

The regular meeting of the Norton City Council was held in the Municipal Council Chambers on Tuesday, February 5, 1991, 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 Asbury, City Attorney

The invocation was given by Rev. Larry Murphy. Prior to the Pledge of Allegiance, Mayor Raines asked that we all be mindful of the sacrifices being made and that will be made by our troops in Saudi Arabia and the families they have left behind. Following this, the Pledge of Allegiance was led by Police Chief Sam Mongle.

Upon a motion by William Mays, seconded by Ron McCall, and passed by unanimous vote, Council moved to adopt the minutes of the January 15, 1991 meeting as presented.

14988

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

14989

A public hearing was held on the following six ordinances:

1. An Ordinance Requiring That No Motor Vehicle, Trailer or Semi-Trailer Shall Be Licensed in This Municipality Until the Applicant Has Produced Satisfactory Evidence That All Personal Property Taxes on the Motor Vehicle, Trailer or Semi-Trailer To Be Licensed Have Been Paid, and That The Tangible Personal Property Taxes on Any Tangible Personal Property Used as a Dwelling Title by the Division of Motor Vehicles Have Been Paid, and Providing for Issuance of Local License, Free of Charge to Vehicles Owned by Volunteer Rescue Squads and Active Members of Volunteer Rescue Squads and Volunteer Fire Departments.
2. An Ordinance Providing for Safety Equipment for Mopeds, Effect of Violations; Penalty.
3. An Ordinance Regulating or Prohibiting the Possession of Opened Alcohol Beverages Contained in Local Public Parks, Playgrounds, and Public Streets Except Those Licensed or Permitted by Title 4 of the Code of Virginia, and Prescribing Penalties Therefore.
4. An Ordinance Providing That With the Consent of the Landowner Any Officer of the Police Department May Patrol the Landowner's Property to Enforce Motor Vehicle Registration and Licensing Requirements; And, With the Request or Consent of Owners, or Association of Owners, to Enforce the Provisions of Title 46.2 (Motor Vehicle Code of Virginia) of Subdivision, Condominium or Horizontal Property Regime.
5. An Ordinance Designating Private Roads for Highway Purpose in A Residential Development Containing One Hundred Or More Lots.
6. An Ordinance Enacted Pursuant to Section 46.2-1301 of the Code of Virginia, Designating the Chief of Police to Designate Intersections at Which Vehicles Shall Come to a Full Stop or Yield the Right of Way.

14990

The Mayor opened the floor for public comment on any of the above ordinances.

Mr. Joe Stallard, City Treasurer, spoke on Ordinance No. 1 asking that Council consider passage of this as it would be helpful to the Treasurer's Office in collecting Mobile Home Taxes. Mayor Raines thanked Mr. Stallard for his comments.

There being no further public comment, the Mayor declared the public hearing closed.

There were no comments from Council on any of these ordinances and upon a motion by Linda Sturgill, seconded by Jack Wallace, and passed by unanimous vote,

Council moved to adopt An Ordinance Requiring That No Motor Vehicle, Trailer or Semi-Trailer Shall be Licensed In This Municipality Until the Applicant Has Produced Satisfactory Evidence That All Personal Property Taxes on the Motor Vehicle, Trailer, or Semi-Trailer To Be Licensed Have Been Paid, And That The Tangible Personal Property Taxes on Any Tangible Personal Property Used As A Dwelling Title By the Division of Motor Vehicles Have Been Paid, And Providing for Issuance of Local License, Free of Charge to Vehicles Owned by Volunteer Rescue Squads and Active Members of Volunteer Rescue Squads and Volunteer Fire Departments. (Insert)

14991

Upon a motion by Ron McCall, seconded by Linda Sturgill, and carried by unanimous vote, Council moved to adopt An Ordinance Providing for Safety Equipment for Mopeds, Effect of Violations; Penalty. (Insert)

14992

Upon a motion by William Mays, seconded by Jack Wallace, and carried by unanimous vote, Council moved to adopt An Ordinance Regulating or prohibiting the Possession of Opened Alcoholic Beverage Contained in Local Public Parks, Playgrounds, and Public Streets Except Those Licensed or Permitted by Title 4 of the Code of Virginia, and Prescribing Penalties Therefore. (Insert)

