

December 17, 1963

The regular meeting of the City Council was held in the Municipal Court Room on December 17, 1963 at 7:30 P.M. with Mayor B.E. Ball presiding.

Present: B.E. Ball, A.O. Umstead, J.C. Holcomb, Archie Woods, J.B. Taggart

Minutes of the previous meeting were read and approved.

On motion by J.B. Taggart, seconded by J.C. Holcomb and carried by unanimous roll call vote, the following ordinance increasing water rates and imposing a sewer service charge was passed: #2604

BE IT ORDAINED by the Council of the City of Norton that in view of the agreement for sale of bonds for the construction of City sewage disposal facilities and in view of the current construction of these facilities, it is necessary that funds be immediately made available for the operation and maintenance of the physical plant, the payment of interest on the bonds, and the payment of the bonds as they shall become due; and that, therefore, effective with February, 1964, billing for the following charges shall be levied for the accumulation of funds for the above purposes:

- (1) From all sewage customers or users - \$1.00 per month, plus 20% of all charges for sewage/water service and water consumption.
- (2) From all water consumers within the City who are not users of sewage facilities - \$1.00 per month.

These sewer charges will be collected at the same time and with the water bill and the City Manager is empowered to enforce the collection of these sewer charges in the same manner as the enforcement of water collections.

On motion by J.B. Taggart, seconded by Archie Woods and carried by unanimous roll call vote, the following resolution authorizing the sale of the sewer improvement bonds was passed: #2605

At a regular meeting of the Council of the City of Norton, Virginia, held on the 17th day of December, 1963,

PRESENT: B.E. Ball
A.O. Umstead
J.C. Holcomb
Archie Woods
J.B. Taggart

ABSENT: None

the following resolution was adopted by the following vote:

AYES:	B.E. Ball	Archie Woods
	A.O. Umstead	J.B. Taggart
	J.C. Holcomb	

NAYES: None

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORTON, VIRGINIA, AS FOLLOWS:

1. The contracting of a debt and the issuance of Sewer Bonds of the City of Norton, Virginia, in the amount of Four Hundred Thousand Dollars (\$400,000) for the purpose of improving, enlarging and extending its sanitary sewerage system having been authorized by an election duly called and held on March 19, 1963, and

by an order of the Circuit Court of Wise County entered on April 3, 1963, there are hereby authorized to be issued and sold Four Hundred Thousand Dollars (\$400,000) Sewer Bonds of the City of Norton pursuant to Section 127(b) of the Constitution of Virginia.

2. After mature consideration of the methods of sale of the Sewer Bonds and after discussion with various dealers and underwriters of municipal bonds, it is hereby determined that it is in the best interests of the City to accept the joint proposal of Francis I. duPont & Company and Strader & Company to purchase Four Hundred Thousand Dollars (\$400,000) Sewer Bonds at par and accrued interest to the date of delivery, such bonds to be dated December 1, 1963, to mature serially at the rate of Ten Thousand Dollars (\$10,000) in each of the years 1964 to 1973, inclusive, Fifteen Thousand Dollars (\$15,000) in each of the years 1974 to 1981, inclusive, Twenty Thousand Dollars (\$20,000) in each of the years 1982 to 1985, inclusive, and Twenty Five Thousand Dollars (\$25,000) in each of the years 1986 to 1989, inclusive, and to bear interest at the ~~XXX~~ rate of three and three-quarters per cent (3-3/4%) for bonds maturing in the years 1964 to 1977, inclusive, and four per cent (4%) for bonds maturing in the years 1978 to 1989, inclusive, and such proposal is hereby accepted.

3. The bonds shall be coupon bonds without privilege of registration, shall be in the denomination of Five Thousand Dollars (\$5,000), shall be dated December 1, 1963, payable serially in numerical order, without option of prior redemption, on December 1 in the following years and in the following amounts: Ten Thousand Dollars (\$10,000) in each of the years 1964 to 1973, inclusive, Fifteen Thousand Dollars (\$15,000) in each of the years 1974 to 1981, inclusive, Twenty Thousand Dollars (\$20,000) in each of the years 1982 to 1985, inclusive, and Twenty-five Thousand Dollars (\$25,000) in each of the years 1986 to 1989, inclusive, shall bear interest at the rate of three and three-quarters per cent (3-3/4%) per year for bonds maturing in each of the years 1964 to 1977, inclusive, and four per cent (4%) per year for bonds maturing in each of the years 1978 through 1989, inclusive, and interest shall be payable June 1 and December 1. Both principal and interest on the bonds shall be payable at First National Bank of Norton, Norton, Virginia.

