

The regular meeting of the Norton City Council was held on Tuesday, August 19, 1997 at the Municipal Council Chambers with Mayor Raines presiding.

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

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

The invocation was given by the City Manager and was followed by the pledge of allegiance which was led by the Assistant City Manager, Fred Ramey.

Upon a motion by Roy Roberts, seconded by Jack Wallace, and passed by unanimous vote, Council moved to adopt the minutes of the August 5, 1997 meeting as presented.

17898

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

17899

A public hearing was held on An Ordinance Requiring Fingerprinting for Concealed Handgun Permits. This had been brought to Council previously and the City Manager had been advised to advertise this for a public hearing.

The City Attorney read the entire ordinance and advised Council that he recommended passage of this ordinance as did the City Manager and Police Chief.

There were no questions or comments from Council prior to the public hearing. Mayor Raines opened the public hearing.

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

17900

There were no questions or comments from Council following the public hearing and upon a motion by William Mays, seconded by Ron McCall, and passed by unanimous vote, Council moved to adopt An Ordinance Requiring Fingerprinting for Concealed Handgun Permits which will go into effect in 30 days. (Insert)

Council had a draft agreement from the Lost Creek Development Corporation in their packets in which Lost Creek sought the change of one of the original owners and partner from Mr. Charles Carrington to Mr. Milas Franks. The second request they sought was the elimination of the Reverter Clause and the elimination of the Phase I performance bond.

17901

Present and speaking on behalf of Lost Creek was Mr. Bill Skeen and Mr. Milas Franks.

Following a discussion on this, it was the consensus of Council that Mr. Milas Franks be accepted as an owner and officer in the Lost Creek Corporation in place of Mr. Charles Carrington and that after the installation of the next six units on the site, the reverter clause will be eliminated. The City Attorney will prepare the proper Memorandum of Understanding for signatures. Also, the City Manager was authorized to sign any reverter clauses on single units that may need to be done until the reverter clause is eliminated. The agreement is to be brought back to the next meeting.

Mayor Raines advised he appreciated Lost Creek's efforts and investment in this property.

The City Attorney has prepared a sample ordinance for Council's consideration providing for the repair of defaced walls and other structures. Mr. Pippin advised this had just been passed by the 1997 General Assembly.

After a discussion on this ordinance and upon a motion by Roy Roberts, seconded by Jack Wallace, and passed by unanimous vote, Council moved to table this ordinance until such time as it can be researched further.

17902

Council had in their packets An Ordinance Prohibiting Dogs from Barking at Night and Disturbing the Public Rest. Mr. Ward advised this is the same ordinance that is on our books now except for the word, "continuously", which has been removed from it. Mr. Ward further stated that the City had a case thrown out of court due to this wording.

17903

Upon a motion by Roy Roberts, seconded by William Mays, and passed by unanimous vote, Council authorized the City Manager to advertise a public hearing on An Ordinance Prohibiting Dogs from Barking at Night and Disturbing the Public Rest.

Mr. Ward presented to the members of Council their copy of the Comparative Report of Local Government for their review. He had prepared a brief summary which had been included in the packets and went over these with Council.

17904

Upon a motion by Jack Wallace, seconded by William Mays, and passed by unanimous roll call vote, Council moved to go into Executive Session to discuss the disposition of publicly held property as per 2.1-344(A) (3) of the Code of Virginia, as amended, and probable litigation as per 2.1-344(A) (7) of the Code of Virginia, as amended.

17905

Mayor Raines declared the meeting in Executive Session.

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

17906

Mayor Raines declared the meeting back in regular session.

The Clerk then polled each member as to the Certification of Executive Meeting with each answering yes. The Clerk then read the entire Resolution of the Certification of Executive Meeting. Upon a motion by Jack Wallace, seconded by Roy Roberts, and passed by unanimous vote, Council moved to adopt A Resolution of the Certification of Executive Meeting. (Insert)

17907

Mayor Raines advised no action is being taken from the Executive Session tonight.

17908

In his comments, the City Manager advised:

That he had received confirmation from Mr. Passan that the School Board will be present at the September 16, 1996 Council Meeting. Mr. Ward advised he would have a small agenda and then go into a work session with the School Board following the meeting. Councilman McCall advised we should have an agenda ready for the work session and Mayor Raines advised he would take care of it.

17909

We have received bids and prices on the demolition of the Super Service Project and plan to make an award this week. Demolition should begin in the next week or two. Time frame for this job should be 30 days.

There were no comments from the City Attorney or Council.

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

CITY OF NORTON, VIRGINIA



B. Robert Raines

Mayor

ATTEST:



Mary D. Brown, Clerk