

The regular meeting of the Norton City Council was held in the Council Chambers of the Municipal Building on Tuesday, July 18, 1995 at 7:30 p.m. with Mayor Raines presiding.

Present: Roy Roberts, Jack Wallace, William Mays, Ron McCall, and Robert Raines

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

The invocation was given by Father Tom Collins and was followed by the pledge of allegiance which was led by Police Chief Sam Mongle.

Upon a motion by Ron McCall, seconded by William Mays, and passed by unanimous vote, Council moved to adopt the minutes of the June 20, 1995 meeting as presented.

17248

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

17249

A public hearing was held on an amendment to the City of Norton 1995-96 General Fund Budget in the amount of \$145,000 to purchase Super Service Garage.

Prior to the public hearing, Mr. Ward advised the City has a signed contract of purchase and a signed deed for this property. This property was identified as part of our Community Development Block Grant for Blight Removal and funds from this grant will pay for the demolition of this property.

Mayor Raines opened the public hearing.

There being no public input, Mayor Raines closed the public hearing.

17250

Upon a motion by William Mays, seconded by Jack Wallace, and passed by the following roll call vote: Roberts - NO, Wallace, Mays, McCall, Raines - YES, Council moved to amend the 1995-96 General Fund Budget in the amount of \$145,000 to purchase the Super Service Garage Property with said funds to come from Unappropriated Reserves.

Upon a motion by Ron McCall, seconded by William Mays, and passed by the following roll call vote, Roberts - NO, Wallace, Mays, McCall, Raines - YES, Council authorized the City Manager to issue \$500 as a surety deposit and also authorized closure in 90 days if terms on the lease can be agreed upon. The City Attorney was directed to follow through with the proper paper work in order that closure can be within 90 days and, at that time, the final disposition payment would be \$144,500.

Council had in their packets a draft ordinance entitled "An Ordinance Amending the Norton City Code Concerning the Sale of Beer, Wine, Other Alcoholic Beverages, Including Mixed Alcoholic Beverages, on Sunday; and Providing When the Amendment Shall Be Effective."

1725

Mr. Ward advised this request came from Mr. Rick Ferree, General Manager of the Holiday Inn, who advised that New Year's Eve this year is on a Sunday. He inquired as to whether there was a special permit or could he receive permission to sell alcoholic beverages on New Year's Eve since it will be on a Sunday. Mr. Ward advised that he and

the City Attorney had worked on this and it was the opinion of the City Attorney that the only way this request could be accommodated was to pass an amendment to our existing ordinance that regulates the sale of alcoholic beverages on Sunday. In the draft ordinance, Mr. Ward added Section C which is the amended section of this ordinance. This section states that application may be made in writing to the City Council for a Special Use Permit for the sale of alcoholic beverages on a New Year's Eve Sunday. Also Council had been given a corrected first page of this draft ordinance since certain code sections had been changed by the State.

Mr. Rick Ferree was present and spoke briefly to Council on this matter.

Upon a motion by Ron McCall, seconded by Roy Roberts, and passed by unanimous vote, Council moved to hold a public hearing to amend An Ordinance Amending the Norton City Code Concerning the Sale of Beer, Wine, Other Alcoholic Beverages, Including Mixed Alcoholic Beverages, on Sunday; and Providing When the Amendment Shall Be Effective for the purpose of selling alcoholic beverages on Sunday, New Year's Eve.

Mr. Ward was instructed to advertise this public hearing which will probably be at the August 15th meeting.

At this time, Vice Mayor William Mays advised he would be abstaining from any discussion and vote on the next item which is the discussion of a modification to the lease between the City and the Norton Rescue Squad.

Mr. Ward advised that the Rescue Squad had been paying rent in the amount of \$6,000 per quarter and Council was looking at reducing this to \$1,500 per quarter and if so, the lease agreement needs to be modified. This is the only change in the lease agreement. The effective date would be July 1, 1994.

Upon a motion by Roy Roberts, seconded by Ron McCall, and passed by the following roll call vote: Roberts, Wallace, McCall, Raines - YES, Mays - ABSTAIN, Council moved to modify the lease agreement between the City and the Norton Rescue Squad effective July 1, 1994 by changing the amount of rent to be paid from \$6,000 per quarter to \$1,500 per quarter.

Council had in their packets a Resolution Establishing the Southwest Virginia Community Corrections Program. Mr. Ward advised Council had passed a resolution in May to participate in this program. By adopting this resolution, the Board will be established, we agree to be a participating locality along with the others in southwest Virginia, and we need to make an appointment to this Board. In May, Council appointed Police Chief Mongle to this Board so all that would be needed is the adoption of resolution.

Upon a motion by William Mays, seconded by Roy Roberts and passed by unanimous roll call vote, Council moved to adopt A Resolution Establishing the Southwest Virginia Community Corrections Program.  
(Insert)

The City Manager advised Council that the annual Virginia Municipal League Conference will be held in Virginia Beach on October 8 through October 10. He asked members of Council to advise him as soon as possible if they intend to attend in order that he can make

reservations and registrations.

Council had been presented with copies of two checks in excess of \$100,000.

Upon a motion by Roy Roberts, seconded by Jack Wallace, and passed by unanimous roll call vote, Council moved to approve a check made payable to the Norton City Schools in the amount of \$170,000.00.

The second check is made payable to the Norton City Schools in the amount of \$248,407.70 covering Drawdown #3 for the Burton High School Project. Mr. Ward advised this money comes from the interim financing with First Union Bank. When the School Board needs money to pay contractors, he goes to the bank and draws those funds down, deposits the amount in the City's General Fund, and then immediately writes a check to the School for the request and the school releases the funds to the contractor. He further advised Council would probably be seeing some more of these.

17255

Upon a motion by Ron McCall, seconded by William Mays, and passed by unanimous roll call vote, Council moved to approve a check in the amount of \$248,407.70 to the Norton City Schools.

Upon a motion by William Mays, seconded by Jack Wallace, 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, disposition and use of real property as per 2.1-344(A) (3) of the Code of Virginia, as amended, and the discussion of a potential contract requiring the advice of legal counsel as per 2.1-344(A) (7) of the Code of Virginia, as amended.

17256

Mayor Raines declared the meeting in Executive Session.

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

17257

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 each answering aye.

The Clerk then read the entire Resolution of the Certification of Executive Meeting. Upon a motion by William Mays, seconded by Ron McCall, and passed by unanimous vote, Council moved to adopt A Resolution of the Certification of Executive Meeting. (Insert)

17258

Mayor Raines advised there were no announcements pertaining to the Executive Session.

17259

In his comments, the City Manager advised:

He had given members of Council the 1994-95 Financial Statements tonight and if they have any questions or comments, they should call or come by and see him.

The Fourth of July activities were very successful and he would like to commend all City personnel and citizens for a job well done.

17260

Mayor Raines advised he had received many good comments on the paving of East Park Avenue and also on the looks of the City.

17261

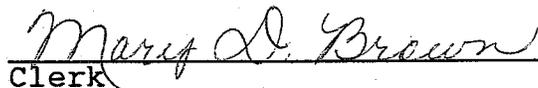
There being no further business to come before the Council, the meeting was adjourned.

CITY OF NORTON, VIRGINIA



B. Robert Raines, Mayor

ATTEST:



Clerk