

The regularly scheduled meeting of the Norton City Council was held on Tuesday, November 15, 2011 at 6:00 p.m. with Mayor William Mays presiding.

Present: Joseph Hunnicutt, William Mays, Joseph Fawbush, and Terry Roop

Absent: Mark Caruso

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

The invocation was given by Father Tim Drake and was followed by the pledge of allegiance led by City Attorney Bill Bradshaw.

At this time, Mayor Mays requested that Item 7-A – Request by the Wise County Board of Supervisors to Approve an Agreement Assigning Wastewater Transmission to the Wise County PSA be tabled.

25226

Upon a motion by Councilman Hunnicutt, seconded by Councilman Roop, and passed by unanimous vote, Council moved to approve the minutes of the November 1, 2011 meeting as presented.

25227

During the Mayor's call for visitors, Tim Roberts of 801 Highland Avenue spoke regarding a Special Use Permit issued to the Norton Methodist Church on June 10, 2010 to use fifteen feet of City right-of-way to add additional handicap parking spaces behind the Church. He advised that this work is being done without a survey and his property along with that of his neighbor, Mr. Tate, has been damaged. He stated he now has a 60' highwall at the back of his property. He further stated that he had written a letter to Mr. Ward regarding this situation. Mr. Ward advised Mr. Roberts and Council that he has yet to receive this letter.

25228

Mr. Roberts asked Council that they revoke the Special Use Permit issued to the Church and that the property put back as it was originally.

Following a brief discussion, it was the consensus of Council for Mr. Roberts to wait until the City Manager receives his letter and looks over the situation.

At this time, Mayor Mays recognized the newly appointed Police Chief, James Lane. Mayor Mays advised that Chief Lane was well deserving of this position and that he had served the City well for many years.

Chief Lane spoke briefly to Council advising that he was truly honored and privileged to be in this position and that he was humbled by the expressions of support that he and his family have received. He further advised he is looking forward to serving Council, the City, and its citizens.

25229

Mayor Mays thanked Chief Lane for his comments and advised that a better selection could not have been made.

Mr. Ward gave Council an update on the Upper Dam Reservoir Project.

He advised that the water reserves have built up due to the amount of rain we have been experiencing and the capability of now being able to fill the reservoir to capacity. He further advised that we are no longer purchasing water.

As to the reservoir project, all pours that were to be made before the winter shutdown have now been completed. The contractor is continuing the winter shut down with a few items left to do. They plan to be out by the first of December.

Mr. Ward advised that, due to the very wet summer and fall and since the beginning of the project, there have been 74 days that were impacted due to weather and 20 days lost in August due to a bad pour by the contractor.

The winter shutdown was a joint and mutual decision made by the contractor, engineer, and the City.

As far as this area being left opened for recreational purposes, Mr. Ward stated, in his opinion, that there is a liability for the City if this is done. It is still a construction zone and the contractor will be leaving equipment, especially around the dam. He stated that the City may allow fishing by the pier, but the dam needs to be protected.

The City Attorney advised that, although this is a management decision, there is a liability issue and a risk of vandals and visitors that could cause damage. He further stated that he concurred with the City Manager on this issue.

Councilman Roop also advised that he agrees with the City Manager.

Following this discussion, it was the consensus of Council not to have the dam and reservoir area open for recreation during the winter shutdown and to proceed with opening the other end for fishing if this is possible.

A brief update was given by the City Manager on the Fox Run Slide. Mr. Ward stated that the h-piles were installed in the bedrock last week and that the hardest part had been completed.

Mr. Ward brought back the topic of a new digital sign for the Coalfield Progress parking lot which had been discussed by Council in May and July of 2010.

Following a brief discussion, it was the consensus of Council to move this item to the annual capital improvements meeting for discussion.

The City Manager advised Council that the City Attorney found a noise ordinance adopted by Henrico County that has proved to be enforceable in court. A copy of this ordinance was included for Council's review.

Following a brief discussion, it was the consensus of Council for the City Manager and City Attorney to bring back a draft ordinance which will incorporate some language from the Henrico County ordinance into the one that the City currently is using for their consideration.

Upon a motion by Councilman Hunnicutt, seconded by Councilman 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.

Mayor Mays declared Council in closed meeting.

Upon a motion by Councilman Hunnicutt, seconded by Councilman Fawbush, and passed by unanimous vote, Council moved to go back into open meeting. 2523.
Mayor Mays 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 read A Resolution of the Certification of Closed Meeting. 2523

Upon a motion by Councilman Hunnicutt, seconded by Councilman Fawbush, and passed by the following unanimous vote: YES – Hunnicutt, Fawbush, Roop, Mays, NO – None, ABSESNT – Caruso, Council moved to adopt A Resolution of the Certification of Closed Meeting. (Insert)

The Mayor opened the floor for nominations to the Norton Industrial Development Authority to fill an unexpired term to May 10, 2014.

Councilman Roop nominated Ethel Daniels to this Authority. 2523

Upon a motion by Councilman Fawbush, seconded by Councilman Hunnicutt, and passed by unanimous vote, Council moved that the nominations cease.

Mayor Mays declared Ethel Daniels appointed to the Norton Industrial Development Authority for an unexpired term which will expire on May 10, 2014.

In comments from the City Manager, Mr. Ward advised that:

The City Employees' Christmas Luncheon will be held on Thursday, December 1st, at the Norton Community Center at 12:00 Noon. Council members are invited to attend. 2523

The Christmas parade will be held on Sunday, December 4th at 6:00 p.m. The tree lighting will be held at 5:00 p.m. at the Hotel Norton prior to the parade.

There were no comments from the City Attorney. 2523

In comments from City Council, Councilman Roop extended his congratulations to newly appointed Police Chief James Lane.

He also advised at the previous council meeting he had stated he would like to have the Saw Mill Hollow Road to the Fox Run Road opened on a permanent basis. He stated that it is difficult for large trucks and snow plows to turn at the end of the road. If a train has the tracks blocked and there should be an emergency, there is no way for emergency vehicles to get in or out. Councilman Roop advised that the citizens of Saw Mill Hollow need this road permanently opened up for their welfare, safety, and convenience. He further asked that this be put on the next agenda and asked the City Manager to gather the following information: does the City have an easement/right-of-way at this location; how wide an easement/right-of-way does the City need to make it a permanent street; what property owners need to be contacted to see if the City can obtain the necessary easements or right-of-ways to make this a permanent access for a City street; and what else does the City need to do to permanently open this road such as paving and bring it up to par. 2524

Councilman Roop stated he hoped to get the support and vote from this body to permanently open this road. He felt it is in the public's best interest to open this road

permanently as it is the right thing to do for the welfare, safety, and convenience for our citizens.

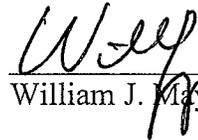
Mayor Mays said he agreed with Councilman Roop.

Mayor Mays asked Council members if they would like to eliminate the December 20th meeting due to the holiday schedule. If needed, a special called meeting can be held.

Upon a motion by Councilman Hunnicutt, seconded by Councilman Roop, and passed by unanimous vote, Council moved to cancel the December 20th regularly scheduled council meeting.

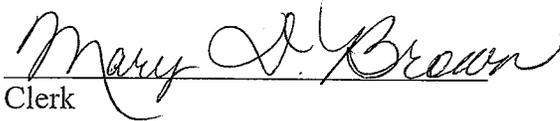
There being no further business to come before the Council, the meeting was adjourned.

CITY OF NORTON, VIRGINIA



William J. Mays, Mayor

ATTEST:



Clerk