

The regular meeting of the Norton City Council was held in the Council Chambers of the Municipal Building on Tuesday, May 2, 1995 at 7:30 p.m. with Mayor Raines presiding.

Present: Roy Roberts, Jack Wallace, William Mays, Ron McCall, and Robert Raines

Also Present: E. W. Ward, City Manager and Joe Pippin, City Attorney

The invocation was given by Rev. Jim Jenkins and was followed by the pledge of allegiance which was led by Mr. Marty Hagy, Chairman of the Norton City School Board.

Upon a motion by William Mays, seconded by Jack Wallace, and passed by unanimous vote, Council moved to adopt the minutes of the April 18, 1995 meeting as presented.

17181

In the Audience for Visitors, Rev. Jim Jenkins thanked the City for the use of the City Park on Virginia Avenue and Pine Street for an Easter Sunrise Service.

17182

A public hearing was held on consideration of the 1995-96 City of Norton School Budget which totals \$4,429,081 for operations. Of that amount, \$1,540,413 are local funds and \$826,000 is the amount for Capital Projects.

Mr. Ward advised the School Board had presented their budget to the City at the April 4th meeting and at the time he had been instructed to advertise a public hearing. Also enclosed with Council's packets was an analysis done by the City.

The City Manager advised this public hearing had been duly advertised.

17183

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

Mayor Raines opened the public hearing.

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

Upon a motion by Ron McCall, seconded by Roy Roberts, and passed by unanimous roll call vote, Council moved to accept the City of Norton School Board Budget for the 1995-96 year totaling \$4,429,081 for operations and \$826,000 for capital projects as presented.

Mr. Hagy thanked Council for their undivided support over the years on behalf of the School Board and the students.

A public hearing was held on the consideration of vacating a portion of City property located at 322 - 10th Street, N. W., which is a undeveloped 12' alley.

Mr. Pippin, City Attorney, advised that he and the City Manager had talked with the attorney of Mr. & Mrs. R. W. Lowe. The procedure for abandonment of property is stated in Code Section 15.1-364 and states that Council must pass an ordinance. The City Attorney had two proposed ordinances for Council's review. One covered the abandonment of the entire alley and the second covered abandoning only the portion adjacent to the Lowes' property which is behind Lots 16 and 17 of Block

65 of Plat No. 12. This is the one recommended by the City Attorney. He further advised that the City only had an easement for this property and not a deed. This abandonment would then cause the property to go back to the original landowner, who is either Norton Land Improvement Company or Fleming Land Company or its successor in interest. Then Mr. and Mrs. Lowe will have to deal with them to actually get the title. This is the most that Council can do for the Lowes.

Mayor Raines opened the public hearing.

There was no public input and Mayor Raines closed the public hearing.

Following a brief discussion, it was the consensus of Council for the City Manager to advertise a public hearing for An Ordinance to Abandon City Easement to vacate the easement adjacent to Lots 16 and 17, Block 65, Plat 12 for Mr. & Mrs. R. W. Lowe of 322 - 10th Street, N. W.

Upon a motion by Roy Roberts, seconded by William Mays, and passed by unanimous roll call vote, Council instructed the City Manager to advertise a public hearing to cover An Ordinance to Abandon City Easement.

Mr. Ward advised this public hearing would be held on June 6th.

Council had in their packets a request from Joe and Pam Fawbush to utilize City right-of-way to build a driveway 12' wide for a new house they are building off Oak Street.

Mr. Ward advised that Code Section 14-69.2 states that the consent of Council is needed to use City right-of-way and once approved by Council a revocable license is issued.

Following a brief discussion and upon a motion by Roy Roberts, seconded by Jack Wallace, and passed by unanimous vote, Council authorized the issuance of a revocable license to Joe and Pam Fawbush to utilize City right-of-way in order to construct a driveway at the site located off Oak Street.

Mr. Ward is to notify the Fawbushs.

Council had in their packets A Resolution to Participate in a Regional Community Corrections Initiative (July 1, 1995 to September 30, 1995).

Mr. Ward advised that the General Assembly in 1980 established the Community Diversion Incentive Act which established community corrections programs for non-violent offenders in an effort to reduce prison and jail overcrowding in the Commonwealth's jails and prisons. With that, the Southwest Virginia Corrections Board administers, maintains, and receives funds of this program on behalf of the counties of Buchanan, Lee, Russell, Dickenson, Scott, Smyth, Washington and Wise and the cities of Bristol and Norton.

The General Assembly has decided that this Community Diversion Incentive Act of 1980 is going to be repealed and be replaced with the Comprehensive Community Corrections Act for Local Responsible Offenders which will be effective July 1st. This requires localities to adopt resolutions stating that they want to participate in this new program. The best method to participate is on a regional basis with the above mentioned counties and the cities. This resolution authorizes the City to participate in this regional Community Corrections Initiative. This is the program whereby non-violent type offenders are sentenced to

community service. The City has and continues to use this service as often as we can.

