

The regular meeting of the Norton City Council was held in the Council Chambers of the Municipal Building on Tuesday, September 21, 1993 at 7:30 p.m. with Mayor Raines presiding.

Present: Roy Roberts, Jack Wallace, Robert Raines, William Mays and Ron McCall

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

The invocation was given by the City Manager and was followed by the Pledge of Allegiance which was led by Assistant City Manager Fred L. Ramey.

Upon a motion by Jack Wallace, seconded by William Mays, and passed by unanimous vote, Council moved to adopt the minutes of the September 7, 1993 meeting as presented.

15797

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

15798

Mayor Raines amended the agenda under New Business - Item 7-A-1, A Request for the Use of City Property and under Executive Session - Item 7, A Discussion of Legal Service Contract.

15799

A public hearing was held on An Ordinance Adopting and Enacting a New Chapter 21 Titled "Signs" for the Code for the City of Norton, Virginia; Providing for the Repeal of the Old Chapter 21 of the Code of the City of Norton, Virginia; and Providing for the Effective Date When this Ordinance Shall Become Effective.

The City Manager advised Council had, at its August 3, 1993 meeting, instructed him to advertise for a public hearing on this Sign Ordinance.

There were no questions from Council prior to the public hearing. Mayor Raines opened the public hearing. Mrs. Sheila Kuczko, owner of the Appalachian Peddler, Virginia Avenue, spoke to Council advising that she hoped this ordinance covered businesses like hers which are located on a back street and also that an Appeals Process is included in this new ordinance.

There being no further comments during the public hearing, Mayor Raines closed same.

15800

During comments from members of Council, Mr. Roberts re-emphasized that he is opposed to this new ordinance stating it is too restrictive and that there are too many violations that can't be enforced.

Following a brief discussion and after the Clerk read the heading of this ordinance, a motion was made by Jack Wallace, seconded by William Mays, and passed by the following vote: Wallace, Mays McCall, and Raines - YES, Roberts - No, Council moved to adopt An Ordinance Adopting and Enacting A New Chapter 21 Titled "Signs" for the Code for the City of Norton, Virginia; Providing for the Repeal of the Old Chapter 21 of the Code of the City of Norton, Virginia; and Providing for the Effective Date When This Ordinance Shall Become Effective.
(Insert)

Council had in their packets A Resolution Authorizing the City of Norton School Board to Apply for a Literary Loan. Mr. Ward advised that Council had in the City's budget a \$30,000 Capital Item covering an engineering study for an air conditioning/window replacement/electrical upgrade project at John I. Burton High School. This study is ongoing and the School Board hopes to pay for this upgrade, estimated at \$800,000, with Literary Fund monies at a 3% interest rate. Also included in the packets are a copy of the loan application and a copy of a resolution that basically states Council is authorizing the School Board to borrow \$800,000 and that they will be willing to fund the Debt Service on this \$800,000 to be paid back in 20 annual installments at an interest rate of 3% and that Council will do whatever is necessary to fix this Debt Service as a part of the School Budget once this money is drawn down from the Literary Loan Fund.

15801

Mr. Ward advised it was his understanding that once this resolution, if adopted by City Council, and once the application is forwarded to Richmond, that it takes about two years to actually draw down the monies. The money is drawn down on a reimbursable type basis; therefore the City would, at some point, have to expend this \$800,000 and then within the two year period that it is anticipated, Council would be reimbursed the \$800,000 and then the 20 annual Debt Service payments would start being paid back to the Literary Loan Fund.

The City Manager had two questions administratively which he feels should be answered prior to the passage of this resolution. These are: When is the School System planning on or would like to construct the project and what time frame they anticipate being between the actual time the project is constructed and the monies are funded by the City to the actual drawdown time from the Literary Loan Fund.

Dr. A. S. Armentrout, Superintendent of the Norton City Schools, was present and answered Mr. Ward's questions as well as those of Council. Upon a motion by Ron McCall, seconded by William Mays, and passed by unanimous roll call vote, Council moved to authorize the City of Norton School Board to apply for a Literary Loan Grant in the amount of \$800,000.

Dr. Armentrout extended his appreciation to Council.

