

The regular meeting of the Norton City Council was held on Tuesday, January 15, 2008 at 7:30 p.m. in the Municipal Council Chambers with Mayor Robert Raines presiding.

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

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

The invocation was given by the City Manager and was followed by the pledge of allegiance led by Police Chief Randy D. Mullins.

Upon a motion by Joseph Hunnicutt, seconded by Jack Wallace, and passed by unanimous vote, Council moved to approve the minutes of the December 18, 2007 meeting as presented.

21798

During the Audience for Visitors, Mr. Dan Fast, local attorney, spoke to Council regarding his client, Wesley Meade, owner of J-Jirah Corporation. Mr. Fast advised that Mr. Meade bought property in the County in 2005 and had started constructing a building when he was informed about the City of Norton's sewer moratorium. He further advised that this building will house a mining repair shop and will have only three or four employees; therefore this building will use only produce a minimum amount of sewage. He asked Council to consider granting his client a conditional variance to the sewer moratorium. This conditional variance would stipulate that it would stay in effect as long as he maintains ownership of this property and it remains a mining repair shop. Should the type of business change or the property is sold, then the conditional variance could be revoked. Mr. Fast further advised Council that he and his client do not expect a vote tonight, but asked that they consider it and advise them at the next meeting.

21799

Mr. Fast and Mr. Meade both answered questions from Council.

Mayor Raines stated Council would consider this request, but advised that efforts need to be made by Wise County and the City to rectify this situation. He further advised that Council had received, at its last meeting, a synopsis of the Comprehensive Sewer Study and the City was advised not to add any new customers onto these lines until some work could be done on them.

Mr. Fast thanked Council for their time and their consideration of this hardship that his client is experiencing.

Ms. Tamara Greear of Thrower, Blanton, and Associates was present at tonight's meeting. She presented Council members with copies of the audit for the year ending June 30, 2007.

She advised Council that the City was in receipt of a clean audit and then did a brief synopsis of the various accounts. Included in Council's packets was a copy of the Management, Discussion, and Analysis (MD&A) which will be incorporated into the audit document. This document is prepared by City management and is included to provide additional financial information to the users of the financial statements.

21800

Following the synopsis, Ms. Greear advised Council of some changes that will be included in the audit preparation for 2008 and advised that the City will have to make some decisions regarding some of the preparation of financial statements for this audit as to whether it can be done in-house or out sourced.

Ms. Greear answered questions from Council and advised that should Council members have any questions in the future on this audit, they should call her office.

Mayor Raines thanked Ms. Greear for this presentation.

Mr. Ward had presented Council with an update on the water reserves for the City. As of Monday, January 14, 2008, there was a total capacity in both reservoirs of 67 million gallons of water. This is up from the reading of December 17, 2007 of 26 million gallons.

Tommy Roberts, Superintendent of the City's Water Plant, advised that Wise County PSA water is now only serving Ramsey, up to Rt. 74, and Hawthorne. The remainder is back on City water.

21801

Mayor Raines thanked both Mr. Ward and Mr. Roberts for keeping Council informed during this drought situation.

Council had been presented in their packets a copy of a draft amendment to the City's Sign Ordinance covering Section 21-38 (d).

Mr. Ward advised that this was discussed at a previous meeting of Council and he was instructed to work on this and bring something back for Council's consideration. He advised that the current sign ordinance only allows one freestanding sign per parcel. The Planning Commission can give a variance; however they don't feel they have the authority to do so. Therefore the City wants to amend the current sign ordinance stating that a parcel with more than one street frontage and can have one freestanding sign per street frontage. The size of the signs will remain the same as stipulated in the current Sign Ordinance.

21802

This draft ordinance was presented to the Planning Commission at its meeting held on January 10<sup>th</sup> and they were in support of it; however they felt that there should be language included that covers the lot size or road frontage.

Following a brief discussion on this, Mr. Ward advised that he felt that a 50' frontage would be sufficient.

Upon a motion by William Mays, seconded by Joseph Fawbush, and passed by unanimous vote, Council authorized the City Manger to move forward on this ordinance and to advertise a public hearing to be held at Council's next meeting on February 5, 2008.

In their packets, Council had a request for a refund for erroneously assessed personal property taxes for the year of 2006 to BFS Retail in the amount of \$389.43.

Upon a motion by Joseph Hunnicutt, seconded by William Mays, and passed by unanimous roll call vote, Council moved to approve a refund to BFS Retail in the amount of \$389.43 for erroneously assessed personal property taxes for the year of 2006.

21803

Council had a request for authorization to execute a Lease/Purchase Agreement for a 2007 Volvo Backhoe. This had been tabled at the last meeting due to the amount of the City's general indebtedness for a given year.

Following a brief discussion wherein the City Attorney advised there was no legal reason not to proceed on this, a motion was made by Jack Wallace, seconded by Joseph Hunnicutt, and passed by unanimous roll call vote to authorize the City Manager to execute a lease/purchase agreement for a 2007 Volvo Backhoe.

21804

Council was in receipt of a copy of a check made payable to the Norton City Schools in the amount of \$330,000.

Upon a motion by Joseph Fawbush, seconded by Joseph Hunnicutt, and passed by unanimous roll call vote, Council moved to approve a check in the amount of \$330,000 made payable to the Norton City Schools.

21805

Upon a motion by Joseph Hunnicutt, seconded by Joseph Fawbush, and passed by unanimous roll call vote, Council moved to go into closed meeting to discuss personnel as per Section No. 2.2-3711 (A) (1) of the Code of Virginia, as amended.

21806

Mayor Raines declared Council in closed meeting.

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

21807

Mayor Raines declared Council back in open meeting.

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

21808

Mayor Raines opened the floor for nominations to the Southwest Virginia EMS Council for a two year term which expired on December 31, 2007.

21809

Joseph Hunnicutt nominated William Mays to be reappointed to this Council.

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

Mayor Raines declared William Mays reappointed to the Southwest Virginia EMS Council for a two year term, which will expire on December 31, 2009.

In comments from the City Manager, Mr. Ward advised that the annual Capital Improvements Program meeting has been scheduled for March 7, 2008 at 12:00 Noon at the Inn at Norton.

21810

In comments from the City Attorney, Mr. Bradshaw commented on existing litigation with the Mountain View Medical Center as pertains to the assessment of certain property.

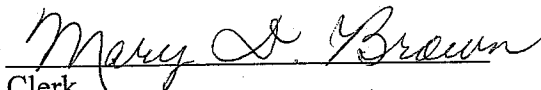
21811

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

CITY OF NORTON, VIRGINIA

  
B. Robert Raines, Mayor

ATTEST:

  
Clerk