines were replaced with new and larger lines and repaving on the street and sidewalks will be done shortly. Also, fire protection is now available for the residents in this area.

21442

Mr. Cochran advised Council that this was a very dangerous project and that the contractor had done an excellent job for the City. Following his PowerPoint presentation, Mr. Cochran advised Council he would be willing to answer any questions they may have.

At this time, Mr. Ward advised that the Department of Mines, Minerals, and Energy had advised that the subsidence at this location was not mine related. He further advised that the cooperation from the residents during this emergency was very good.

Mayor Raines advised that he was very impressed with the contractor on this dangerous project.

Council had been furnished with a copy of A Resolution Authorizing Submittal of Application to the Virginia Department of Health's Financial Construction Assistance Program.

Mr. Ward advised that the City is applying for a Planning and Design Grant or Set Aside Grant for leak detection services in an amount not to exceed \$50,000. He further stated that this equipment would help in the continual improvement of water accountability. By the adoption of this resolution, Council would authorize the City Manager to make application for this grant.

21443

Jeff Cochran of Lane Engineering spoke briefly on this grant process.

Upon a motion by Joseph Hunnicutt, seconded by William Mays, and passed by the following unanimous vote: YES – Hunnicutt, Wallace, Mays, Fawbush, Raines, NO – None, ABSENT – None, Council moved to adopt A Resolution Authorizing Submittal of Application to the Virginia Department of Health's Financial Construction Assistance Program. (Insert)

Council had a request to consider sponsoring an event supporting the Wise County Sesquicentennial Celebration to be held at the Virginia-Kentucky Opry by helping to sponsor a John Berry Concert to be held in September.

Mr. Ward advised that the request is for the City to either purchase 40 seats for \$800 or to sponsor the difference in lowering the ticket price from \$20.00 to \$15.00 by donating \$1,205.00 toward the concert cost.

21444

Following a brief discussion and upon a motion by Joseph Fawbush, seconded by William Mays, and adopted by unanimous roll call vote, Council moved to sponsor an event to support the Wise County Sesquicentennial Celebration to offset the cost of ticket prices for a John Berry Concert to be held at the Virginia-Kentucky Opry during the month of September in the amount of \$1,205.00. This will enable the cost of the tickets to be reduced from \$20.00 to \$15.00 per ticket.

Council had been presented with copies of two checks in excess of \$100,000. The first of these is in the amount of \$122,004.25 made payable to the Norton Industrial Development Association and the second is to the Norton City Schools in the amount of \$295,000.

21445

Upon a motion by Joseph Hunnicutt, seconded by Jack Wallace, and passed by unanimous roll call vote, Council moved to approve a check in the amount of \$122,004.25 payable to the Norton Industrial Development Association and a check in the amount of \$295,000 payable to the Norton City Schools.

Council had been presented with A Resolution Defining Signature and Access Requirements for Various City Accounts, Investments, and Certificate Storage.

Mayor Raines advised that the only change on this resolution is the omission of Bill Stokes' name and the addition of Roger Ramey's name on Section 3 of this resolution, which is the City of Norton Department of Social Services and Related Accounts.

21446

Upon a motion by William Mays, seconded by Joseph Hunnicutt, and passed by the following unanimous vote: YES – Hunnicutt, Wallace, Mays, Fawbush, Raines, NO – None, ABSENT – None, Council moved to adopt A Resolution Defining Signature and Access Requirements for Various City Accounts, Investments, and Certificate Storage. (Insert)

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 personnel as per Section No. 2.2-3711 (A) (1) of the Code of Virginia, as amended.

21447

Mayor Raines declared Council in closed meeting.

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

2144

Mayor Raines declared Council back in open meeting.

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,

2144

Fawbush, Raines, NO – None, ABSENT – None, Council moved to adopt A Resolution of the Certification of Closed Meeting. (Insert)

At this time, Mayor Raines opened the floor for nominations to the Board of Zoning Appeals for a five year term which will expire on June 2, 2011.

Joseph Hunnicutt nominated Gordon Sandt for appointment to the Board of Zoning Appeals and asked that his name be submitted to the Wise County Circuit Court for appointment.

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

21450

Mayor Raines declared Mr. Gordon Sandt nominated to the Board of Zoning Appeals for a five year term which will expire June 2, 2011. This nomination will go to the Wise County Circuit Court for consideration of the appointment.

Mayor Raines advised the City Attorney to present this to the Judge of the Circuit Court for consideration.

In comments from the City Manager, Mr. Ward advised that:

An Open House for the model home in the Laurel Trails Housing Project will be held on Thursday, September 7th from 4:00 p.m.– 7:00 p.m.

The City was not successful in obtaining Community Development Block Grant Funds for the major storm drainage project encompassing Park Avenue and some outlying areas of downtown. The City will now re-evaluate and see what can be done on this project.

21451

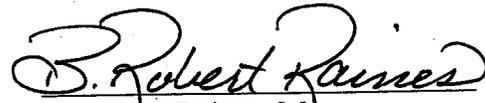
The City has received a \$100,000 grant from the Virginia Department of Health for small water projects. This will be used for the Isabell Street Project and improvements on the 5th and Oak Streets areas. The City is now in the procurement process and the projects should begin next spring.

In comments from the City Attorney, Mr. Bradshaw advised that he will prepare the necessary documents to submit to the Circuit Court for Mr. Sandt's appointment to the Board of Zoning Appeals and should have this item handled by the next Council Meeting.

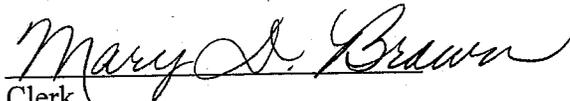
21452

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

CITY OF NORTON, VIRGINIA


B. Robert Raines, Mayor

ATTEST:


Clerk