

The regular meeting of the Norton City Council was held in the Municipal Council Chambers on Tuesday, September 4, 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. Paul Henschen and was followed by the Pledge of Allegiance which was led by Police Chief Sam Mongle.

Upon a motion by Jack Wallace, seconded by Ron McCall, and passed by unanimous vote, Council moved to adopt the minutes of the August 21, 1990 council meeting as presented.

14864

During the Mayor's call for visitors, Mr. Phil Henry, Guest River Road Section of Norton, appeared before Council regarding three various items. The first of these being help for Mrs. Glenn Bolling in the hauling off of debris from an illegal dump which her husband had and which was the target on a court injunction by the City at the time of Mr. Bolling's death. Mayor Raines asked the City Manager to check with the City Attorney and see what the City could do legally on this matter.

The second item was to ask for Council to consider an ordinance limiting noise after 11:00 p.m. Mr. Henry's problem with noise comes from a game room located in the old Countiss Apartments Building. The City Attorney advised Council that the City had no ordinance of this type. Mr. Ward advised this had come before Council previously and at that time Council had found it was not feasible. City Attorney Asbury advised an ordinance of this type was difficult to enforce. The City Manager advised he would check with sister localities on an ordinance of this type and bring the information back to Council.

14865

The third item of concern to Mr. Henry was the sub-division on which he is working in the Guest River Section of Norton. He advised Council that the Planning Commission on August 9, 1990 drafted a resolution which was to go to City Council. Mr. Henry advised that he was informed that this resolution had not yet be given to Council.

Mr. Raines advised Mr. Henry that Council had not received any recommendation from the Planning Commission and that upon receipt of same, Council will act on it.

There were no further responses to the Mayor's call for visitors.

14866

A public hearing was held on An Ordinance Providing for Reasonable No-Smoking Areas in all Buildings Owned or Leased by the Municipality.

Mr. Ward advised that this ordinance was brought to Council's attention a month ago and is due to a change in the Code of Virginia by the Acts of the General Assembly of 1990 and is part of the Indoor Clean Air Act. Mr. Ward further advised that the ordinance contained areas which have been designated as no-smoking areas.

Mayor Raines opened the floor for public comment.

There was no public comment during the public hearing.

14867

Following a brief discussion and upon a motion by William Mays, seconded by Linda Sturgill, and passed by unanimous vote, Council moved to adopt An Ordinance of the City Council of the City of Norton, Virginia Providing for Reasonable No-Smoking Areas in all Buildings Owned or Leased by the Municipality, and Providing

a Civil Penalty for Violations Thereof, Not to Exceed Twenty Five Dollars.
(Insert)

A public hearing was held for a Request of a Special Use Permit by Witt Motor Company, a Participant in the Downtown Storefront Program, for Encroachment on City right-of-way.

Mr. Ward advised that the Down Town Storefront Committee recommends to Council the passage of a Special Use Permit for Witt Motor Company for a four foot awning to be installed over the City sidewalk which is eight foot wide. This type of encroachment on City right-of-way is allowable per an Ordinance passed October 4, 1988 for participants of the Downtown Storefront Improvement Program.

14868

Mayor Raines opened the floor for public comments.

There were no comments from the public and the Mayor closed the public hearing.

Mr. Walley Witt was present to answer any questions from Council and also advised of his appreciation to both Council and the City for this program.

Following a brief discussion and upon a motion by Jack Wallace, seconded by Ron McCall, and passed by unanimous vote, Council moved to grant a request for a Special Use Permit by Witt Motor Company, a participant in the Downtown Storefront Program, for encroachment on City right-of-way for the installation of an awning.

Council had been presented in their packets requests for three sewer connections and two water connections outside the City limits which have been approved by the Planning Commission.

Mr. Ward advised that we only have three sewer connections left for this calendar year; however two developers, who have 34 connections on hold, have agreed to let the City have these for use now if the City will grant them these 34 connections in the 1991 calendar year when they will be ready for them. Mr. Ward advised the Planning Commission has given their approval for these connections.

14869

One of the applicants, Mr. Robert Breeding advised the connections he was asking for are the same as those requested by Mike and Vickie Kilgore, thus making a total of one water and two sewer taps to be considered tonight.

Following a brief discussion and upon a motion by William Mays, seconded by Jack Wallace, and passed by unanimous vote, Council moved to approve the request for a water and sewer tap for Mike and Vickie Kilgore and a sewer tap for Delmer Fields.

Upon a motion by Ron McCall, seconded by William Mays, and passed by unanimous vote, Council moved to go into Executive Session.

Mayor Raines declared the meeting in Executive Session.

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

14870

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. (Insert)

14871

The Mayor opened the floor for nominations of an appointment of the Governing Body Representative to the City of Norton Coal and Gas Road Improvement Advisory Committee.

William Mays nominated Ron McCall.

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

14872

The Mayor declared Ron McCall as the governing body's representative to the City of Norton Coal and Gas Road Improvement Advisory Committee.

The Mayor opened the floor for nominations of a citizen representative connected with the coal and gas industry to the City of Norton Coal and Gas Road Improvement Advisory Committee for a four year term.

Jack Wallace nominated Mr. Ray Watson.

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

14873

Mayor Raines declared Ray Watson appointed as the citizen representative connected with the coal and gas industry to the City of Norton Coal and Gas Road Improvement Advisory Committee for a four year term.

At this time, the City Manager advised Mr. Watson's name would be submitted to the Circuit Court for appointment rather than be appointed by Council. Due to this fact and upon a motion by William Mays, seconded by Jack Wallace, and passed by unanimous vote, Council moved to amend the previous motion to read, "to recommend Mr. Ray Watson to the Circuit Court as the nominee of a citizen representative connected with coal and gas industry to the City of Norton Coal and Gas Road Improvement Advisory Committee for a four year term".

The Mayor opened the floor for nominations to the Southwest Virginia Emergency Medical Services Council for a three year term to expire September 30, 1993.

Jack Wallace nominated Mr. William Mays.

14874

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

Mayor Raines declared Mr. William Mays reappointed to the Southwest Virginia Emergency Medical Services Council for a three year term to expire September 30, 1993.

As to the discussion of a prospective business or industry, upon a motion by Ron McCall, seconded by Jack Wallace, and passed by unanimous roll call vote, Council authorized the City Manager to expend up to \$16,000 from Contingency for engineering expense for the purpose to entice a new business or industry to locate in our area.

14875

In his comments, Mr. Ward advised Council that the Virginia Municipal League Conference will be held September 9th thru September 12th and that he will be out of town during this time. Mr. Fred Ramey will be Acting City Manager.

14876

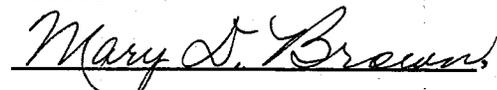
Mr. Ward also advised he had rescheduled the photo session of Council to be held at 7:00 p.m. October 2, 1990 if possible.

There were no comments from either the City Attorney or Council.

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


B. Robert Raines, Mayor

ATTEST:

 Clerk