Mr. Ward advised more items on this would be forthcoming from Richmond and that we would need to appoint a member to this board as we had on the previous board in the past.

The City Manager sought favorable consideration on this resolution.

Following a brief discussion and upon a motion by Jack Wallace, seconded by William Mays, and passed to unanimous vote, Council moved to adopt A Resolution to Participate in a Regional Community Corrections Initiative (July 1, 1995 to September 30, 1995). (Insert)

Council had A Resolution Authorizing the Preparation and Filing of An Application for a Regional Development Planning Grant for the Lenowisco Planning District Commission Regional Economic and Community Development Plan Through the Virginia Community Development Block Grant Program.

Mr. Ward advised the City was in receipt of a letter from Ron Flanary, Executive Director of Lenowisco, requesting the City to be a host locality for Lenowisco by applying for a Regional Development Planning Grant from the Department of Housing and Community Development in the amount of \$23,759. He further advised Lenowisco would handle the application, the work, and be responsible for maintaining all the fiscal responsibilities, including a final independent audit. The reason for this request is that only towns, cities, and counties can apply for grants.

17187

Following a brief discussion and upon a motion by Ron McCall, seconded by Jack Wallace, and passed by unanimous roll call vote, Council moved to adopt A Resolution Authorizing the Preparation and Filing of an Application for a Regional Development Planning Grant for the Lenowisco Planning District Commission Regional Economic and Community Development Plan Through the Virginia Community Development Block Grant Program. (Insert)

The City Manager brought to Council's attention the need to construct a Water Pump Station to serve the Hawthorne Water Tank. He advised that the City took bids in 1988 on various projects, one of them being the construction of a pump station in Hawthorne and the bids that came in were in excess of funds available; therefore this was omitted for this project.

In order for the City to maintain flexibility in this area as far as water service goes and to be sure that we can provide and meet our necessary service demands as this is an area of future growth potential, he is now recommending that the City proceed with the construction of this pump station. The property for this construction has been secured. The design is still viable per our engineers. He is asking Council to appropriate the necessary funds to proceed with this project. Today's cost on this would be approximately \$150,000.

17188

Following a brief discussion and upon a motion by William Mays, seconded by Ron McCall, and passed by unanimous vote, Council authorized the City Manager to advertise a public hearing to amend the budget in the amount of \$150,000 to come from Unappropriated Reserves for this CIP Project to build a pump station in the Hawthorne section of the City of Norton.

Council had a check in the amount of \$110,000 made payable to the Norton City Schools.

Upon a motion by Roy Roberts, seconded by Jack Wallace, and passed by unanimous roll call vote, Council moved to approve a check in the amount of \$110,000 to the Norton City Schools.

17199

At this time, Mayor Raines spoke briefly to the members of a government class from Burton High School advising them that they have seen a cross section of the many things that Council does and asked if any of them had any comments. There being no comments from this delegation, Mayor Raines advised he hoped that they had gained some insight from tonight's meeting.

17190

Upon a motion by Jack Wallace, seconded by Roy Roberts, and passed by unanimous roll call vote, Council moved to go into Executive Session to discuss personnel as per 2.1-344(A) (1) of the Code of Virginia, as amended.

17191

Mayor Raines declared the meeting in Executive Session.

Upon a motion by William Mays, seconded by Ron McCall, and passed by unanimous vote, Council moved to go back into regular session.

Mayor Raines declared the meeting back in regular session.

17192

The Clerk then polled each member of Council as to the Certification of Executive Meeting with each answering aye.

The Clerk then read the entire Resolution of the Certification of Executive Meeting. Upon a motion by Jack Wallace, seconded by Roy Roberts, and passed by unanimous vote, Council moved to adopt A Resolution of the Certification of Executive Meeting. (Insert)

17193

Mayor Raines advised no action was taken in Executive Session.

17194

In his comments, the City Manager advised:

The City had recently completed the tree planting project on the Tipple Hill Median which was funded by a grant.

City had begun developing the Legion Project by the clearing of brush and trees. This is one of our CIP Projects.

Construction work has begun on the Clear Creek Park. Fill in dirt from the By-Pass Project is being used.

17195

At the next meeting, Council has two public hearings scheduled - one on the City budget and the other on the election of school boards.

Mayor Raines advised the ribbon cutting of the Regional Cancer Center will be held Saturday, May 6, 1995 at 2:00 followed by an Open House from 2:30 to 5:30.

Mr. Ward advised Flag Rock is now open for camping and picnicing.


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

CITY OF NORTON, VIRGINIA



B. Robert Raines, Mayor

ATTEST:



Clerk