

The regular meeting of the Norton City Council was held in the Municipal Council Chambers on Tuesday, October 16, 1990, at 7:30 p.m. with Mayor Robert Raines presiding.

Present: Linda Sturgill, Jack Wallace, Robert Raines, William Mays, and Ron McCall

Also Present: E. W. Ward, City Manager, and Kenneth P. Asbury, City Attorney

The invocation was given by Rev. William Watson and was followed by the Pledge of Allegiance which was led by former Mayor George E. Hunnicutt.

Upon a motion by Jack Wallace, seconded by Ron McCall, and passed by unanimous vote, Council moved to adopt the minutes of the October 2, 1990 meeting as presented. 14906

There was no response to the Mayor's call for visitors from the audience. 14907

Mayor Raines announced that there would be a change in the agenda under Old Business - Item 6B which will be a Resolution Correcting City Council Minutes of June 19, 1990 Concerning the Issuance of of Industrial Bonds. 14908

Mr. Ward advised Council that as of 12:00 Noon today we had 62.8 million gallons of water in the reservoirs. He further advised Council that he had included in their packets a copy of the Pre-Emergency Contingency Plan which states Council can declare an emergency when levels reach 60 million gallons.

Following a brief discussion, the Mayor directed the City Manager to continue to utilize alternate water sources and to keep Council fully apprised of the water situation. He further urged continued conservation by the residents. 14909

Former Mayor George Hunnicutt spoke briefly to Council on this topic.

Council had been presented with A Resolution of the City Council of the City of Norton, Virginia Incorporated in the Minutes of the City Council a Correction with Reference to the Issuance of Bonds by the Norton Industrial Development Authority for the Norton Community Hospital, Inc.

The City Attorney advised that Council adopted a resolution sometime after the public hearing on June 19, 1990 to authorize the sell of bonds by the Norton Industrial Development Authority to finance the Norton Community Hospital Project. The motion carried in the minutes; however the resolution did not. This resolution will allow the correction to be incorporated with the minutes of the June 19, 1990 meeting. 14910

Upon a motion by William Mays, seconded by Jack Wallace, and passed by unanimous vote, Council moved to adopt A Resolution of the City Council of the City of Norton, Virginia Incorporating in the Minutes of the City Council a Correction with Reference to the Issuance of Bonds by the Norton Industrial Development Authority for the Norton Community Hospital, Inc. (Insert)

The City Manager gave Council a brief summary on the Chestnut Street subsidence problem and showed a video tape that was taken during a moderate rain on August 21st showing the drainage problem, damage to the road, and to the drop inlet. He further advised Council that the City has exhausted all diplomatic efforts to gain the assistance of the State and Federal Agencies on solving this problem. Mr. Ward feels as though one of two things needs to be done to solve

this problem. These are to either open up the mine works so that it will handle the flow or have a storm drainage system installed to properly handle this drainage. An estimate for this drainage system as prepared by Thompson and Litton amounts to \$1,277,000. The road has been closed since early August and the City cannot adequately give the residents police and fire protection. He is seeking Council's guidance on this matter.

Mayor Raines then summarized this problem again for Council and advised that the City Attorney had prepared a resolution for Council's consideration. The City Manager read aloud A Resolution of the City Council of the City of Norton, Virginia Adopted at a Regular Meeting on October 16, 1990, with Reference to Proceedings with Correction of Subsidence and Drainage in the Chestnut Street Area.

14911

Upon a motion by William Mays, seconded by Linda Sturgill, and passed by unanimous vote, Council moved to adopt A Resolution of the City Council of the City of Norton, Virginia Adopted at a Regular Meeting on October 16, 1990, with Reference to Proceedings with Correction of Subsidence and Drainage in the Chestnut Street Area with corrections to be made within same from Division of Mine Reclamation to Division of Mined Land Reclamation. (Insert)

Council had been given a budget for the Coal and Gas Road Improvement Fund for the 1990-91 fiscal year. Mr. Ward advised that the Committee had met and prepared this budget in the amount of \$33,035.57 which was budgeted in 1988 for severance tax on mining in the City and was not expended. Mr. Ward stated the Committee recommended Council's adoption of this budget and he asked Council's favorable consideration on same.

