

The regular meeting of the Norton City Council was held in the Council Chambers of the Municipal Building on Tuesday, August 6, 1996, at 7:30 p.m. with Mayor Robert Raines presiding.

Present: Robert Raines, Jack Wallace, Ron McCall, and Robert Raines

Absent: William Mays

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

The invocation was given by the City Manager which was followed by the pledge of allegiance led by the Director of Social Services, Bill Stokes.

Upon a motion by Ron McCall, seconded by Jack Wallace, and passed by unanimous vote, Council moved to adopt the minutes of the July 16, 1996 meeting as presented. 17577

During the Mayor's call for visitors, Ms. Sonya O'Hara of Norton's Regency Towers spoke to Council regarding a small food bank at the Towers for some of its residents. They have recently become affiliated with the Southwest Virginia Second Harvest Organization and are receiving donations from some area churches and Norton Community Hospital. Ms. O'Hara requested any help from Council that could be given. 17578

Following a brief discussion, it was the consensus of Council that the City Manager and Director of Social Services look into this and come back to them with a recommendation.

Mayor Raines commended the efforts of Ms. O'Hara and the others at the Regency Towers Food Bank.

Mr. Jeff Elkins, Attorney for Loreto Heights, presented Council with an update on the Anderson Hollow Property (the Junior Clemons Property). He advised that their workers had taken off 13 or 14 truckloads of materials; however the workers have refused to go back with Mr. Clemons on the property. 17579

At this time, Vice Mayor Mays took his seat on Council.

After being advised that Mr. Clemons would like to move off this property and with some work being done by Mr. Elkins and the Department of Social Services, the City Attorney advised he also had been working on this and had talked with Mr. Clemons' attorney, Greg Stewart.

Mayor Raines stated he felt that they were making every effort to clean up this property and Mr. Elkins was asked to come back September 3rd for another update.

In their packets, Council had a copy of a model ordinance on the Uniform Business Professional Occupation License Tax as well as a copy of our existing ordinance. Mr. Ward advised that the General Assembly in 1996 enacted legislation for all localities to enact a uniform ordinance by January 1, 1997.

The City Attorney had been given a copy of this model ordinance

for review and the City Manager has had a meeting with the City Treasurer and Commissioner of Revenue on this. Their feelings on this proposed ordinance is that it will not adversely affect the City and that it is not that much different from our current ordinance.

Mr. Ward asked for directions from Council as how he is to proceed on this.

Following a brief discussion, it was the consensus of Council that Mr. Ward is to get additional information from the Virginia Municipal League and that he and the City Attorney are to work on a model ordinance and bring same back for their consideration at the appropriate time for discussion prior to advertisement for a public hearing.

17580

The City Manager sought permission from Council to execute a Tri-Party Agreement with the Virginia Department of Transportation and the Norfolk and Western Railway Company. This agreement covers work that will be done on the replacement of the 2nd Street Bridge Project in the Round Town section of Norton.

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After looking over the agreement, the City Attorney advised it is acceptable. Advising he does work for the Chief Engineer of the Department of Transportation, his opinion is that the railroad prepared this document.

Upon a motion by Roy Roberts, seconded by William Mays, and passed by unanimous vote, Council authorized the City Manager to execute a Tri-Party Agreement on behalf of the City of Norton.

Mr. Ward advised Council that the Virginia Municipal League Conference will be held in Roanoke this year at the Hotel Roanoke October 20 - 22 and that he has reserved five rooms. Members of Council need to advise him if they can attend so he can guarantee the rooms.

17582

Council had a request from Maggie Hammonds of 6036 Kent Junction Road, in the Josephine Section of Wise County, for a water tap. Mr. Ward advised water is available and that he seeks Council's favorable consideration on same.

17583

Upon a motion by Jack Wallace, seconded by William Mays, and passed by the following vote: Wallace, Mays, McCall, Raines - YES, Roberts - NO, Council authorized one water tap in the Josephine area of Wise County for Ms. Maggie Hammonds.

