

The regular meeting of the Norton City Council was held on Tuesday, September 7, 1999 at 7:30 p.m. in the 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 Rev. Steve Conerly and was followed by the pledge, which was led by Fire Chief D. C. Mullins.

Upon a motion by William Mays, seconded by Joseph Hunnicutt, and passed by unanimous vote, the minutes of the August 17, 1999 meeting were approved as presented.

19410

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

19411

A public hearing was held on a request to relocate the cul-de-sac on Wharton Lane. Present tonight representing Granite Development was Mr. Greg Gilbert, attorney, Mr. Hiram Rash, architect, and Mr. Kenny Dockery, one of the developers.

The City Attorney advised that the public notice authorized advertising of the public hearing for the relocation and sale of property where the cul-de-sac is now located and that action can be taken on both items tonight if Council so desires.

Mayor Raines opened the public hearing.

Mr. Greg Gilbert, attorney representing Granite Development, spoke briefly to Council and advised that they would like to close on this project by the end of the week. Also speaking briefly to Council was Mr. Hiram Rash, architect on the project.

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

Following a brief discussion and upon a motion by Joseph Hunnicutt, seconded by Joseph Fawbush, and adopted by unanimous roll call vote, Council authorized the approval with respect to the actual location and relocation of the cul-de-sac with the following conditions: the Manager and the City Attorney will approve the form of legal documents and terms of purchase; which at this point is essentially an exchange of land between land currently owned by the City where the cul-de-sac is located and new lands which will be acquired by the City on the property to which the cul-de-sac will be relocated; that they go back to the Planning Commission and obtain necessary approvals; and that final construction at this location will be completed within twelve (12) months.

19412

Upon a motion by Joseph Hunnicutt, seconded by Joseph Fawbush, and passed by unanimous roll call vote, Council chose not to appoint viewers on this project.

Mr. Ward advised Council that as of today we had a total combined reservoir capacity of 48.64 million gallons. Enclosed in Council's packet is a copy of the City's Contingency Plan for Controlled Use of Water During a Water Shortage. According to this plan, Council can declare an emergency when the reservoir levels reach 50 million gallons. He further advised that Wise County PSA water is being brought in as far as we have ever done so and we don't know if it can be brought in any closer.

19413

Following a brief discussion, it was the consensus of Council for the City Manager to continue to monitor the situation and keep them informed.

Mr. Blaine K. Delaney, Coordinator of the Black Diamond Resource Conservation & Development, Inc., was present and gave Council a brief update on their progress. He advised that they are a regional non-profit organization which covers all the Virginia coalfields except Tazewell County. They focus primarily on natural resource conservation and their major focus has been water quality.

He further updated Council on a couple of minor projects they have been working on in the areas of agricultural tourism and Leadership Development Workshops.

They are currently trying to establish a regional river basin coalition for the upper Tennessee River Basin which includes the Clinch, Powell, and Holston rivers and also an Upper Tennessee Roundtable which will bring water quantity issues to the same basin-wide forum.

19414

Following a brief discussion, Mayor Raines thanked Mr. Delaney for tonight's update.

Mr. Delaney also advised Council that Councilman Wallace had served the City well while serving on this Board.

Mr. Joe Stallard, City Treasurer, presented Council with his annual report and gave a brief synopsis of this report. Also included in the packets were lists covering names and amounts of delinquent personal property and real estate taxes which he would like to have Council's authorization to publish in the local newspaper. This is per Section 58.1-3924 of the Code of Virginia.

Following a brief discussion and upon a motion by Joseph Fawbush, seconded by William Mays, and passed by unanimous roll call vote, Council authorized the City Treasurer, under Section 58.1-3924 of the Code of Virginia, to publish the list of names and amounts of delinquent Personal Property and Real Estate Unpaid Taxes in the local paper and that money for this will come out of the current budget.

19415

Mayor Raines expressed appreciation to Mr. Stallard and his staff for a job well done.

At Council's instruction, the City Manager had presented to Council a draft Ordinance of the City of Norton Regulating the Keeping of Animals and Fowl for their review. Mr. Ward briefly went over the revisions with Council.