4. The bonds shall be signed by the Mayor of the City of Norton and countersigned by the Clerk of the Council, and the seal of the City shall be affixed to the bonds. The coupons attached to the bonds shall bear the facsimile signatures of the Mayor and the Clerk of the Council.

5. The bonds and coupons to be attached thereto shall be in substantially the following form:

No. _____

\$5,000

UNITED STATES OF AMERICA

COMMONWEALTH OF VIRGINIA

CITY OF NORTON

Sewer Bond

The City of Norton, Virginia, for value received hereby acknowledges itself indebted and promises to pay to the bearer of this bond the sum of Five Thousand Dollars (\$5,000) on December 1, 19____, and to pay

rate of increase 3.94 per cent (3.94 %) per year, payable June 1 and December 1 of each year upon presentation and surrender of the attached coupons as they may respectively become due. Both the principal of and interest on this bond are payable at First National Bank of Norton, Norton, Virginia.

This bond is one of a duly authorized issue of \$400,000 Sewer Bonds of like date and tenor, except as to maturity, rate of interest and number, authorized by an ordinance duly adopted by the Council of the City and approved at an election held on March 19, 1963, in accordance with Section 127(b) of the Constitution of Virginia, and is issued pursuant to the Public Finance Act of 1958 (Chapter 19.1 of Title 15 of the Code of Virginia), for the purpose of improving, enlarging and extending its sanitary sewerage system.

The bonds and the interest thereon are payable from the rates or fees to be charged users of the sanitary sewerage system and from ad valorem taxes which are required to be levied on all the taxable property in the City for such purpose without limitation as to rate or amount if the net revenue from the sanitary sewerage system is insufficient therefor.

It is hereby certified and recited that all acts, conditions and things required by the Constitution and statutes of the Commonwealth of Virginia to happen, exist or be performed to or in the issuance of this bond have happened, exist and have been performed, and that the amount of this bond together with all other indebtedness of the City of any nature whatsoever is within every debt and other limit prescribed by the Constitution and statutes of the Commonwealth of Virginia.

IN WITNESS WHEREOF, the Council of the City of Norton has caused this bond to be signed by its Mayor and countersigned by the Clerk of the Council and its seal to be affixed hereto, and the attached interest coupons to be authenticated with the facsimile signatures of the Mayor and Clerk of the Council, and this bond to be dated as of December 1, 1963.

COUNTERSIGNED

[Signature]
Clerk of the Council

(SEAL)

[Signature]
Mayor

(FORM OF COUPON)

Coupon No. _____ \$ _____

On _____ 1, 19____, the City of Norton, Virginia, will pay to bearer _____ Dollars (\$ _____) at First National Bank of Norton, Norton, Virginia, in lawful money of the United States of America, being the semi-annual interest then due on its Sewer Bond, dated December 1, 1963, and numbered _____.

[Signature]
Clerk of the Council

[Signature]
Mayor

6. It is hereby covenanted and agreed with the holders of the bonds herein authorized to be issued and sold that so long as any of such bonds are outstanding and unpaid the City of Norton will:

- (a) charge rates or fees to users of the sanitary sewerage system;

(b) fix and maintain such rates or fees at such level as will produce sufficient revenue to pay the cost of operation and administration, the cost of insurance against loss by injury to persons or property and the principal of and interest on the bonds as the same become due;

(c) apply the revenue derived from the operation of the sanitary sewerage system first to the payment of such cost of operation and administration during the fiscal year and then to a sinking fund for the payment of the principal of and interest on the bonds;

(d) levy and collect annually an ad valorem tax on all the taxable property of the City without limitation as to rate or amount if the net revenue of the sanitary sewerage system available to pay the principal of and interest on the bonds as the same become due is insufficient therefor; and

(e) segregate and keep segregated from all other City funds all revenue derived from the operation of the sanitary sewerage system and keep proper records and accounts therefor, separate and apart from all other municipal records and accounts.

7. The Mayor and the Clerk of the Council are hereby authorized and directed to take all proper steps to have the bonds prepared and executed in accordance with their terms and to deliver the bonds to a representative of the purchasers upon payment therefor.

8. A certified copy of this resolution shall be filed promptly by the Clerk of the Council with the Clerk of the Circuit Court of Wise County.

9. This resolution shall take effect immediately, there being an emergency.

I hereby certify that the foregoing constitutes a true and correct excerpt from the minutes of a regular meeting of the Council of the City of Norton held on the 17th day of December, 1963.

