

The regular meeting of the City Council was held in the Municipal Court Room on April 15, 1986 at 7:30 p.m. with Mayor Hunnicutt presiding.

Present: Roy Roberts, Robert Raines, George Hunnicutt, Milas Franks, Cliff Daniels

Also Present: C. R. Brown, City Manager and Kenneth Asbury, City Attorney

The invocation was given by Father Joseph D'Aurora.

On motion by Robert Raines, seconded by Roy Roberts, and carried by unanimous vote, Council moved that the minutes of April 1, 1986 be approved as presented. 13433

There was no response to the Mayor's call for visitors. 13434

For the opening of the public hearing on rezoning, the Mayor asked that the spokesperson for the delegation from West Main Avenue come forward and make their presentation to the Council. Mrs. Linda Sturgill of 1703 West Main Avenue came forth and presented their views on the rezoning of West Main Avenue from General Business to Residential B. At the conclusion, she asked Council to reject the recommendation of the Planning Commission and to form their own study and make their own recommendation.

During the course of the discussion, Mrs. Eileen Brickey asked if Councilman Daniels was related to the Mr. Daniels who owns property in the West Main Avenue area. Councilman Daniels stated he was and that an opinion would be sought from the City Attorney as to whether there is a conflict of interest at the time that a vote would be taken.

Mr. Richard Hurt, Secretary of the Board of Zoning Appeals and Planning Commission, made a presentation to the Council as to the history of the area in question. Mr. Hurt had zoning maps representing 1954, 1972, and 1977. In 1954, it was designated as Local Business with an area on the left side (around 21st Street) as Residential "B". In 1972, it was zoned as General Business as it was in 1977. Mr. Hurt further advised Council that the Planning Commission's motion passed 5-0 for City Council to reject the request to change the zoning.

Mr. Kenneth Adams, a resident of West Main Avenue and representing Adams Enterprises, 1577 S. W. Main Avenue, spoke in favor of leaving the area zoned as General Business. 13435

Councilman Daniels asked the City Attorney for a ruling as to whether there is a conflict of interest for him since his father owns property in the area being discussed. City Attorney Kenneth Asbury advised Mr. Daniels that there was no conflict and that he could vote.

After much discussion and upon a motion by Milas Franks, seconded by Cliff Daniels, Council moved that they concur with the recommendation of the Planning Commission to deny the rezoning and leave this area in the current zoning as General Business. This motion passed with the following vote: YES: Roy Roberts, George Hunnicutt, Milas Franks, and Cliff Daniels. NO: Robert Raines.

The City Attorney presented Council with a resolution in memory of the services Mr. J. Earle Brown rendered to the City. The City Manager read the resolution in its entirety. Cliff Daniels felt since the Mayor had more experience with Mr. Brown, he thought Council should request the Mayor make this motion. The Mayor stated that it was with a great deal of pleasure that he make this motion to accept this resolution in Memoriam of J. Earle Brown. Councilman Daniels seconded this motion in the name of all council members both past and present. This was passed by unanimous vote. 13436
(Insert)

The City Manager presented Council with An Emergency Ordinance Amending Section 6 of the City of Norton Motor Vehicle License Ordinance. He advised Council that the Motor Vehicle License Ordinance of this City states that the decals are due on or before April 15th and are delinquent April 16th; however due to an administrative error in the ordering of last year's decals, they state, "expires May 15th". The City 13437

Attorney advised that this could be confusing and could be challenged in court.

On motion by Milas Franks, seconded by Robert Raines, and carried by unanimous vote, Council moved to adopt An Emergency Ordinance Amending Section 6 of the City of Norton Motor Vehicle License Ordinance extending the deadline date from April 15th to May 15th for the year 1986 only. (Insert)

The City Manager presented the Resolution Authorizing Submittal of a Community Development Block Grant Application asking for authorization to submit a Community Development Block Grant for the repair of City water lines.

13438

On motion by Cliff Daniels, seconded by Roy Roberts, and passed by unanimous vote, Council passed A Resolution Authorizing Submittal of a Community Development Block Grant Application. (Insert)

Mr. Brown advised Council that the week of April 20-26 is the week designated as Keep America Beautiful in Norton Week. We have available the free adopt-a-truck and free pick-ups from residents on their property. On motion by Milas Franks, seconded by Robert Raines, and carried by unanimous vote, Council moved that A Resolution of the City Council of the City of Norton, Virginia Declaring April 20 through 26, 1986 As Keep America Beautiful in Norton Week. (Insert)

13439

The City Manager presented Council with an invoice from Thompson and Litton in the amount of \$43,200.00. This amount is a refundable expense as soon as the loan is closed. Upon a motion by Cliff Daniels, seconded by Milas Franks, and carried by unanimous roll call vote, Council approved the request for funds in the amount of \$43,200, from the Unappropriated Reserve, to pay invoice from Thompson and Litton for engineering services on the water project and said amount is to be reimbursed per the closing of the FHA loan and with the approval of the City Attorney in regard to contracts.

13440

Council discussed the next meeting date as the regular meeting date is Election Day. On motion by Milas Franks, seconded by Cliff Daniels, and passed by unanimous vote, Council moved to reschedule the next meeting to Monday, May 5th.

134 41

The City Manager supplied Council with a copy of House Bill 289 covering Local Coal and Gas Road Improvement Tax which has been passed. Mr. Brown advised that he just wanted to bring this to the attention of Council as information.

13442

On motion by Cliff Daniels, seconded by Robert Raines, 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.


13443

On motion by Robert Raines, seconded by Roy Roberts, and passed by unanimous vote, Council moved to go back into regular session. The Mayor advised no appointments had been made at this time.

The City Manager advised in his comments that on April 30th at 10:30 a.m. on the steps of the Municipal Building will be a land sale due to delinquent taxes. Maps will be in the Commissioner's Office showing location of the lots.

13444

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



Mayor

ATTEST:



Clerk