

The regular meeting of the Norton City Council was held in the Municipal Council Chambers on Tuesday, July 19, 1989, at 7:30 p.m. with Mayor Daniels presiding.

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

Absent: Roy R. Roberts

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

The invocation was given by Rev. Wayne Harrison followed by the Pledge of Allegiance led by Mr. George Barnette.

Upon a motion by Robert Raines, seconded by Jack Wallace, and passed by unanimous vote, Council moved that the minutes of the June 20, 1989 meeting be approved as presented. 14610

Upon a motion by William Mays, seconded by Robert Raines, and passed by unanimous vote, Council moved that the minutes of the special called meeting of July 12, 1989 be approved as presented.

During the Mayor's call for visitors, Mr. Fred Adkins, Attorney of Norton, representing Barnette Contractors, spoke to Council regarding the thru truck traffic ordinance recently passed. Mr. Adkins advised that the ordinance has placed a very unreasonable hardship on Barnette Contractors and also imposes many hazards. He asked Council if there wasn't an alternate to this route or any way to shorten the distance.

Mr. Creed McAmis of Wise, spoke to Council advising he hauled heavy loads and that his problem was the underpass in Ramsey.

Mr. Butch Manning supported the comments of both Mr. Adkins and Mr. McAmis.

Mr. Darvis Kilgore, Kilgore Trucking, advised he has seven trucks and is worried about the safety aspect. His trucks have almost been involved in several accidents since the passage of this ordinance. 14611

Mr. George Hunnicutt, Jr., representing Pepsi-Cola Bottling Company, advised that his company has a lot of outside suppliers that come in and they can't get out. He fears one getting stuck at the underpass in Ramsey; however, Mr. Hunnicutt's main concern was that of safety by the high school once school begins.

Several other truckers spoke up on this ordinance also regarding various problems they have experienced.

After much discussion, Council advised that they wanted to observe this route for the remaining three weeks prior to school's opening and that any future action on this thru truck route will be advertised; however Council did authorize the City Manager to advertise a public hearing to be held August 1, 1989, for discussion to be held on several points brought up tonight.

Also the City Attorney will contact the Attorney General's Office and see if the City can issue a Special Use Permit for oversize loads.

Upon a motion by Jack Wallace, seconded by William Mays, and passed by unanimous vote, Council moved to address the items of rerouting oversize loads and getting around the underpass in Ramsey and to consider two lane traffic on Route 74.

Ms. Alana Wharton, representing Wharton Land and Mineral, spoke to Council regarding land they wish to develop near the Holiday Inn. Ms. Wharton wanted to know how quickly water could be given to them and to see if the City would accept a lift station they plan to put on this property. 14612

Mayor Daniels advised Ms. Wharton that they would have to comply and follow the procedures that the administration has established and that this had not been done.

Mr. Mike Hatfield, Engineer for Wharton Land and Mineral, and Attorney Joe Roberts both spoke to Council regarding the water and sewer for this property.

Council advised Wharton Land and Mineral to work with the City Manager and his staff on this property.

Mr. Ray Peters, 415 Virginia Avenue, N. E., spoke to Council regarding a problem he has been experiencing for the past three years on the lot adjacent to his property.

Mr. Peters advised that Mr. Ted Crawford keeps about ten dogs, has a small mobile trailer, and that there is an old dilapidated house all on this lot. He told Council that there is a heavy odor, dog feces which washes down onto his property, large rats, and that his family will not even go into his yard for fear of the dogs. He has been to several agencies and can get no relief from this problem.

Mr. Ward advised Council that the City had responded and that Mr. Crawford was taken to court and fined for improper disposal of animal waste in the amount of \$5.00 in 1987. Mr. Ward further advised he had been to Mr. Peters' property on Monday of this week and the problem still exists.

After much discussion, the City Attorney recommended that the Building Inspector start proceedings on the dilapidated house to have it torn down and that the mobile trailer is in violation of an ordinance. The Building Inspector will advise Mr. Crawford to move it off immediately, and take out another warrant on the dogs. Copies of the letters condemning the house should be sent to the property owner, Melba Gibson Nuth, and to Mr. Peters. 14613

Mr. Ward advised that Mr. Dencil Bohnert was present at our last meeting discussing the lack of water and water pressure at his residence on Shawnee Avenue and per Council's request, Mr. Ward presented Council with two options to solve Mr. Bohnert's problem. The best option would be to extend the water line from Shawnee Avenue in Round Town to Mr. Bohnert's property. This project can be included in our existing Water Improvement Project and Mr. Ward has been granted permission to do so. 14614

After much discussion and upon a motion by Robert Raines, seconded by Jack Wallace, and passed by unanimous roll call vote, Council moved to authorize the City Manager to proceed with contracting for a water line extension up to and including the spending of \$9,682.95 with said funds to come from budget line item for line replacement. If permission is granted from the Health Department, this extension will be a two inch line. If not, Mr. Ward is to proceed with a six inch extension line.