14993

Upon a motion by Jack Wallace, seconded by Ron McCall, and carried by unanimous vote, Council moved to adopt An Ordinance Providing That With the Consent of the Landowner Any Officer of the Police Department May Patrol the Landowner's Property to Enforce Motor Vehicle Registration and Licensing Requirements; and, With the Request or Consent of Owners, or Association of Owners, to Enforce the Provisions of Title 46.2 (Motor Vehicle Code of Virginia) of Subdivision, Condominium or Horizontal Property Regime. (Insert)

14994

Upon a motion by Jack Wallace, seconded by William Mays, and passed by unanimous vote, Council moved to adopt An Ordinance Designating Private Roads for Highway Purpose in a Residential Development Containing One Hundred or More Lots. (Insert)

14995

Upon a motion by Ron McCall, seconded by William Mays, and passed by unanimous vote, Council moved to adopt An Ordinance Enacted Pursuant to Section 46.2-1301 of the Code of Virginia, Designating the Chief of Police to Designate Intersections at Which Vehicles Shall Come to a Full Stop or Yield the Right of Way. (Insert)

14996

A Public Hearing was held to solicit input on local community development and housing needs in relation to a Community Development Block Grant Funding for a project in our community.

The City Manager advised that the City is eligible for a CDBG up to the amount of \$700,000 this year. The deadline for applications is March 8, 1991. The program is designed primarily to benefit low-to-moderate income persons and one of the requirements for this Community Development Block Grant is to hold two public hearings. The purpose of tonight's public hearing is to solicit input from the public as to intentional areas that could or would be eligible or desired for Community Development Block Grant Funding.

The Mayor opened the floor for public comment.

There were no public comments during this public hearing and the Mayor declared the public hearing closed.

14997

The City Manager advised Mr. Ron Flanary of Lenowisco was present and that he had worked with the City in the past and continues to do so on Block Grant Funding. Mr. Ward advised the next public hearing held at the next meeting a particular project would have to be specified. Mr. Ward then gave Council a list of four top projects that he had come up with for consideration. These projects are:

1. Drainage on Chestnut Street-Meeting guidelines may be difficult but feels that this is our #1 Project.

2. Replace main water line from the Ramsey Sewage Treatment Plant to the Intersection of Rt. 74. Is in bad need of repair.
3. Collector sewer system in the Josephine community. Applied for this last spring and were not funded; still a viable project.
4. Several areas in City that do not have sewer service. (West Main, Spring Avenue, Ramsey, and Anderson Hollow) Project to install sewer service in these areas. Approximately 25 houses.

Mr. Flanary answered questions asked by Council and following a brief discussion and by consensus of Council, Mr. Ward was advised he could go ahead with advertisement of the public hearing and bring to Council a definite project on which to act.

Vice Mayor Mays stated he would like to see some cost figures on having sewer installed in those areas mentioned above.

Mr. Ward advised Council that they had in their packets information covering the Blackwood Industrial Park and advised Mr. Paul Varson, Wise County Administrator, and Mr. Delmer Wilson, Director of the Wise County Public Service Authority, were present to share information with Council regarding the business to locate at Blackwood.

He further advised that the Board of Supervisors have already constructed a road into the industrial park. The City agreed to seek funding last year to construct a sewer line from Blackwood to Josephine. Estimated cost of this project is \$800,000 with the City's share being \$500,000 (which will come from the ARC Grant already obtained). The balance is the responsibility of Wise County and they have agreed to this. 14998

Mr. Ward advised that due to the sewer line being owned by both the City and County, both entities agreed it would be best to ask the Regional Sewer Authority to take over ownership of these lines and make them responsible for the construction of the lines and operation and maintenance of these lines. Wise County has already passed a resolution on this.

Mr. Varson, Wise County Administrator, spoke to Council briefly and advised that the Wise County Public Service Authority wishes to purchase up to 30,000 gallons per day for the Blackwood Project and that the PSA, at their December meeting, authorized the City of Norton to purchase 500,000 gallons per day during emergencies.

Mrs. Betty Lewis asked if the PSA would be paying for this water and was advised they would be doing so.

