

The regular meeting of the Norton City Council was held on Tuesday, November 15, 2005 at 7:30 p.m. in Council Chambers with Mayor Robert Raines presiding.

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

Absent: Joseph Hunnicutt

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

The invocation was given by the City Manager and was followed by the pledge of allegiance, which was led by Police Chief Kenny Jackson.

Upon a motion by Jack Wallace, seconded by William Mays, and passed by unanimous vote, the minutes of the November 1, 2005 meeting were approved as presented.

21227

There was no response to the Mayor's call for visitors

21228

Council had been presented with a copy of An Ordinance of the City Council of the City of Norton, Virginia to Provide for the Implementation of the 2004-2005 Changes to the Personal Property Tax Relief Act of 1998.

Mayor Raines advised that Council, at their last meeting, had asked the City Manger to advertise a public hearing on this ordinance.

Mr. Ward advised that this public hearing had been duly advertised.

Following a brief discussion, Mayor Raines opened the public hearing.

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

21229

Upon a motion by William Mays, seconded by Joseph Fawbush, and passed by the following unanimous roll call vote: YES – Wallace, Raines, Mays, Fawbush, NO – None, ABSENT – Hunnicutt, Council moved to adopt A Resolution of the City Council of the City of Norton, Virginia to Provide for the Implementation of the 2004-2005 changes to the Personal Property Tax Relief act of 1998. (Insert)

The City Manager gave Council an update on the Big Stone Gap water situation. Currently, the City is selling them an average of 100,000 gallons per day. Since the water meter was installed on October 14th, the City has furnished Big Stone Gap a total of 3,564,000 gallons of water through November 14th.

The City has held its own for the past three weeks. We currently have a total of 39.98 million gallons in both reservoirs. Mr. Ward extended appreciation to Tommy Roberts, Water Plant Superintendent, and his staff for their handling of this situation. He further advised that if the City should reach the 30 million gallon level, the City may need to declare an emergency. The nine day forecast calls for some precipitation every day.

21230

To date, the City has purchased 30 million gallons of water from the Wise County Public Service Authority, which is a little more than the amount that we are required to purchase.

Mayor Raines, on behalf of Council, expressed appreciation to both the City Manager and Mr. Roberts and their staffs for their continuing work on this situation.

Council had a request for a Revocable Special Use Permit from Barbara and Ronald Collins for use of a paper street located on 9th Street for the purpose of building a driveway to their home.

Mr. Collins was present to answer any questions.

Mr. Collins was advised that, due to the incline of this paper street, he may need to do a Soil and Erosion Plan on this property. He will also need to acquire a Grading Permit from the Building Inspector's Office. The Building Department will be working with Mr. Collins on this project.

Following a brief discussion and upon a motion by William Mays, seconded by Joseph Fawbush, and passed by unanimous vote, Council moved to authorize the City Manager to issue a Revocable Special Use Permit to Barbara and Ronald Collins for the use of City property on 9th Street for the building of a driveway provided that they work with the Building Department on items of concern discussed tonight.

Council had been given a copy of a draft Ordinance of the City Council of the City of Norton, Virginia Enacting a Jail Processing Fee.

Mr. Ward advised that the attorney for the Southwest Virginia Regional Jail had advised the participants in this Authority that they have the authority, through Virginia Code, to impose a processing fee not to exceed \$25.00 to anyone convicted and admitted to the regional jail. If adopted, these funds will be deposited in the City's General Fund. Should Council want to proceed in the adoption process of this ordinance, a public hearing will have to be scheduled.

Upon a motion by William Mays, seconded by Joseph Fawbush, and passed by unanimous vote, Council moved to direct the City Manager to advertise a public hearing on An Ordinance of the City Council of the City of Norton, Virginia Enacting a Jail Processing Fee.

Mr. Ward advised that he would advertise the public hearing for Council's December 6th meeting.

Upon a motion by Jack Wallace, seconded by William Mays, and passed by unanimous roll call vote, Council moved to go into closed meeting to discuss personnel as per Section 2.2-3711 (A) (1) of the Code of Virginia, as amended.

Mayor Raines declared Council in closed meeting.

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

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

(Insert)

In comments from the City Manager, Mr. Ward advised that City offices will be closed Thursday and Friday, November 24th and 25th, for the observance of the Thanksgiving holiday. He further advised that since it will be three weeks before our next meeting, the Christmas parade will be held on December 3rd at 6:00 p.m. with the tree lighting at 5:00 at the Hotel Norton. These dates are subject to change due to the scheduling of the high school football playoffs.

21236

In comments from City Council, Mayor Raines expressed that it was nice to see Mark Caruso as a visitor at tonight's meeting and also Don Hall, reporter for the Coalfield.

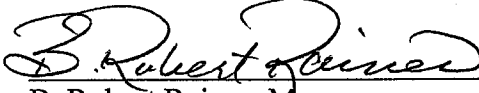
21237

There were no comments from the City Attorney.

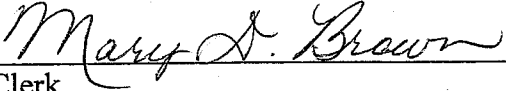
21238

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

CITY OF NORTON, VIRGINIA


B. Robert Raines, Mayor

ATTEST:


Clerk