

The regular meeting of the Norton City Council was held on Tuesday, May 20, 2003 at 7:30 p.m. in the Municipal Council Chambers with Mayor Robert Raines presiding.

Present: Jack Wallace, Robert Raines, and Joseph Fawbush

Absent: Joseph Hunnicutt and William Mays

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, which was led by Police Chief Sam Mongle.

Upon a motion by Jack Wallace, seconded by Joseph Fawbush, and passed by unanimous vote, Council moved to adopt the minutes of the May 6, 2003 meeting as presented.

20493

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

20494

A public hearing was held on the re-issuance of a Public Dance Hall Permit for the Holiday Inn and the Virginia-Kentucky Opry.

The City Manager advised that this public hearing has been duly advertised and that the City Administration seeks favorable consideration on this item.

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

Mayor Raines opened the public hearing.

20495

Police Chief Sam Mongle spoke briefly and advised that it had been a normal year as far as calls on these two businesses and he had no problem with renewing these permits.

There being no further public input, 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 reissue the Public Dance Hall Permits to the Holiday Inn and the Virginia-Kentucky Opry.

Mr. Ward is to notify the businesses.

Council had been presented in draft form An Ordinance of the City Council of the City of Norton, Virginia Regulating the Discharge of Firearms Within the City and Providing Exceptions and Penalties for Violations.

Mr. Ward advised that it was the consensus of Council at the last meeting to draft an ordinance specifying that it would be illegal to discharge a weapon in the City except under certain conditions. This ordinance contains three exceptions and these exceptions cover law enforcement and military personnel, firing ranges and shooting matches, and designated areas for hunting purposes. A violation of this ordinance would be classified as a Class I Misdemeanor.

20496

The City Attorney advised that the ordinance, as presented, is in accordance with the Code of Virginia; however, it doesn't go as far as Council could go in adopting firearms regulations. He further stated that he concurs with the City Manager that this ordinance will be most effective.

Following a brief discussion, it was the consensus of Council for the City Manager to proceed and advertise a public hearing on this ordinance.

A public hearing was held at the May 6, 2003 City Council Meeting on the 2003-2004 Budget of the Norton City Schools.

Mayor Raines gave a brief synopsis on this budget, which totals \$5,609,180 and with a total local contribution of \$1,603,475 plus \$53,000 for a new bus.

Upon a motion by Jack Wallace, seconded by Joseph Fawbush, and passed by unanimous roll call vote, Council moved to adopt the 2003-2004 City of Norton School Board Budget.

20497

Council had a request from the Norton City Schools to amend their 2002-2003 budget of the Norton City Schools in the amount of \$13,728.66.

Mr. Ward advised that these grant funds are a reimbursement and cover technology expenses.

Upon a motion by Joseph Fawbush, seconded by Jack Wallace, and passed by unanimous roll call vote, Council moved to amend the 2002-2003 budget for the City of Norton Schools in the amount of \$13,728.66.

20498

Council had been presented in their packets a draft Cable TV Franchise Agreement with Adelphia.

Mr. Ward advised that the City, towns, and Wise County, along with the help of a consultant, had been working on obtaining this agreement for two years. This draft is subject to the City Attorney's review. Mr. Ward advised that this agreement basically covers what the local governments had asked for. He then gave Council a brief summary of the agreement, including the conditions for the life of the franchise.

The City Administration feels that this is a fair agreement between both parties.

Councilman Fawbush stated that one of the items asked for during this process was for access to Adelphia's tower to enable receipt of FM Radio Stations. He sees no mention of this access in the proposed agreement.

Following a brief discussion, it was the consensus of Council that the City Manager check on the issue brought to Council's attention by Councilman Fawbush and to then bring this agreement back to Council for action at the next meeting.

20499

Council had been presented with a request from the Commissioner of Revenue's Office for refunds for erroneous assessments.

Upon a motion by Joseph Fawbush, seconded by Jack Wallace, and passed by unanimous roll call vote, Council authorized refunds for erroneous assessments as presented to Council in a memorandum from the Commissioner of Revenue dated May 1, 2003 and covering two real estate and three personal property taxes.

20500

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 No. 2.2-3711 (A) (1) of the Code of Virginia, as amended.

Mayor Raines declared Council in closed meeting.

2050

Upon a motion by Joseph Fawbush, seconded by Jack Wallace, and passed by unanimous vote, Council moved to go back into open meeting. 20502

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 Jack Wallace, seconded by Joseph Fawbush, and passed by the following unanimous vote: YES – Wallace, Fawbush, Raines, NO – None, ABSENT – Hunnicutt, Mays, Council moved to adopt A Resolution of the Certification of Closed Meeting. (Insert) 20503

Mayor Raines opened the floor for nominations to the Social Services Advisory Board for four (4) year terms, which will expire on May 22, 2007.

Jack Wallace nominated Ms. Brenda Johnson and Mr. Jack Mooney be reappointed to this Board. 20504

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

Mayor Raines declared Ms. Brenda Johnson and Mr. Jack Mooney reappointed to the Social Services Advisory Board for four (4) year terms, which will expire on May 22, 2007.

Mayor Raines opened the floor for nominations to the Norton Industrial Development Authority for four (4) year terms, which will expire on May 10, 2007.

Joseph Fawbush nominated Mrs. Barbara Caruso and Mr. Robert Leonard to be reappointed to this Authority. 20505

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

Mayor Raines declared Mrs. Barbara Caruso and Mr. Robert Leonard reappointed to the Norton Industrial Development Authority for four year terms which will expire on May 10, 2007.

Mayor Raines advised that no action will be taken on the ARCHS Head Start Board appointment. 20506

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

The City had sustained damages to the Legion Park facility during the May 8, 2003 flooding. During that time, we received 1.77" of rain in thirty minutes. We also had flooding in the downtown and residential areas. The City still doesn't know if any assistance will be available for damages stemming from this incident. 20507

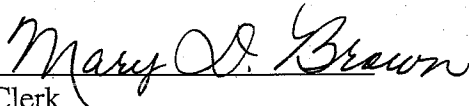
The City's 2003-2004 budget has been advertised and the adjustments have been made. Should any member of Council have any questions, Mr. Ward asked that they contact him. A list of the adjustments was in Council's packets.

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

CITY OF NORTON, VIRGINIA


B. Robert Raines, Mayor

ATTEST:


Clerk