

The regular meeting of the Norton City Council was held in the Municipal Council Chambers on Tuesday, September 5, 1989, at 7:30 p.m. with Mayor Daniels presiding.

Present: Roy Roberts, Jack Wallace, Cliff Daniels, Robert Raines, and William Mays

Also Present: E. W. Ward, City Manager, and Kenneth P. Asbury, City Attorney

The invocation was given by Rev. Paul Henschen followed by the Pledge of Allegiance led by Mr. Jon Rockett.

Upon a motion by Robert Raines, seconded by Jack Wallace, and passed by unanimous vote, Council moved that the minutes of the August 15, 1989 meeting be approved as presented. 14567

During the Mayor's call for visitors, Mr. Elsey Harris, Attorney of Norton, spoke to Council regarding a ten foot easement for utilities on property owned by Dr. Lin located on Henry Street. This easement is listed in the deeds for this property although it has never been recorded nor has it been used for utilities. Mr. Harris advised he had a buyer for this property and could not get a clear deed due to this easement. 14568

City Attorney Asbury advised he had checked on this and could not find anything recorded on this and both the City Attorney and City Manager said they saw no problem in releasing this easement.

After a brief discussion and upon a motion by Roy Roberts, seconded by William Mays, and passed by unanimous vote, Council moved to release this easement and authorized the City Manager to sign the document prepared by the City Attorney.

Mr. Mike Harrelson, representing Case Enterprises and APC of Kentucky, spoke to Council regarding a franchise agreement for natural gas distribution in the City. He presented Council with a franchise agreement for their review.

After a brief discussion, Council advised Mr. Harrelson that both they and the City Attorney would have to study this agreement and also a public hearing would have to be held. Council also requested a company background history and financial report be given to them along with a formal presentation of a long range descriptive letter stating their intentions for the City of Norton and that this would be discussed at the September 19th meeting, and if favorable, then schedule for a public hearing in October. 14569

Mr. Jack Woodard, Hill Street, Norton, approached Council seeking permission to encroach on a City right-of-way for a dead end street where he lives. Mr. Woodard would like to put up a portable carport on this property. 14570

Following a brief discussion and upon a motion by Roy Roberts, seconded by Jack Wallace, and passed by unanimous vote, Council moved to grant Mr. Woodard a revocable license which will allow him to put up a portable carport; however if this right-of-way needs to be used by the City, then the license will be revoked. City Attorney Asbury will draw up the necessary license for Mr. Woodard's signature.

Mr. Ward advised Council of a request for one water tap in the Josephine area for Mr. Milford Williams. Mr. Ward advised water was available at this site. 14571

After a brief discussion and upon a motion by William Mays, seconded by

Robert Raines, and passed by unanimous vote, Council moved to grant a water tap to Mr. Milford Williams in the Josephine area.

Council had been presented with a copy of a check in the amount of \$240,349.57 made payable to the Norton City Schools.

14572

Upon a motion by Robert Raines, seconded by Jack Wallace, and passed by unanimous roll call vote, Council approved a check in the amount of \$240,349.57 made payable to the Norton City Schools.

Upon a motion by Robert Raines, seconded by William Mays, and passed by unanimous vote, Council moved to go into Executive Session as Per 2.1-344(A) (3) of the Code of Virginia, As Amended, to Discuss Acquisition and/or Use of Real Property and Discussion of Personnel as Per 2.1-344(A) (1) of the Code of Virginia As Amended.

Upon a motion by William Mays, seconded by Robert Raines, and passed by unanimous vote, Council moved to go back into regular session.

14573

Mayor Daniels declared the meeting back in regular session.

The Clerk then polled each member of Council as to the Certification of Executive Session with each member answering aye. Mayor Daniels' answer was only for that portion of Executive Session which he attended. He was not in attendance of the Executive Session which involved the discussion of acquisition and/or use of real property. The Clerk then read the Resolution of the City of Norton Certification of Executive Meeting.

14574

Upon a motion by William Mays, seconded by Jack Wallace, and passed by unanimous vote, Council moved to pass a Resolution of the Certification of Executive Meeting. Mayor Daniels' vote on this resolution was also for the portion of the Executive Session which he attended. (Insert)

Under the Acquisition and/or Use of Real Property, Vice Mayor Raines conducted this section of the meeting and asked if there were any motions. Upon a motion by Roy Roberts, seconded by William Mays, and passed by the following roll call vote, Roberts, Wallace, and Mays - YES, Daniels - ABSTAIN, and Raines - NO, Council moved to authorize the City to purchase from Mr. William McDilda Lots 18, 19, and 20, Block 26, for the price of \$60,000.00 subject to examination and approval of title.

14575

Upon a motion by Roy Roberts, second by Jack Wallace, and passed by unanimous roll call vote, Council moved to authorize the City Manager to advertise for sale by sealed bids the City property located at 406 Chestnut Street with the City having the right of reject any or all bids.

14576

Mayor Daniels opened the floor for nominations to the Southwest Virginia Emergency Medical Services for a three year term which will expire September 30, 1992.

William Mays nominated Mr. William Stokes.

14577

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

Mayor Daniels declared Mr. William Stokes reappointed to the Southwest Virginia Emergency Medical Services Council for a three year term which will expire September 30, 1992.

The Mayor opened the floor for nominations to the Mountain Empire Older Citizens Advisory Board for a two year term which will expire September 15, 1991.

Jack Wallace nominated Ms. Michele Knox.

Upon a motion by Robert Raines, seconded by Roy Roberts, and passed by unanimous vote, Council moved that the nominations cease.

Mayor Daniels declared Ms. Michele Knox reappointed to the Mountain Empire Older Citizens Advisory Board for a two year term which will expire September 15, 14578

1991.

Mayor Daniels announced the remaining appointments are being tabled at this time.

14579

During his comments, the City Manager advised that the work session between Council, the Planning Commission, and the Board of Zoning Appeals would be held on September 14, 1989 at 7:30 p.m. and that notification will be sent. He further advised that the annual VML Conference will be held October 15 thru 17 in Fairfax County and that he had rooms reserved for all members of Council. He asked that each member advise him whether or not they will be able to attend.

14580

Councilman William Mays spoke as Captain of the City of Norton Rescue Squad and advised that on September 23, 1989 the Rescue squad would be celebrating its 30th anniversary and that several activities have been planned and Council was invited to them.

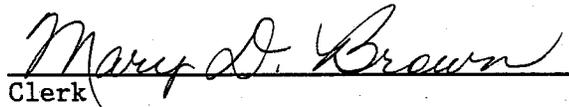
14581

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



Cliff Daniels, Mayor

ATTEST:



Clerk