

The regular meeting of the Norton City Council was held in the Council Chambers of the Municipal Building on Tuesday, December 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 Rev. Jim Jenkins which was followed by the Pledge of Allegiance which was led by City Treasurer Joe Stallard.

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

15862

Mayor Raines advised that the agenda was being amended under Item 8-D Executive Session to include 2.1-344(A) (1) of the Code of Virginia, as to the Performance and Salaries of Municipal Employees.

15863

Mayor Raines asked Mr. and Mrs. Carl McAfee to come forward and Vice Mayor Mays presented them with a plaque honoring them for the renovation and restoration of a City landmark, the Bolling Mansion, after a devastating fire.

Mr. McAfee spoke briefly to Council and both he and Mrs. McAfee thanked Council for this plaque.

15864

During Audience for Visitors, Mr. Leonard McNew, President of the Norton Little League presented Council with a Certificate of Appreciation on behalf of the children for Council's help during the past year.

15865

Mr. Ward advised that the Little League is now solvent at this time.

A public hearing was held on An Ordinance Amending Chapter 3 Article II "Public Dance Halls" Sections 3-31, 3-36, and 3-52 of the City Code.

Mr. Ward advised these changes resulted from discrepancies discovered when working on the Mixed Drink Ordinance. He further advised Section 3-31 and 3-52 would put us in compliance with State Code and Section 3-36 made the hours consistent with the Mixed Drink Ordinance.

15866

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

Mayor Raines opened the public hearing.

There were no comments from the audience and Mayor Raines closed the public hearing.

There were no comments or questions from Council and upon a motion by Roy Roberts, seconded by Jack Wallace, and passed by unanimous roll call vote, Council moved to adopt An Ordinance Amending Chapter 3 Article II "Public Dance Hall" Section 3-31, 3-36, and 3-52 of the Code of the City of Norton, Virginia. (Insert)

The City Manager is to advise that this will be in effect thirty days from the date of adoption.

A public hearing was held on An Ordinance Amending Chapter 13 Article II "Vehicle License" Section 13-37 of the City Code.

Mr. Ward advised the City Treasurer had requested a change in this section of our Motor Vehicle Ordinance. He advised our present ordinance section charges \$10.00 for all passenger motor vehicles, trucks are charged \$12.00. The discrepancy the Treasurer had that many individuals in the City have trucks that are passenger vehicles and also a question was raised regarding vans.

15867

After some discussion at a previous meeting, Council requested that he advertise a public hearing to change this ordinance basing the changes on vehicle weight.

Following a discussion, Councilman Roberts advised dropping the weight concept and having a flat fee of \$10.00 for motor vehicles.

Joe Stallard, City Treasurer, spoke briefly to Council on this.

Mayor Raines opened the public hearing.

Mr. Stallard advised Council that if we go to a flat fee of \$10.00, it would only be approximately \$400.00 difference in money collected.

There were no further comments during the public hearing.

Mayor Raines closed the public hearing.

Upon a motion by Roy Roberts, seconded by Ron McCall, and passed by unanimous roll call vote, Council moved to pass An Ordinance Amending Chapter 13 Article II "Vehicle License" Section 13-37 of the Code of the City of Norton, Virginia. The changes in this ordinance are: All motor vehicles including motorcycles and all trucks and excluding taxicabs will pay a \$10.00 fee. Taxicab or other motor vehicle used for transporting passengers for hire, including buses used for charter service from points within the City to points outside the City, per 100 pounds weight are to pay \$1.00. (Insert)

Council had a request from the School Board to amend their Textbook Fund Budget.

The Superintendent advised in his letter that the School Board would like to transfer funds in the amount of \$25,000 from their Operating Fund to the Textbook Fund to make the sum of the \$60,000 needed. The School Board cannot amend their budget without concurrence from City Council.

Following a brief discussion and upon a motion by Ron McCall, seconded by William Mays, and passed by unanimous roll call vote, Council moved to allow the Norton City School Board to transfer from their Operational Budget to the Textbook Account the amount of \$25,000.

Council entertained a request to amend the City General Fund Budget. Mayor Raines advised that in the 1992-93 General Fund Budget, Capital Outlay, Capital Projects, \$10,000 had been budgeted for the public access TV channel. At that time, we could not assign money for equipment due to working with a consultant. The City would like to transfer last year's \$10,000 held in this account to this year's budget and would have a total of \$20,000 for the Municipal Access Channel.

Upon a motion by Roy Roberts, seconded by Jack Wallace, and passed by unanimous roll call vote, Council moved to amend the City General Fund Budget to transfer the amount of \$10,000 to this year's budget to go toward the Municipal Access Channel.

Mayor Raines advised this channel should be on line by January 1, 1994 or shortly thereafter.

The City Manager updated Council on the new cable legislation and advised that John Taylor of Century Cable was present to answer any questions Council may have. He advised the legislation is very complex, difficult, and lengthy. One of the changes is that municipal governments who do not have competition are being asked by legislators to get into the rate setting business. If they do, then a FCC-328 Form needs to be filled out and sent in. This needs to be done by February 15, 1994. If a municipality does not, then the cable companies can set the rates.

Following a lengthy discussion between Council and Mr. Taylor and upon a motion by William Mays, seconded by Ron McCall, and passed by unanimous roll call vote, Council authorized the City Manager, through the City Attorney, to fill out the FCC-328 Form which will authorize the City to regulate cable rates in the City.

Prior to Council's motion to go into Executive Session on the added item of Performance and Salary of Municipal Employees under Section 2.1-344(A) (1) of the Code of Virginia, as amended, Jenay Tate questioned whether Council could use this section to discuss all City employees as a group collectively. She stated it could only be used to discuss employees individually.

The City Attorney agreed with her and upon a motion by Ron McCall, seconded by Jack Wallace, and passed by unanimous vote, Council agreed to strike this item from Executive Session.

Upon a motion by William Mays, seconded by Jack Wallace, and passed by unanimous roll call vote, Council moved to go into Executive Session as per 2.1-344(A) (7) of the Code of Virginia, as amended, as pertains to probable or actual litigation. 15872

Mayor Raines declared the meeting in Executive Session.

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

Mayor Raines declared the meeting back in regular session. 15873

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 William Mays, and passed by unanimous vote, Council moved to adopt A Resolution of the Certification of Executive Meeting. (Insert) 15874

The Mayor advised that Council had been updated by the City Attorney and City Manager on litigation. 15875

In his comments, the City Manager advised that the City offices would be closed Thursday and Friday, December 23rd and 24th for the Christmas holiday and Friday, December 31st for New Year's. 15876

In comments from Council, Mr. Roberts brought up giving the City employees a bonus as was done last year and asked for discussion.

Councilman McCall stated he would like to see the bonus increased from last year's amount. 15877

Upon a motion by Ron McCall, seconded by Roy Roberts, and passed by unanimous vote, Council authorized a \$350.00 bonus to all full time City employees, constitutional officers, and the family of Danny Still and a \$175.00 bonus to all part time employees with said funds to come Unappropriated Reserves.

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

CITY OF NORTON, VIRGINIA

  
B. Robert Raines, Mayor

ATTEST:

  
Mary J. Brewer, Clerk