

April, 1, 1958

The regular meeting of the City Council was held in the Municipal Court Room on the above date at 7:30 P. M. with Mayor B. E. Ball presiding.

Present: B. E. Ball, Fred H. King, Sol Cury, A. O. Umstead  
Absent: W. R. Hamner

Minutes of the last meeting were read and approved.

Representatives from the following engineering firms appeared before #1261 council to present their firm's proposal for the sewer project:

Hayes, Seay, Mattern & Mattern ( Mr. Barringer & Mr. Lindsey)  
King Engineering Company ( Mr. King)

Mr. Greear presented a letter from the Federal Housing Administration #1262 regarding an amendatory agreement to the Cooperation Agreement.

The following resolution was introduced by Sol Cury, seconded by A. O. Umstead and carried by unanimous roll call vote of those present:

WHEREAS, on the 10th day of February, 1958, the City of Norton entered into a Cooperation Agreement with the Norton Redevelopment and Housing Authority, and it being necessary to amend said agreement in certain particulars to meet the requirements of the Housing Act of 1937, as amended, as basis for the approval of said Agreement by the Public Housing Administration, and

WHEREAS, the City and the Norton Redevelopment and Housing Authority propose to enter into an agreement amending and extending the said Cooperation Agreement,

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Amendment to the Cooperation Agreement is hereby approved and accepted both as to form and substance and the Mayor is authorized and directed to execute said Amendment on behalf of the City in as many counter-parts as may be required and the City Clerk directed to impress and attest the official seal of the City Thereon.

2. The said Amendment to the Cooperation Agreement hereinabove referred to is in substantially the following form:

AMENDATORY AGREEMENT NO. 1  
TO  
COOPERATION AGREEMENT

This Amendatory Agreement entered into as of the \_\_\_\_\_ day of April, 1958, by and between the City of Norton, Virginia (Hereinafter called the "Municipality") and Norton Redevelopment and Housing Authority (hereinafter called the "Local Authority");

WITNESSETH:

In consideration of the mutual covenants hereinafter and in the Cooperation Agreement set forth, the parties do agree that the Cooperation Agreement entered into as of the 10th day of February, 1958, between the Municipality and the Local Authority shall be and the same hereby is amended and extended in the following respects:

1. Subsection (b) of Section 3 is amended to read as follows:

(b) Each such annual Payment in Lieu of Taxes shall be made after the end of the fiscal year established for such Project, and shall be in an amount equal to either (i) ten percent (10%) of the Shelter Rent charged by the Local Authority in respect to such Project during such fiscal year or (ii) the amount permitted to be paid by applicable state laws in effect on the date such payment is made, whichever amount is the lower.

2. A new subsection numbered (3) to Section 10 shall be inserted reading as follows:

(3) The Municipality shall distribute the payments made to it pursuant to clauses (1) and (2) of this Section 10 among the local public bodies (including the municipality) in proportion to their respective aggregate contributions to such Project.

IN WITNESS WHEREOF THE Municipality and the Local Authority have caused this Amendatory Agreement to be executed in their respective names and their respective seals to be hereinto impressed or affixed and attested as of the date and year first above written.

ATTESTED:

S/ Jo Nosler  
Clerk of Council

Mr. Greear gave a report on his conference with Mr. Smith, Urban Engineer of the Virginia Department of Highways. They discussed the locations of U. S. 23 and Alternate 58. #1263

The following resolution regarding change in U. S. 23 and Alternate 58 was introduced by A. O. Umstead, seconded by Fred H. King and carried by unanimous roll call vote of all those present: (Refer to Page 99 #1263

THAT WHEREAS the City of Norton continuously has highway problems and in these matters the Virginia Department of Highways, through its engineers and members of the Commission, has been most cooperative and helpful; #1264

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Norton expresses to the Virginia Department of Highways its appreciation for the spirit of cooperation which has been manifest in solving the highway problems of Norton and the adjacent areas.

AND WHEREAS it has come to the attention of the Council of the City of Norton that in the tentative appropriations for highway construction and improvement for the next fiscal year \$100,000 has been allocated for continued work on Alternate 58 between Norton and Coeburn in Wise County; and, WHEREAS the Council of the City of Norton feels that this amount is not sufficient for the work which needs to be done during the next fiscal year on this road and that unless the appropriation is increased the work on the road will of necessity be shut down and stopped during its construction, which not only delays the completion, but is of serious inconvenience to the traveling public;

NOW, THEREFORE, BE IT RESOLVED that the Virginia Department of Highways be, and it is hereby requested to increase the appropriation for the work on Alternate 58 between Norton and Coeburn from \$100,000 to \$200,000 for the next fiscal year.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of this meeting and a copy of the same mailed to the Honorable F. A. Davis, State Highway Commissioner, the Honorable Samuel D. May, Member of the State Highway Commission, H. B. Morecock, District Engineer, and H. B. Tatum, Resident Engineer.

A COPY TESTE:

S/ Jo Nosler  
Clerk of Council

On motion by A. O. Umstead, seconded by Sol Cury and carried by unanimous vote of those present, the above resolution to the State Highway Department expressing appreciation of the things done by the Highway Department and asking for a larger appropriation for the Coeburn Road Project was passed.

Mr. Norton Advised council that the Clean-Up, Fix-up, Spruce-up campaign would be around the 1st of May.

#1265

There being no further business before the council same adjourned.

Jo Nosler  
Clerk

Robert B. Tatum  
Mayor

In Reference to #1263:

THAT WHEREAS the Virginia Department of Highways has prepared plans and specifications for the reconstruction and relocation of U. S. Highway No. 23 as a westward extension of Park Avenue in Norton,

Virginia, and whereas the said City of Norton has been preparing to finance its proportion of the cost of said relocation and reconstruction of U. S. 23, and whereas said Virginia Department of Highways proposes to change the designation of both U. S. Highway 23 and Alternate 58 from their present location through West Norton to the newly constructed road, which will result in a substantial decrease of primary highway funds available for the City,

NOW, THEREFORE, BE IT RESOLVED that the Virginia Department of Highways be, and it is hereby requested to forthwith change the location of Alternate Highway 58 within the City of Norton so that said highway will follow Kentucky Avenue from its intersection with the Coeburn road south of the Norfolk & Western Railway crossing thence westward to the intersection of Kentucky Avenue and 11th Street and thence northward on 11th Street to its intersection with U. S. 23.

BE IT FURTHER RESOLVED that the Virginia Department of Highways be, and it is hereby requested to designate Secondary Route 610 leaving through Powell Valley from Norton to Big Stone Gap as Alternate 58.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of this meeting and copies of same be mailed to the following:

Honorable P. A. Davis, State Highway Commissioner  
Honorable Samuel D. May, Member of the State Highway Commission  
H. B. Morecock, District Engineer  
H. B. Tatum, Resident Engineer  
W. S. Smith, Urban Engineer

A COPY TESTE:

S/ Jo Nosler  
Clerk of Council