Council had a request to utilize City property from the Meade Family Singers. They wish to use the City parking lot between the Coalfield Progress and the Chamber of Commerce on October 16th from 6:00 p.m. until midnight for a gospel singing. Funds coming from this event will go toward their attempted purchase of the Hotel Norton which was expressed to Council at a previous meeting.

Mr. David Meade was present to represent this group and to answer questions of Council. Mayor Raines asked the City Attorney what the group would have to do legally to have this event. City Attorney, Joe Pippin, advised he was the attorney for this organization and felt he should abstain from comment.

Mr. Ward stated the City should have a Hold Harmless Agreement, Certificate of Insurance, and proof of them being a non-profit corporation.

Mr. Meade advised they were a profit making organization but they were incorporated.

Following a brief discussion and upon a motion by Roy Roberts, seconded by Jack Wallace, and passed by unanimous vote, Council moved to authorize the use of City property by the Meade Family Singers on October 16th from 6:00 p.m. to midnight pending approval of our legal counsel to ascertain that we have the proper coverage and that all legal requirements are met. They were advised to work with the City Manager on these requirements.

Mr. Meade was advised to work with Mr. Ward and he will seek legal counsel and see that the necessary requirements are met.

On behalf of his family, Mr. Meade thanked Council for their time.

Mr. Ward discussed with Council a proposed exit as pertains to the Norton By-Pass Project which has raised concern from a safety standpoint. This exit will be the north bound exit at the cloverleaf in the vicinity of the Holiday Inn. This cloverleaf has three loops, and the fourth loop, which would be the loop to bring easy access for north bound traffic back into the City of Norton, is not scheduled to be designed. Instead it will be an exit ramp off of Rt. 23 and both lanes of traffic on Highway 58 will have to be crossed to get back into the City. On July 8, 1993 Mr. Ward wrote a letter to the Highway Department asking them to provide us with information as to why this fourth loop was omitted from the Rt. 23 By-Pass and stating that this could be a dangerous area and is currently a heavily congested area. On August 4, 1993, he received a response from the Highway Department which was less than what he called complete. Basically, it stated that the traffic flows coming off that exit would be so low that it would not warrant the expenditure to construct this extra loop which is estimated to cost \$1,750,000. This would also cause the reconstruction of the existing ramp. Furthermore, Mr. Ward advised there was a discrepancy in the

traffic data provided in this letter than had been provided previously.

Following a brief discussion, it was the consensus of Council for the City Manager to pursue this further with the Highway Department and to verify the figures on the traffic counts and to advise Council what they need, either by resolution or ordinance, to address this problem.

Upon a motion by Ron McCall, 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 discussion of legal service contract. 15804

Mayor Raines declared the meeting in Executive Session.

Upon a motion by William Mays, seconded by Ron McCall, and passed by unanimous vote, Council moved to go back into regular session. 15805

Mayor Raines declared the meeting in regular session.

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. Upon a motion by Jack Wallace, seconded by Roy Roberts, and passed by unanimous vote, Council moved to adopt A Resolution of the Certification of Executive Meeting. (Insert) 15806

As to personnel, Mayor Raines advised Council had a recommendation from the City Manager that he be allowed to negotiate a contract with an engineering firm to study the Hotel Norton.

Upon a motion by Roy Roberts, seconded by Ron McCall, and passed by unanimous roll call vote, Council authorized the City Manager to negotiate a contract with an engineering firm to study the Hotel Norton. 15807

In his comments, Mr. Ward advised he was in receipt of a letter from Ms. Patricia Butler of the Division of Deaf and Hard of Hearing which contained a proclamation declaring the week of September 19 - 25, 1993 as National Deaf Awareness Week. It was the consensus of Council for Mayor Raines to sign this proclamation. (Insert) 15808

In comments from Council, Mayor Raines welcomed a visitor to our meeting and asked Assistant City Manager Fred Ramey to introduce her to Council. Mr. Ramey introduced Mrs. Michele Jenkins of Gate City, a classmate of his from East Tennessee State University in the Masters of City Management Program. 15809

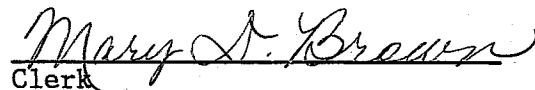
There being no further business to come before the Council, the meeting adjourned.

CITY OF NORTON, VIRGINIA



B. Robert Raines, Mayor

ATTEST:



Clerk