

The regular meeting of the Norton City Council was held on Tuesday, January 20, 2004 at 7:30 p.m. in the Council Chambers with Mayor Robert Raines presiding.

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

Absent: Joseph Hunnicutt

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

The invocation was given by Father Tim Drake and was followed by the pledge of allegiance, which was led by City Sheriff Carlos Noaks.

Upon a motion by Joseph Fawbush, seconded by William Mays, and passed by unanimous vote, Council moved to adopt the minutes of the January 6, 2004 meeting as presented.

20695

During the Mayor's call for visitors, Mr. Rick Ward spoke briefly to Council regarding a water tap outside the corporation limits. The City Manager advised that he had received the application on this request and needed to check on some issues regarding it.

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Mayor Raines explained the procedure in place to handle this request and advised Mr. Ward that this procedure would be followed and the request would be brought back to Council for action.

Mr. Ward presented to Council a list of individuals in this area who also would like to have City water at their residences.

Mr. Marty Hagy of Chestnut Street spoke briefly to Council asking for Council's endorsement in the form of a resolution to name the bridge on Tipple Hill the Leslie M. Mullins Bridge. Mr. Mullins, a former resident and lawyer of Norton, recently passed away and was an avid proponent of better highways in the City and Wise County. Mr. Hagy felt that this would be a most fitting memorial to Mr. Mullins.

20697

Following a brief discussion, it was the consensus of Council for the City Manager to prepare a resolution, which will be sent to VDOT, and to bring this back to Council.

Mayor Raines advised that Mr. Mullins was a true visionary and a tremendous asset to the citizens of Norton and Wise County.

Prior to Council's discussion and action on a Developers Agreement Between the City, NIDA, and Commonwealth-Partners and the Memorandum of Understanding Between the City and NIDA, Mayor Raines gave a brief synopsis on the new Walmart Super Center Project from the beginning three and one-half years ago to the present. He advised that the County had agreed to a boundary line adjustment and the transfer of approximately twelve acres of land. The City, in turn, transferred approximately twelve acres of land to the County. He also advised that NIDA is to secure financing for this development and that there will be no adverse affect on services to City citizens due to this project. This project will allow the City to move forward.

20698

Council had a copy of a Development Agreement between the City, NIDA, and Commonwealth-Partners. Mr. Ward advised that this document is in draft form and is subject to final reviews by all attorneys. A new copy of this document was placed at each council member's seat tonight. Mr. Ward also advised that this agreement stipulates the duties of all three parties involved and he briefly went over these duties.

Following this presentation, Mr. Ward asked Council to consider authorizing this document to be executed subject to final approval by the City Attorney.

Vice Mayor Mays stated that he would like to recognize not only Mr. Ramey, but also Mayor Raines and Mr. Ward for their long hours of work on this project.

Upon a motion by William Mays, seconded by Joseph Fawbush, and passed by unanimous roll call vote, Council moved to authorize the execution of the Development Agreement between the City, NIDA, and Commonwealth-Partners, subject to approval of the City Attorney.

Council had been given a copy of the 2004 Memorandum of Understanding for consideration. This document is between the City and the Norton Industrial Development Authority and states what the duties of the City and NIDA are for this project.

The City Manager briefly went over this document with Council and advised that NIDA, at their January 19, 2004 meeting, had approved this document and the Development Agreement.

Upon a motion by William Mays, seconded by Jack Wallace, and passed by unanimous roll call vote, Council moved to adopt the 2004 Memorandum of Understanding subject to the approval of the City Attorney.

Mayor Raines took this opportunity to state that the Assistant City Manager, Fred Ramey, had put in many long hours of work on this project and that had it not been for the hard work and dedication of a lot of people, this project would not have happened.

Michele Knox, Parks and Recreation Supervisor, presented Council with a report for the 2003 year. She gave Council a brief summary on the pool, which experienced 25 closed days due to weather conditions. Attendance was down considerably from previous years. Summaries were also given on Flag Rock, City Parks, and special events that her department handles. Ms. Knox advised that she would be willing to answer any questions Council may have.