Council had been presented with copies of two checks made payable to the Norton City Schools in the amount of \$210,000 covering Accounts Payable and Fringe Benefits and another in the amount of \$118,000 covering payroll.

17584

Upon a motion by Ron McCall, seconded by William Mays, and passed by unanimous roll call vote, Council moved to approve two checks in the amount of \$210,000 and \$118,000 made payable to the Norton City Schools.

Upon a motion by William Mays, seconded by Ron McCall, and passed by unanimous roll call vote, Council moved to go into Executive Session to discuss the acquisition of real property for public purpose and the disposition of publicly held property as per 2.1-344(A) (3) of the Code

17585

of Virginia, as amended.

Mayor Raines declared the meeting in Executive Session.

Having gone into Executive Session at 8:00 p.m., Mayor Raines exited the Executive Session portion of the meeting at approximately 8:20 p.m.

17586

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

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Mayor Raines declared the meeting back in regular session.

The Clerk then polled each member of Council as to the Certification of Executive Meeting with the following vote: Mr. Roberts, Mr. Wallace, Mr. Mays, Mr. McCall - YES and Mayor Raines voted YES for the portion of the Executive Session he attended which was the acquisition of real property for public purpose. He excused himself from the portion of Executive Session regarding the Disposition of Publicly Held Property.

17588

The Clerk then read the entire Resolution of the Certification of Executive Meeting.

Upon a motion by Roy Roberts, seconded by William Mays, and passed by the following vote: Mr. Roberts, Mr. Wallace, Mr. Mays, Mr. McCall - YES and Mr. Raines - YES for the portion of the Executive Session he attended which was the acquisition of real property for public purpose, Council moved to adopt a Resolution of the Certification of Executive Meeting. (Insert)

Since the Vice Mayor conducted the Executive Session after Mayor Raines excused himself, the City Attorney advised that the Vice Mayor should entertain any motions pertaining to the Executive Session which Council may wish to make.

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Mayor Raines turned the meeting over to the Vice Mayor. The Vice Mayor advised as for the development of Lost Creek as advertised, the City received two proposals - one from Lost Creek Development Corporation and one from Ken Lyons, Jr.

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Upon a motion by Ron McCall, seconded by Roy Roberts, and passed by the following vote: Roberts, Wallace, Mays, McCall - YES; Mayor Raines abstained from any action or vote on this issue due to a possible conflict of interest, Council authorized the City Manager to enter into negotiations with the above two parties who presented proposals on the Lost Creek Project.

Vice Mayor Mays turned the meeting back over to the Mayor.

17591

In comments from the City Manager, Mr. Ward advised the members of NIDA request a work session with Council following the August 20th meeting. It was the consensus of Council that the August 20th regular Council Meeting start at 7:00 with a short agenda and conduct a work session with NIDA following this meeting.

Due to all the activity of our Downtown Redevelopment and Revitalization Program, the City is trying to reinstitute a downtown organization that would look into the Virginia Main Street Program and the concepts that it represents. A kick-off meeting will be held on

17592

Tuesday, August 13, at the Virginia Kentucky Opry at 6:30 with refreshments and the meeting will begin at 7:00. Representatives of the Virginia Main Street Program will be present to share their thoughts on this program in hopes of getting this rejuvenated in the City. Council members are invited to attend.

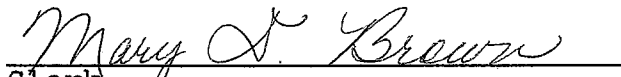
In comments from the City Attorney, he asked Council if they approved of his action taken on the Clemons problem. His recommendation is that we proceed at this time on the same path, but keeping in mind that we have legal action that can be taken. It was the concurrence of Council that we continue on this path for the time being.

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

CITY OF NORTON, VIRGINIA

  
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B. Robert Raines, Mayor

ATTEST:

  
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Clerk