

The regular meeting of the Norton City Council was held on Tuesday, February 5, 2008 at 7:30 p.m. in the Municipal Council Chambers with Mayor Robert Raines presiding.

Present: Jack Wallace, Robert Raines, William Mays, and Joseph Fawbush

Absent: Joseph Hunnicutt

Also Present: E. W. Ward, City Manager and Bill Bradshaw, City Attorney

The invocation was given by the City Manager and was followed by the pledge of allegiance led by Dr. Lee Brannon, Superintendent of the Norton City Schools.

Upon a motion by Jack Wallace, seconded by William Mays, and passed by unanimous vote, the minutes of the January 15, 2008 meeting were approved as presented.

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

At this time, Mayor Raines spoke briefly regarding a request at Council's last meeting by J-Jirah Company for a sewer connection in the Wise County Industrial Park. Mr. Dan Fast, a local attorney, representing Wesley Meade, owner of J-Jirah, spoke to Council. During his presentation to Council, Mr. Fast offered Council a proffer and asked that they issue a permit with restrictions for a sewer connection for his client. Mayor Raines stated that this problem of sewer needs to be addressed.

On November 1, 2005, the City Council voted for a moratorium on sewer connections outside the City. The request by J-Jirah was made one year ago. The City is in the midst of completing a Comprehensive Sewer Study and a presentation on this study was recently made to Council by the engineering firm conducting it. The City Council was advised of numerous problems within the sewer infrastructure and was advised not to add any additional customers to this system until some work can be done on these lines. Currently, the City has several businesses, two new and one established wishing to expand, interested in getting sewer connections in this area.

Mayor Raines stated that the County needs to move on this problem and these business people need to ask the County for utilities. Mayor Raines asked that Mr. Meade and Mr. Fast be advised of these comments.

A public hearing was held on An Ordinance of the City Council of the City of Norton, Virginia Amending Section 21-38 (d) of the Norton City Code as Pertains to Freestanding Signs.

Mayor Raines advised that the Planning Commission had received several requests regarding this and felt they could not act upon them. This had been discussed previously by Council and the City Manager was instructed to advertise a public hearing.

Mr. Ward advised that the changes in this section of the Sign Ordinance will make changes to freestanding signs for commercial and industrial districts within the City.

If adopted, this will allow one freestanding sign per street frontage on lots with a minimum road frontage of fifty (50') feet. He further advised that the City Sign Ordinance, which was adopted in 1993, needs to be reviewed by the Planning Commission. Following their review, any changes will be brought to Council for their consideration.

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

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

Upon a motion by William Mays, seconded by Joseph Fawbush, and passed by the following unanimous vote: YES – Wallace, Mays, Fawbush, Raines, NO – None, ABSENT – Hunnicutt, Council moved to adopt An Ordinance of the City Council of the City of Norton, Virginia Amending Section 21-38 (d) of the Norton City Code as pertains to Freestanding Signs. (Insert)

A public hearing was held on the consideration of financial encumbrances in the amount of \$442,895 for the City of Norton General Fund for the year ended June 30, 2007. These funds will come from Unappropriated Reserves. A list of these encumbrances was included in Council's packets.

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

Mayor Raines opened the public hearing.

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

Upon a motion by Joseph Fawbush, seconded by Jack Wallace, and passed by unanimous roll call vote, Council moved to approve financial encumbrances in the amount of \$442,895 for the City of Norton General Fund for the year ended June 30, 2007 with said funds to come from Unappropriated Reserves.

A public hearing was held on the proposed issuance of General Obligation Bonds in the maximum amount of \$190,000 for the Virginia Avenue Sewer Project.

Mr. Ward advised that in the late summer/fall of 2006, there was a storm drain and sewer collapse on Virginia Avenue, N. W. between 12th and 13th Streets to which the City had to take immediate action. This project cost was approximately \$380,000 which came out of the City's budget. Rural Development is willing to finance this project on a reimbursement basis, which will be one-half grant and one-half loan. To proceed with the bond issue, a public hearing must be held to solicit public input on borrowing \$190,000. No action needs to be taken.

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

Mayor Raines opened the public hearing.

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

Council had in their packets a copy of A Resolution Authorizing the Issuance and Sale of a General Obligation Sewer Facilities Bond of the City of Norton and Providing for the Form, Details and Payment Thereof.

Mr. Bradshaw, City Attorney, advised he had reviewed this resolution and it is in very good order.

Mr. Ward advised this is the resolution that covers the \$190,000 for the Virginia Avenue Sewer Project.

There were no questions or comments from Council.

Upon a motion by Jack Wallace, seconded by William Mays, and passed by the following unanimous roll call vote, YES – Wallace, Mays, Fawbush, Raines, NO – None, ABSENT – Hunnicutt, Council moved to adopt A Resolution Authorizing the Issuance and Sale of a General Obligation Sewer Facilities Bond of the City of Norton and Providing for the Form, Details and Payment Thereof. (Insert)

In their packets, Council had a request from the Norton City Schools for a budget amendment in the amount of \$66,876 to their 2007-2008 budget.

Mayor Raines advised this total is made up of three individual appropriations and that Council would take each one individually. Present tonight representing the School Board was Dr. Lee Brannon, Superintendent.

The first appropriation is in the amount of \$26,989.74 which reflects an increase in the Reading First Grant Funds in the amount of \$16,661.74 and Gear-Up Grant Funds of \$10,328.00.

Dr. Brannon briefly discussed these programs with Council.

