

The regular meeting of the Norton City Council was held in the Council Chambers of the Municipal Building on Tuesday, July 16, 1996, at 7:30 p.m. with Mayor Robert Raines presiding.

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

Absent: Ron McCall

Also Present: E. W. Ward, City Manager and Joe Pippin, City Attorney

The invocation was given by the City Manager which was followed by the pledge of allegiance led by Police Chief Sam Mongle.

Upon a motion by Jack Wallace, seconded by William Mays, and passed by unanimous vote, Council moved to adopt the minutes of the July 2, 1996 organizational meeting and the regular meeting of July 2, 1996 as presented. 17561

During the Mayor's call for visitors, Ms. Reava Gardner of the Virginia Relay Center spoke to Council with reference to recent activities regarding the Virginia Relay System wherein the State is seeking a new contract without the stipulation that the center be maintained in Norton. 17562

Council was invited to attend a rally this Friday afternoon.

Mayor Raines read a prepared statement advising the history of the Virginia Relay Center and advised the City has been working on this matter since it came to their attention on Friday. He further advised that he has drafted a letter which will go to Governor Allen tomorrow and vowed the City would do all it could do to keep this relay center in Norton.

Council had the item of the discussion of a court decree involving a nuisance case (the Junior Clemons Property) on the agenda to be brought back for an update. Mr. Pippin advised that Mr. Jeff Elkins, Attorney for Loreto Heights, Mr. Gary DelForge, Administrator of St. Mary's Hospital, and Mr. Jim Price, nearest neighbor to this property were present to comment on this.

Mr. DelForge advised that they had tried to contract this job out to Robinette Steel and Coeburn Produce; however both declined the job. Coeburn Produce will provide individual bins for the items to be sorted and they have hired three individuals to clean up this property. They hope to begin work this Friday and hope to be completed within two to three weeks. 17563

Mr. Pippin recommended that we put this on the agenda for the August 20th meeting for an update and asked both Mr. Elkins and Mr. DelForge to be present at this meeting.

Mr. Price spoke briefly to Council on this.

An item of a budget amendment to provide funds to upgrade the Circuit Court Clerk's office was scheduled on tonight's agenda. Mr. Ward gave some background information on this as Mr. Jack Kennedy, Circuit Court Clerk, had been to Council previously to discuss this

appropriation.

Mr. Kennedy spoke briefly to Council and gave them an update on the installation of this computer system. His request from Council was for 10% of the hardware costs or \$8,500.

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At this time, Councilman McCall took his seat on Council.

Following a brief discussion and upon a motion by Roy Roberts, seconded by William Mays, and passed by unanimous roll call vote, Council moved to appropriate \$8,500 to the Wise County Circuit Court Clerk's Office covering 10% of the hardware costs with said funds to come from Contingency.

Ms. Rondi Fisher of the United States Forestry Service was present and discussed with Council a proposed timber sale by them. Some of the area will be within City limits.

Ms. Fisher went over their plans and answered questions from Council during a lengthy discussion on this. She took notes of Council's concerns and advised that the City should send them a letter stating same.

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Mayor Raines thanked Ms. Fisher for attending tonight's meeting.

The City Attorney advised that the City Treasurer had approached him regarding a Judicial Tax Sale involving property which has delinquent taxes for at least three years.

Mr. Pippin advised he needed Council to authorize both he and the City Manager to file suit for this sale of property and also ask the judge to appoint a Special Commissioner. Mr. Pippin advised he would like to recommend Ms. Jewell Morgan of Bill Sturgill's law office for this position.

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Following a brief discussion and upon a motion by Roy Roberts, seconded by Jack Wallace, and passed by unanimous roll call vote, Council authorized the City Manager and City Attorney to file suit for this judicial tax sale and also to have the name of Ms. Jewell Morgan submitted to Judge Stump to be appointed as Special Commissioner at a rate of \$90.00 an hour plus any out-of-pocket expenses. This is per the recommendation of both the City Attorney and the City Treasurer.

Council had a request from Ms. Rita K. Hamilton of the Drysdale Road area in the County for one water tap. Mr. Ward advised water is available.

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Upon a motion by William Mays, seconded by Ron McCall, and passed by the following vote: Wallace, Mays, McCall, Raines - YES, Roberts - NO, Council authorized one water tap in the Drysdale Road area of Wise County for Ms. Rita K. Hamilton.

A copy of a check made payable to the Norton City Schools in the amount of \$190,000 was in Council's packet for approval.

Upon a motion by Ron McCall, seconded by William Mays, and passed by unanimous roll call vote, Council moved to approve a check in the amount of \$190,000 made payable to the Norton City Schools.

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At this time, Mayor Raines amended the agenda covering Executive Session to add, "Discussion of the Acquisition or Use of Real Property for Public Purposes" as per Section No. 21-344(A) (3) of the Code of Virginia as amended.

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Upon a motion by Jack Wallace, seconded by Roy Roberts, and passed by unanimous roll call vote, Council moved to go into Executive Session to discuss personnel as per 2.1-344(A) (1) of the Code of Virginia as amended and to discuss the acquisition or use of real property for public purposes as per 2.1-344(A) (3) of the Code of Virginia as amended.

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Mayor Raines declared the meeting in Executive Session.

Upon a motion by Ron McCall, seconded by Jack Wallace, and passed by unanimous vote, Council moved to go back into regular session.

Mayor Raines declared the meeting back in regular session.

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

17572

Upon a motion by William Mays, seconded by Jack Wallace, and passed by unanimous vote, Council moved to adopt A Resolution of the Certification of Executive Meeting. (Insert)

Prior to opening the floor for nominations to the Mountain Empire Community College Board, Mayor Raines read a letter from them advising that Mr. Harold Armsey is no longer eligible to serve on this Board as he has served several terms.

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Mayor Raines opened the floor for nominations to the Mountain Empire Community College Board for a four (4) year term which will expire on June 30, 2000.

Ron McCall nominated Mrs. Amelia Harris.

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

Mayor Raines declared Mrs. Amelia Harris appointed to the Mountain Empire Community College Board for a four year term which will expire on June 30, 2000.

Mayor Raines opened the floor for nominations to the Private Industry Council for a three year term which will expire on June 30, 1999.

William Mays nominated Mr. Chris Jones.

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

Mayor Raines declared the name of Mr. Chris Jones to be submitted to the Governor for a three year term on the Private Industry Council which will expire June 30, 1999.

In comments from the City Manager, Mr. Ward advised he will be out of town on vacation from July 20th through July 27th.

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He also advised that the Norton Industrial Development Authority has requested a work session with Council on marketing the Hotel Norton. It was the consensus of those present to schedule this work session after a Council Meeting with a short agenda.

In comments from the City Attorney, Mr. Pippin advised he had been in touch with Century Communications and had asked that they explain why they were not aware the FCC had approved the City of Norton, as we

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had indicated to them previously, and also asked them to explain the cable rate increase without our having a chance to pass on it and also for them to have a representative present at one of our two council meetings in August to answer some questions from both Council and himself.

He further advised that his brother, Don, is retiring and that the City Attorney's new office is located at Park Avenue Center and he invited all present to go by and visit following tonight's meeting.

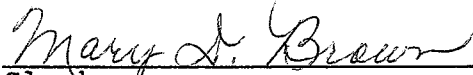
There being no further business to come before the Council, the meeting adjourned.

CITY OF NORTON, VIRGINIA



B. Robert Raines, Mayor

ATTEST:


Mary S. Brown

Clerk