The City Manager advised he was seeking the following requests from Council tonight: 1. Allow the County to tap into the City's water line. 2. Approve a resolution authorizing the C-N-W Regional Sewer Authority to construct the project utilizing the City's ARC Grant as the City's share. 3. Authorize the City Manager to execute a contract with the ARC Commission. 4. Condition any sale of water to a modification of the existing contracts with the Wise County PSA.

Upon a motion by William Mays, seconded by Jack Wallace, and passed by the following roll call vote: Sturgill - NO, Wallace, Raines, Mays, and McCall - YES, Council moved to authorize the City Manager to execute a contract with the Appalachian Regional Commission in the amount of \$500,000 for this specific project. 14999

The Mayor asked the Clerk to read in entirety A Resolution of the City Council of the City of Norton, Virginia Authorizing the C-N-W Wastewater Authority to Construct a Sewer Project to the Blackwood Industrial Site. Upon a motion by Jack Wallace, seconded by Ron McCall, and passed by the following roll call vote, Sturgill - NO, Wallace, Raines, Mays, and McCall - YES, Council moved to adopt A Resolution of the City Council of the City of Norton, Virginia Authorizing the C-N-W Wastewater Authority to Construct a Sewer Project to the Blackwood Industrial Site. (Insert) 15000

Upon a motion by William Mays, seconded by Ron McCall, and passed by the

following roll call vote, Sturgill - NO, Wallace, Raines, Mays, and McCall - YES, Council moved to authorize the modification of the existing contracts with the Wise County Public Service Authority to allow the PSA to utilize up to 30,000 gallons per day at the Blackwood Site and modify the contract with the Public Service Authority for the City of Norton to purchase up to 500,000 gallons per day during emergencies with the Mayor authorized to sign these contracts. 15001

Mayor Raines amended the agenda on the item of Executive Session to also include 2.1-344(A) (3) Disposition of Publicly Held Property.

Upon a motion by Ron McCall, seconded by Jack Wallace, and passed by unanimous vote, Council moved to go into Executive Session as per 2.1-344(A) (1) of the Code of Virginia As Amended and 2.1-344(A) (3) Disposition of Publicly Held Property. 15002

The Mayor declared the meeting in Executive Session.

Upon a motion by William Mays, seconded by Ron McCall, and passed by unanimous vote, Council moved to come back into regular session.

The Mayor declared the meeting back in regular session. 15003

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 Jack Wallace, seconded by William Mays, and passed by unanimous vote, Council moved to adopt A Resolution of the Certification of Executive Meeting. (Insert)

The Mayor opened the floor for nominations to the Norton Redevelopment and Housing Authority for a four year term which will expire January 28, 1995.

Mr. Mays nominated Mrs. Dorothy Graham. 15004

Upon a motion by Jack Wallace, seconded by Ron McCall, and passed by unanimous vote, Council moved that the nominations cease.

Mayor Raines declared Mrs. Dorothy Graham reappointed to a four year term on the Norton Redevelopment and Housing Authority with said term to expire January 28, 1995.

Mr. Wallace nominated Mr. Daymon Haynes to a four year term on the Norton Redevelopment and Housing Authority with said term to expire on January 28, 1995.

Upon a motion by Ron McCall, seconded by William Mays, and passed by unanimous vote, Council moved that the nominations cease. 15005

Mayor Raines declared Mr. Daymon Haynes appointed to the Norton Redevelopment and Housing Authority for a four year term with said term to expire January 28, 1995.

The Mayor advised no action was taken on the appointment to the Housing Appeals Board. 15006

As to the disposition of publicly held property, upon a motion by Ron McCall, seconded by William Mays, and passed by unanimous roll call vote, Council moved to authorize the City Manager to negotiate a contract for the sale of property located on Chestnut Street. 15007

In his comments, the City Manager reminded Council of the work session to be held on February 15th at 3:00 p.m. to discuss the Capital Budget and gave Council a draft to look over. 15008

He further advised the new AT&T facility is operational and the City is pleased to get this project completed.

There being no comments from the City Attorney or Council, the meeting was adjourned.

B. Robert Raines

B. Robert Raines, Mayor

ATTEST:

Mary D. Brown, Clerk