During a lengthy discussion, some changes were made in the wording and the determination of a \$30.00 civil penalty was agreed upon. Upon a motion by William Mays, seconded by Joseph Hunnicutt and passed by unanimous vote, Council authorized the City Manager to advertise a public hearing on November 2, 1999 on an Ordinance of the City of Norton Regulating the Keeping of Animals and Fowl with the revisions as were noted.

19416

Mr. Ward is to see if Council can meet on November 2nd at the Norton Rescue Squad Building.

Council had presented to them in their packets a proposal for a Comprehensive Housing Study. Mr. Ward advised that included in the 1999-2000 City budget there is an amount of \$15,000 funded to update the City's Comprehensive Plan. This plan was adopted in 1982 and according to our state code, we need to update our plan once every five (5) years. Although we have not updated this plan every five years, during the last ten years we have done so by various studies being conducted.

19417

At one of Council's budget work sessions or CIP Meeting, it was discussed that an area the City could focus on would be an update on housing in the City. The City Administration feels that there is a need for a Comprehensive Housing Study; however, it does not feel as if it should be a part of the Comprehensive Plan and not necessarily be considered an update to our Comprehensive Plan. The Administration feels that the \$15,000 budgeted be redirected toward a housing study not necessarily associated with the Comprehensive Plan. The Comprehensive Plan will be brought back to Council at a later date for a complete overhaul.

In the packets is a Request for Proposal that could be used as a guide to procure professional services to conduct this study. Mr. Ward then went over some of the important objectives that will come out of this study.

Upon a motion by William Mays, seconded by Joseph Fawbush, and passed by unanimous roll call vote, Council authorized the City Manager to advertise for procurement of services on a Comprehensive Housing Study and for him to manage the project. Mr. Ward is to keep Council informed.

Council had a request for a sewer tap for Mr. Nelson Ware, Jr. at 4306 McKinley Road which is outside the corporate limits.

Upon a motion by Joseph Hunnicutt, seconded by Joseph Fawbush, and passed by unanimous vote, Council moved to approve a sewer tap for Mr. Nelson Ware of 4306 McKinley Road.

19418

Council had a copy of a check in the amount of \$110,000 made payable to the Norton City Schools. Upon a motion by Joseph Fawbush, seconded by Joseph Hunnicutt, and passed by unanimous roll call vote, Council moved to approve a check in the amount of \$110,000 made payable to the Norton City Schools.

19419

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 2.1-344(A) (1) of the Code of Virginia as amended.

19420

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.

19421

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 aye. The Clerk then read the entire Resolution of the Certification of Closed Meeting. Upon a motion by Joseph Hunnicutt, seconded by Joseph Fawbush, and passed by the following roll call vote: Hunnicutt, Wallace, Mays, Fawbush, and Raines - YES, NO - None, ABSENT - None, Council moved to adopt a Resolution of the Certification of Executive Meeting. (Insert)

19422

Mayor Raines opened the floor for nominations to the Black Diamond Resource Conservation & Development, Inc. to serve the remainder of the term of Mr. Jack Wallace, who had resigned.

Joseph Hunnicutt nominated Councilman Joseph Fawbush.

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

19423

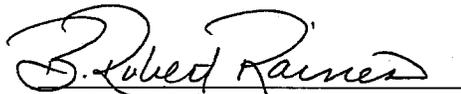
Mayor Raines declared Councilman Joseph Fawbush appointed to the Black Diamond Resource Conservation & Development, Inc. to fill the unexpired term of Mr. Jack Wallace.

In comments from the City Manager, Mr. Ward advised that a phone had been installed in the lobby for the disabled to call for employees upstairs to come down and conduct business with them. This is another effort to assist all our citizens in providing them access to all City services.

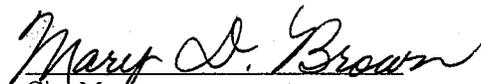
19424

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

CITY OF NORTON, VIRGINIA


B. Robert Raines, Mayor

ATTEST:


City Manager