

The regular meeting of the Norton City Council was held on Tuesday, November 18, 2003 at 7:30 p.m. in the Council Chambers with Mayor Robert Raines presiding.

Present: Jack Wallace, B. 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 Police Chief Sam Mongle.

Upon a motion by Jack Wallace, seconded by Joseph Fawbush, and passed by unanimous vote, Council moved to adopt the minutes of the November 4, 2003 meeting as presented.

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At this time, Mayor Raines amended the agenda to include Item C-1 – Consideration of A Resolution Amending a Prior Resolution Authorizing A Not To Exceed \$1,850,000 General Obligation Refunding Bond of the City of Norton, Virginia.

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

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The City Manager advised that the bids were opened on the 21st Street Water Project on November 5, 2003. A total of eight bids were received with the low bid going to 4-Jay Excavating. This bid was in the amount of \$49,819.00. After reviewing these bids, Mr. Bobby Lane of Lane Engineering, our engineer on this project, advised that 4-Jay Excavating had not complied with the specifications of the bid documents. Therefore, he recommends that this bid be excluded from consideration and the job should go to the next lower bidder, Barnette Contractors, who submitted a bid of \$51,985.50.

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The City Attorney advised that Mr. Lane had contacted him regarding this item. He concurs with the City Manager and City Engineer that the bid by 4-Jay Excavating is not considered responsive and that the project should be awarded to the next lower bidder, Barnette Contractors.

Upon a motion by Joseph Fawbush, seconded by William Mays, and passed by unanimous roll call vote, Council authorized the awarding of this contract for the 21st Street Water Project to Barnette Contractors in the amount of \$51,985.50. Council also authorized the City Manager to enter into this contract.

Prior to the vote on this issue, Mr. Ward advised that this contract will have to be approved by the Virginia Department of Health since \$50,000 of this project is being funded through them.

Council had been presented in their packets a copy of the audit for the year ended June 30, 2003 for the Norton Industrial Development Authority (NIDA). The audit was prepared by Thrower, Blanton, and Associates.

Mr. Ward briefly advised that NIDA had received a clean audit opinion and briefly went over some highlights of this audit. He advised that NIDA was very lucky in having

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Mr. Robert Leonard, a certified public accountant, as a member and Treasurer of this Authority, to prepare their monthly financial statements.

Mayor Raines thanked Mr. Ward for this presentation.

Council had been presented with a proposed Ordinance of the City Council of the City of Norton, Virginia Amending Section 13-66 of the Norton City Code as Pertains to Parking Regulations in Parking Lots Accommodating Fifty or More Vehicles.

The City Manager advised that the City prosecutor on traffic cases, Mr. Tim McAfee, wanted the City to expand the language on parking lots that handle 50 or more vehicles, which would spell out violations and penalties. He further advised that the Police Chief and City Administration concur with this request.

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Following a brief discussion and upon a motion by William Mays, seconded by Jack Wallace, and passed by unanimous vote, Council authorized the City Manager to advertise a public hearing on this ordinance.

Council had been presented with a copy of A Resolution Amending a Prior Resolution Authorizing a Not to Exceed \$1,850,000 General Obligation Refunding Bond of the City of Norton, Virginia.

Mr. Ward advised that he would defer this to the City Attorney. Mr. Bradshaw advised that this was technically a housekeeping item. The prior resolution adopted by Council on November 4th specified that the bond authorized by that resolution be dated on the date of its issuance and delivery to VRA. VRA may request that the date on the bond not be the issuance date and this resolution authorizes a different date to be on the bond. Therefore, he and the City Administration support the adoption of this ordinance.

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Upon a motion by William Mays, seconded by Jack Wallace, and passed by the following unanimous roll call vote: YES – Wallace, Mays, Fawbush, Raines, NO – None, ABSENT – Hunnicutt, Council moved to adopt A Resolution Amending a Prior Resolution Authorizing a Not to Exceed \$1,850,000 General Obligation Refunding Bond of the City of Norton, Virginia. (Insert)

Council had a request for one sewer tap for New Plan Excel Realty Trust, Inc., 253 Ridgeview Road, S.W., Wise. Mr. Ward advised that this will be the sewer tap for the new Social Security Office Building, which will be adjacent to the building now being used by them.

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Upon a motion by Joseph Fawbush, seconded by William Mays, and passed by unanimous vote, Council approved one sewer tap for New Plan Excel Realty Trust, Incorporated.

Included in Council's packets were information and sketches regarding new entrance signs to the City. Mr. Ward advised that we presently have five of these signs, which have been installed for over twenty years. Showing signs of age and deterioration, they are in need of being replaced. Mr. Ward advised that he would like to first replace the ones on Route 23 coming from Big Stone Gap and on Route 58 coming from Coeburn. Funds to cover these two signs are in the existing budget. Hopefully, the remaining three can be budgeted next year. He also advised that he would like to explore installing one coming south on Rt. 23 from Wise.

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Following a brief discussion and upon a motion by William Mays, seconded by Joseph Fawbush, and passed by unanimous roll call vote, Council moved that the City Administration should go forward on the concept of replacing the entrance signs to the City.

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

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Mayor Raines declared Council in closed meeting.

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

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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 Jack Wallace, 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)

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Mayor Raines opened the floor for nominations to the Highlands Juvenile Detention Center Commission for a term to expire November 30, 2005.

William Mays nominated Donna Hutchinson to be appointed to this commission.

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

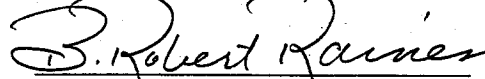
Mayor Raines declared Donna Hutchinson appointed to the Highlands Juvenile Detention Center for a term that will expire on November 30, 2005.

In comments from the City Manager, Mr. Ward advised that City offices will be closed on Thursday and Friday, November 27th and 28th for the observance of the Thanksgiving holiday.

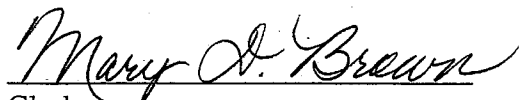
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There being no further business to come before the Council, the meeting adjourned.

CITY OF NORTON, VIRGINIA


B. Robert Raines, Mayor

ATTEST:


Clerk