WITNESS my hand and the seal of the City of Norton, Virginia, this 17th day of December, 1963

(SEAL)

s/ Jo Nosler
Clerk of the Council

I hereby certify that a certified copy of the foregoing resolution adopted by the Council of the City of Norton, Virginia, on the _____ day of December, 1963, was duly filed with me on the _____ day of December, 1963.

WITNESS my hand and the seal of the Circuit Court of Wise County, Virginia, this _____ day of December, 1963.

(SEAL)

Clerk, Circuit Court of Wise County,
Virginia

On motion by A.O. Umstead, seconded by J.B. Taggart and carried by unanimous #2606 vote, council instructed the City Manager, City Treasurer and City Auditor to confer and set up a system of keeping sewage revenue separate from other accounts in accordance with sewer improvement bond sale resolution, and report this matter to council.

Mr. Taggart commended Mr. Jester on the new signs at the traffic lights. #2607

Council instructed Mr. Jester to contact the telephone company and request that as little as possible construction be done which effects the streets during the remainder of the Christmas season. #2608

On motion by A.O. Umstead, seconded by J.C. Holcomb and carried by unanimous #2609 roll call vote, council moved that the tentative bi-annual welfare budget be approved showing the City's share as follows: \$15,265, 1964; \$15,359, 1965; \$15,881, 1966.

Council agreed to meet Wednesday morning, at 10:00 A.M., Dec. 18th to discuss #2610 the sewer improvement plans with Charles Daniels.

Mr. Jester gave a report on current tax collections to date of \$182,097.50. #2611 He also gave a report of delinquent tax collections as of December 16th - \$917.64, making a total of \$16,865.98 for the year.

Mr. Winston presented to council the Code of the City of Norton, 1963. #2612 On motion by J.C. Holcomb, seconded by A.O. Umstead and carried by unanimous roll call vote, the following ordinance was passed:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTON, VIRGINIA:

I.

That the ordinances of the City of Norton, of a general and permanent nature as revised and codified in the following Chapters, namely:

Chapter 1	General Provisions
Chapter 2	Administration
Chapter 3	Animals and Fowl
Chapter 4	Fire Prevention
Chapter 5	Food and Food Establishments
Chapter 6	Gambling
Chapter 7	Health and Sanitation

which Chapters have been completed by the printer and presented to the Council on this date, are hereby ordained as general ordinances of the City of Norton and are adopted as and shall constitute the first portion of "The Code of the City of Norton, Virginia, 1963".

II.

That the above listed portions of such Code shall be in force on and after December 17, 1963, and all ordinances covering matters that are provided for in the first seven chapters and which were enacted prior to December 17, 1963, and not contained in the first six chapters of this Code are hereby repealed from and after December 17, 1963.

III.

That a copy of this portion of the Code of "The City of Norton, Virginia, 1963", being the first six chapters thereof, be filed in the Office of the City Clerk and be made available to persons desiring to examine same.

IV.

The Council finds that an emergency exists and this ordinance shall be effective from and after this date.

Mr. Taggart, in concurrence with City Council, commended ~~#2613~~
Mr. Winston, City Attorney on the excellent job he had done in preparation of the Code of the City of Norton.

Mr. Jester advised council that Thursday, December 12th, was #2613 the last time they had been able to get to the reservoir. He stated there was a net gain of 3.6 million gallons in one weeks time. He also stated that the City at that time had 37,100,000 gallons.

Mr. Jester advised council that the schedule of wages for City #2614 Treasurer, City Sergeant and Commissioner of Revenue had been received and that there were no increases.

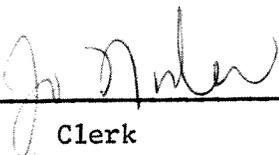
On motion by B.E. Ball, seconded by J.B. Taggart and carried #2615 by unanimous roll call vote, the following resolution was passed: Resolved that the City Manager's salary effective January 1, 1964 be set at \$7500.00, and that the rental on the City Manager's house, owned by the City, be set at \$55.00 per month.

Mr. Jester requested that he be granted permission to be out of #2616 town from December 21st thru January 1st. Permission was granted.

Mr. Ball advised council that he had received a letter from the #2617 State Board of Corrections regarding the City of Norton participating in upkeep of the County Jail. He also advised council that Mr. Asbury, Commonwealth Attorney, advised him that in as much as the City participates in expenses of county on a percentage basis they would not be required any additional participation.

Mr. Jester presented the Treasurer's Report for the month of #2618 November, 1963. After a discussion of the report, the City Manager and Treasurer were instructed to analyse expenditure accounts 4 and 9 to see where they were running over budget wise.

There being no further business to come before the council same adjourned.


Clerk


Mayor