14912

Upon a motion by Jack Wallace, seconded by William Mays, and passed by unanimous roll call vote, Council moved to accept the Coal and Gas Road Improvement Fund Budget as presented which will deplete this account.

Council had been presented with A Resolution of the City Council of the City of Norton, Virginia Authorizing the City Treasurer to Close the Debt Fund Account.

Mr. Ward advised that in 1963 the City issued bonds for the construction of a wastewater facility. The bonds were serial bonds paying interest. The City opened up an account at a local bank to allow people to come in on an annual basis to redeem their bonds. Over a 20 year period, the bonds were closed and fully paid. The City Auditor discovered the City still had money in this account and as best as can be determined, this is coupons that were never redeemed by some individual or corporation. The amount in this account is \$9,598.46 and the City Auditor recommended that we take this money out and put it back in an interest bearing account. Mr. Ward advised the most logical would be our Utility Account for Water and Sewer Fund.

14913

The City Attorney advised the best way to handle this would be by resolution authorizing the Treasurer to close this account but also guarantee the payment should someone come forward with these coupons for payment.

Upon a motion by Ron McCall, seconded by William Mays, and passed by unanimous roll call vote, Council moved to adopt A Resolution of the City Council of the City of Norton, Virginia Authorizing the City Treasurer to Close the Debt Fund Account. (Insert)

Council discussed a meeting date for the first meeting in November since Election Day falls on that date. Following a brief discussion and upon a motion by Linda Sturgill, seconded by Jack Wallace, and passed by unanimous vote, Council moved to cancel the November 6, 1990 council meeting and to reschedule

14914

the November 20th meeting to November 13th. Also, the press is to be notified of change in dates.

Upon a motion by Jack Wallace, seconded by William Mays, and passed by unanimous 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, and legal as pertains to Settlement of a Claim as per 2.1-3444(A) (7) of the Code of Virginia, as amended.

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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 in regular session.

Mayor Raines declared the meeting back in regular session.

14916

The Clerk then polled each member of Council as to the Certification of Executive Session with each member answering aye. The Clerk then read the entire Resolution of the Certification of Executive Meeting. Upon a motion by Ron McCall, seconded by William Mays, and passed by unanimous vote, Council moved to adopt a Resolution of the Certification of Executive Meeting. (Insert)

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The Mayor announced there were no announcements to be made under personnel.

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With reference to the settlement of a claim from an interest bearing partner in the Piggly-Wiggly Building and upon a motion by Linda Sturgill, seconded by Jack Wallace, and passed by unanimous roll call vote, Council moved that whereas W. C. Witt, Jr. has surrendered his option to purchase the Piggly Wiggly Building and paid thereto performed certain survey and out of pocket expenses, many of which will be utilized by NIDA in its renovation and the City will reimburse him for his expense, I so move that the City Treasurer be directed to pay W. C. Witt, Jr. \$11,025.50 for his expenses used therewith to be appropriated from the Contingency Fund.

14919

In his comments, the City Manager advised that there would be a ground breaking ceremony held at the Chamber of Commerce for their expansion on Thursday, October 18, 1990 at 9:30 a.m. at the Chamber site. All of Council is invited to attend. Secondly, Mr. Ward advised that the AT&T facility is proceeding on schedule.

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There were no comments from the City Attorney.

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Councilwoman Sturgill gave each member of Council a copy of a memorandum to the City Manager covering the Blackwood Industrial Park raising some questions she has to this project. Also, she asked the City Manager to check into getting a report from the Planning Commission on the action taken by them recently on the Miket Trailer Park under the Sub-Division Ordinance.

14922

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

ATTEST:

Mary S. Brewer, Clerk

B. Robert Raines  
B. Robert Raines, Mayor