Mr. Ward is to advise Mr. Bohnert of the approximate time this line will be installed.

Council was presented with A Resolution Authorizing the Issuance, Sale, and Award of a \$700,000 School Bond Anticipation Note, Series of 1989, of the City of Norton, Virginia, and Providing for the Details and Payment Thereof.

Mr. Ward advised that Council, at their previous meeting, selected Dominion Bank to handle the interim financing for the \$1,000,000 capital improvements for our school system. This resolution is part of the bonding requirement and will authorize the City to sell this Bond Anticipation Note to Dominion Bank. 14615

Upon a motion by Robert Raines, seconded by William Mays, and passed by unanimous roll call vote, Council moved to adopt A Resolution Authorizing the Issuance, Sale and Award of a \$700,000 School Bond Anticipation Note, Series of 1989, of the City of Norton, Virginia, and Providing for the Details and Payment Thereof. (Insert)

Council was presented with a copy of a check in excess of \$100,000 to the Norton City Schools. 14616

Upon a motion by Jack Wallace, seconded by Robert Raines, and passed by unanimous roll call vote, Council moved to confirm a check to the Norton City Schools in the amount of \$140,000.00.

Upon a motion by William Mays, seconded by Robert Raines, 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, specifically concerning appointments to the Norton Redevelopment and Housing Authority, Board of Zoning Appeals, Community Services Board, and the Norton Planning Commission. 14617

Upon a motion by Robert Raines, seconded by Jack Wallace, and passed by unanimous vote, Council moved to go back into regular session. The Mayor declared the

meeting back in regular session.

14618

The City Clerk then polled each member of Council as to the Certification of the Executive Session with each member answering aye. The Clerk read the entire resolution entitled Certification of Executive Meeting.

14619

Upon a motion by Robert Raines, seconded by Jack Wallace, and passed by unanimous vote, Council moved to pass A Resolution Certification of Executive Meeting held during this meeting. (Insert)

Mayor Daniels announced there was no report on the acquisition and/or use of real property as no decision was made.

The Mayor announced that Appointments A (Norton Redevelopment and Housing Authority), B (Board of Zoning Appeals), and C (Community Services Board) will be tabled until the next meeting.

14620

The Mayor opened the floor for nominations to the Norton Planning Commission for a four year term to expire July 31, 1993.

William Mays nominated Mr. T. J. Flanary. Upon a motion by Jack Wallace, seconded by Robert Raines, and passed by unanimous vote, Council moved that the nominations cease.

Mayor Daniels declared Mr. T. J. Flanary reappointed to the Norton Planning Commission for a four year term which is to expire July 31, 1993.

14621

Mr. Ward announced that the third annual Auto Show will be held July 29 and 30 at the Burton High School.

Mr. Mays advised that this project was taken on by the Rescue Squad as a community project and he would like to commend the people in the City who work on this project.

14622

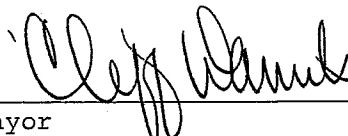
The Mayor gave Council an update on the C-N-W Regional Sewer Authority. The Mayors have requested a meeting in Richmond with the State Water Control Board and the Office of Community Development. This meeting is tentatively scheduled for Friday, July 28th. The mayors, at the direction of their councils, have met and requested that they do this. Terry Gibson, Town Manager of Coeburn, advises that their Council has already instructed their Mayor to sign the User Agreement at the time he is satisfied with it. Mayor Daniels does not request this permission at this time.

14623

There were no comments from the City Attorney.

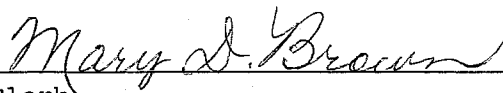
Mr. Raines advised he had received positive comments on the City's Fourth of July fireworks display.

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



Mayor

ATTEST:



Clerk