

The regular meeting of the Norton City Council was held in the Council Chambers of the Municipal Building on Tuesday, September 3, 1996, at 7:30 p.m. with Mayor Robert Raines presiding.

Present: Robert Raines, 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 which was followed by the pledge of allegiance led by the Police Chief, Sam Mongle.

Upon a motion by William Mays, seconded by Jack Wallace, and passed by unanimous vote, Council moved to adopt the minutes of the August 20, 1996 meeting as presented.

17599

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

17600

Mayor Raines recognized Chief Mongle and asked that he come forward and make a special presentation tonight. Chief Mongle advised that approximately one year ago we had a case of domestic violence which resulted in the shooting death of a lady in front of the Norton Post Office. After reviewing all reports, he found that two officers, one from the Virginia State Police and one from the Norton Police Department excelled in valor. He then made nominations to the Virginia Association of Chiefs of Police and on August 13, 1996 at the Convention of this organization, Captain Kenny Jackson and Trooper Ronnie Hughes were both awarded the Award of Valor. In the presence of those attending, including Captain Jackson's wife and two daughters, Chief Mongle presented Captain Jackson with his Award of Valor. Mayor Raines expressed appreciation to Captain Jackson for his work, not only on this case, but for the job done every day.

17601

Ms. Carol Green and Michele Knox, representatives of the Guest River Education Committee, presented a brief slide show on the Guest River conditions and what can be done to improve water quality. Following the presentation, both answered questions from Council.

17602

Mayor Raines thanked them for their presentation.

Attorney Jeff Elkins who represents Loreto Heights on the Junior Clemons' property was present to give Council an update on the cleaning up of this property. He advised Council that their workers had only gotten two days of work in since he was last here due to problems with Mr. Clemons.

17603

Following a discussion and answering questions from the City Attorney and Council, it was the consensus of Council for the City Attorney to work with the attorneys of record and try to resolve this situation to the best interest of all involved.

Joe Stallard, City Treasurer, presented his annual report and answered questions from Council.

Mayor Raines thanked Mr. Stallard for this report and advised him that Council appreciates the work of his office.

17604

Council had in their packets a Management Agreement from People Incorporated regarding the \$100,000 Department of Housing and Community Development Grant as pertains to the development of a Micro Enterprise Project. This agreement would allow People, Inc. to manage the grant for the City and he asks for Council's favorable consideration in authorizing the Mayor to sign this agreement on behalf of the City of Norton.

17 5

Following a brief discussion and upon a motion by Jack Wallace, seconded by Ron McCall, and passed by the following roll call vote: Wallace, Mays, McCall, Raines - YES; Roberts - NO, Council authorized the Mayor to sign the Management Agreement with People Incorporated.

A Resolution Authorizing the City Manager to Apply for an Arson Prevention Grant was included in Council's packet. This resolution covers a one time grant of \$4,600 to municipalities from the Department of Justice and is to be used for arson prevention of churches. The funds can be used in various ways; however the City plans to use it to increase, with existing personnel, patrols of churches.

17606

Following a brief discussion and upon a motion by Ron McCall, seconded by William Mays, and passed by unanimous roll call vote, Council moved to adopt A Resolution Authorizing the City Manager to Apply for An Arson Prevention Grant. (Insert)

Upon a motion by William Mays, 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; the Disposition of Publicly Held Property as per 2.1-344(A) (3) of the Code of Virginia, as amended; and Probable Litigation as per 2.1-344(A) (7) of the Code of Virginia, as amended.

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Mayor Raines declared the meeting in Executive Session.

At 8:45 p.m. Mayor Raines exited the Executive Session.

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

17608

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: Roberts, Wallace, Mays, McCall - YES; Raines, YES for the portion of the Executive Session that he attended. He did not participate in the section regarding the Disposition of Publicly Held Property due to a possible potential conflict of interest.

17609

The Clerk then read the entire Resolution of the Certification of Executive Meeting. Upon a motion by Roy Roberts, seconded by Jack Wallace, and passed by the following vote: Roberts, Wallace, Mays, McCall - YES; Raines, YES for the portion of the Executive Session that he attended. He did not participate in the section regarding the Disposition of Publicly Held Property due to a possible potential conflict of interest.

17610

Mayor Raines opened the floor for nominations to the Southwest Virginia EMS Council for a three year term which will expire on

17611

9/30/99.

Jack Wallace nominated Mr. William Mays to be reappointed to this Board.

Upon a motion by Roy Roberts, seconded by Ron McCall, and passed by the following vote: Roberts, Wallace, McCall, Raines - YES, Mays - ABSTAIN, Council declared that nominations cease.

17611

Mayor Raines declared Mr. William Mays reappointed to the Southwest Virginia EMS Council for a three year term which will expire on 9/30/99.

At this time, Mayor Raines turned the floor over to Vice Mayor Mays.

17612

Vice Mayor Mays advised that in regard to the disposition of publicly held property as per 2.1-344(A) (3) of the Code of Virginia, as amended, the City had received two proposals on the Lost Creek Property - one from Ken Lyons, Jr. and one from Lost Creek Development Corporation. Mr. Lyons has since withdrawn his proposal.

Upon a motion by Ron McCall, seconded by Roy Roberts, and passed by the following vote: Roberts, Wallace, Mays, McCall - YES, Raines - ABSTAIN due to the fact that he did not participate in this discussion during the Executive Session due to a possible potential conflict of interest, Council authorized the City Manager and City Attorney to continue their negotiations with Lost Creek Development Corporation and to bring back to Council a proposed agreement for Council's consideration.

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At this time, Vice Mayor Mays turned the meeting back over to Mayor Raines.

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In comments from the City Manager, Mr. Ward advised:

It was in the Coalfield Progress that we have received a \$400,000 ARC Grant to upgrade the Esserville sewer line. We are pleased that this project has been funded; however we have not received any official notification as of yet in the mail. Once we do, we will begin on this project with the procurement of engineering services.

17615

Both he and Mayor Raines will be touring C-N-W facilities tomorrow along with other invited guests followed by dinner at the Holiday Inn. Potentially, the City will have three members of Council present and he wants the press to know this.

Bids will be opened Friday at 2:00 for surplus equipment.

The City reservoir will reopen Saturday at Noon for our fall stocking. Due to our water levels, we are able to stock it this year.

There were no comments from the City Attorney.

17616

In comments from Council, Vice Mayor Mays commented on the excellent job done on the ramp at the reservoir. He complimented the City personnel who built the ramp.

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

CITY OF NORTON, VIRGINIA

B. Robert Raines

B. Robert Raines, Mayor

ATTEST:

Mary D. Brown
Clerk