Upon a motion by William Mays, seconded by Joseph Fawbush, and passed by unanimous roll call vote, Council moved to approve a \$26,989.74 budget amendment to the 2007-2008 budget of the Norton City Schools to cover an increase in the Reading First Grant Funds in the amount of \$16,661.74 and Gear-Up Grant Funds in the amount of \$10,328.00.

The second appropriation is in the amount of \$25,576.25 which reflects one-half of the Kitchen Project Loan Payment. Mr. Ward advised that, by a Memorandum of Understanding, the City agreed to pay one-half of the debt service on this project. This amount reflects the City's portion of that payment. Upon a motion by Joseph Fawbush, seconded by Jack Wallace, and passed by unanimous roll call vote, Council moved to approve a payment of \$25,576.25, which covers the City's one-half of the Kitchen Project Loan.

The third appropriation is in the amount of \$14,310 and covers a surplus of the 2006-2007 School Board Audit. Dr. Brannon advised that these funds will be put in a Text Book Account to cover future purchases of textbooks. He also presented Council with a schedule which showed when the School Board would need to purchase new textbooks. Following a brief discussion and upon a motion by Joseph Fawbush, seconded by William Mays, and passed by unanimous roll call vote, Council moved to approve the surplus amount from the 2006-2007 School Board Audit of \$14,310 to the City of Norton Schools to be deposited in the Textbook Account.

Council had, in their packets, a copy of a check made payable to the Norton City Schools in the amount of \$130,000.

Upon a motion by Joseph Fawbush, seconded by Jack Wallace, and passed by unanimous roll call vote, Council moved to approve a check in the amount of \$130,000 made payable to the Norton City Schools.

Upon a motion by Jack Wallace, seconded by Joseph Fawbush, and passed by unanimous roll call vote, Council moved to go into closed meeting to discuss personnel as per Section 2.2-3711 (A) (1) of the Code of Virginia, as amended and the disposition

of publicly held real property as per Section 2.2-3711 (A) (3) of the Code of Virginia, as amended.

Mayor Raines declared Council in closed meeting.

Upon a motion by Jack Wallace, seconded by William Mays, and passed by unanimous vote, Council moved to go back into open meeting.

Mayor Raines declared Council back in open meeting.

The Clerk then polled each member of Council as to the Certification of Closed Meeting with each answering yes. The Clerk then read A Resolution of the Certification of Closed Meeting.

Upon a motion by William Mays, seconded by Joseph Fawbush, and passed by the following unanimous vote: YES – Wallace, Mays, Fawbush, Raines, NO – None, ABSENT – Hunnicutt, Council moved to adopt A Resolution of the Certification of the Closed Meeting. (Insert)

Mayor Raines opened the floor for nominations to the Norton Redevelopment and Housing Authority for a four year term which will expire on January 28, 2012.

Joseph Fawbush nominated Lynn Livingston to be reappointed to this Board.

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

Mayor Raines declared Lynn Livingston reappointed to the Norton Redevelopment and Housing Authority for a four year term which will expire on January 28, 2012.

Mayor Raines opened the floor for nominations to the Building Code Board of Appeals for a five year term which will expire on January 17, 2013.

William Mays nominated T. J. Flanary to be reappointed to this Board.

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

Mayor Raines declared T. J. Flanary reappointed to the Building Code Board of Appeals for a five year term which will expire on January 17, 2013.

Mayor Raines opened the floor for nominations to the Norton Highway Safety Commission for two year terms which will expire on January 31, 2010.

Joseph Fawbush nominated Dennis Brummette, Frank Gravely, J. T. Caruso, and Bobby Cassell to be reappointed to this Commission.

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

Mayor Raines declared Dennis Brummette, Frank Gravely, J. T. Caruso, and Bobby Cassell reappointed to the Highway Safety Commission for two year terms which will expire on January 31, 2010.

Mayor Raines opened the floor for nominations to the Ninth District Development Financing, Incorporated for a two year term which will expire on January 31, 2010.

Jack Wallace nominated Joyce Payne to be reappointed to this Board.

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

Mayor Raines declared Joyce Payne reappointed to the Ninth District Development Financing, Incorporated for a two year term which will expire on January 31, 2010.

Mayor Raines opened the floor for nominations to the City of Norton Tourism Committee to fill the unexpired term of Chris Jones. This term will expire on September 30, 2008.

William Mays nominated Marty Hagy to be appointed to this Board.

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

Mayor Raines declared Marty Hagy appointed to the City of Norton Tourism Board for a term which will expire September 30, 2008.

Mayor Raines opened the floor for nominations to be submitted to the Wise County Circuit Court for appointments to the City of Norton Board of Equalization for a one year term which will expire on December 31, 2008. The names of these nominees will be given to the City Attorney, Bill Bradshaw, to be presented to the Wise County Circuit Court for approval.

Joseph Fawbush nominated T. J. Flanary, Joanne Kennedy, and Robert Leonard to this Board.

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

Mayor Raines declared T. J. Flanary, Joanne Kennedy, and Robert Leonard as nominees to the City of Norton Board of Equalization for a one year term which will expire on December 31, 2008.

In comments from the City Manager, Mr. Ward advised that the annual CIP Meeting will be held on March 7th at 12:00 Noon at the Inn at Norton.

In comments from Council, Mayor Raines commented on the work the Assistant City Manager, Mr. Ramey, has done on the City's Access Channel 51. He advised that it is a resource that can be utilized and provides information to the citizens of Norton. He expressed his appreciation to Mr. Ramey for his work on the City's Access Channel 51.

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

CITY OF NORTON, VIRGINIA

B. Robert Raines, Mayor

ATTEST:

Clerk