Following her presentation, Ms. Knox and the City Manager advised Council that Ms. Knox is seeking fee increases for her department. These increases include initiating a \$20.00 fee for the rental of the Clear Creek Park Shelter, increasing pool party fees from \$75.00 to \$100.00, increasing fees at the Community Center from \$25.00 per room per day to \$40.00 per room per day, and increasing the fees at the pool to \$2.00 per person.

After a brief discussion, it was the consensus of Council for Ms. Knox and the City Manager to bring back the projected income figures versus the current income figures in revenues at the next council meeting. They also would like to know how the increased funds would be spent.

Council had a request from MedFlight of East Kentucky asking the City to write a letter to the Virginia Board of Emergency Medical Services stating that it is acceptable for them to fly into Virginia to assist in the care of Virginia patients. They are seeking to obtain Virginia licensure. They have initiated a mutual aid agreement with the Virginia MedFlight in order that both of them can assist the other when necessary.

Vice Mayor Mays spoke briefly on this item and stated that he recommended Council's approval on this request.

20702

Upon a motion by William Mays, seconded by Joseph Fawbush, and passed by unanimous vote, Council authorized the City Manager to compose a resolution of support stating the City's approval has been given to MedFlight of East Kentucky.

Mr. Ward gave Council a brief update on the Laurel Trails Housing Project. He advised that the management team for this project had met on January 12th and that the City had executed a contract with the Department of Housing and Community Development on December 1, 2003. This contract provides funding for the project in the amount of \$730,000 and authorized the City to proceed with activities to construct and market the subdivision.

At the January 12th meeting, the engineer indicated that there were two potential problems. The first of these is that two of the 57 lots will be lost according to the boundary survey; however, some realignment of the subdivision may provide for these two lots to be regained. The second problem is that field surveys for the utilities indicate that the sanitary sewer may not gravity flow into the City's existing sewer system. The engineers are still working on this problem and Mr. Ward will keep Council updated on this project.

20703

Mr. Ward also advised that ARC funding packages have not been released yet. The City is expecting \$208,000, part of the funding on this project, from this agency. He also went over a timeline for this project with a completion date as the fall of this year.

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

20704

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 back into open meeting.

20705

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 William Mays, 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)

20706

Mayor Raines opened the floor for nominations to the Norton Redevelopment and Housing Authority for a four year term which will expire on January 28, 2008.

William Mays nominated Mr. John Elmore to be reappointed to this Authority. Upon a motion by Jack Wallace, seconded by Joseph Fawbush, and passed by unanimous vote, Council moved that the nominations cease.

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Mayor Raines declared Mr. John Elmore reappointed to the Norton Redevelopment and Housing Authority for a four year term which will expire on January 28, 2008.

Mayor Raines opened the floor for nominations to the Ninth District Development Financing, Inc., for a two year term which will expire on January 31, 2006.

Joseph Fawbush nominated Joyce Payne to be reappointed to this board.

20708

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

Mayor Raines declared Mrs. Joyce Payne reappointed to the Ninth District Development Financing Incorporated for a two year term which will expire on January 31, 2006.

In comments from the City Manager, Mr. Ward advised that the General Assembly went into session on January 14th for a 60 day session. The big topic is tax reform and he will keep Council informed on any impact these measures may have on the City. Also copies of the Virginia Municipal League's legislative bulletins will be provided to Council in their information packets.

20709

In comments from the City Attorney, Mr. Bradshaw advised that the Boundary Line Adjustment documents with Wise County had been approved and an order has been entered as of Friday, January 9th. He also stated that he would like to thank everyone for their cooperation on this project, especially Karen Mullins, Wise County Attorney.

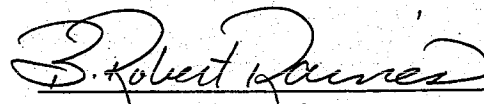
20710

Mayor Raines expressed appreciation to Mr. Bradshaw for all the work he had done on this project.

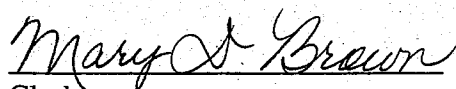
Mr. Bradshaw, in turn, advised that it was a pleasure for him to represent the City and NIDA.

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

CITY OF NORTON


B. Robert Raines, Mayor

ATTEST:


Clerk