

The regularly scheduled meeting of the Norton City Council was held on March 1, 1988 at 7:30 p.m. in the Council Chambers with Mayor Daniels presiding.

Present: Cliff Daniels, Roy Roberts, Jack Wallace, Robert Raines, and William Mays

Also Present: E. W. Ward, Assistant City Manager, and Kenneth Asbury, City Attorney

The invocation was given by Rev. Donald Bowles followed by the Pledge of Allegiance which was led by Police Chief Sam Mongle.

Upon a motion by William Mays, seconded by Robert Raines, and passed by unanimous vote, Council moved that the minutes of the February 16, 1988 meeting be approved as presented. 14052

The Mayor advised there would be an amendment to the agenda. Under New Business, Item B-1 will be added. Item B-1 is An Application for a Grant to the Virginia Department of Criminal Justice Services to Establish a School Drop-Out Prevention Program. 14053

During the Mayor's call for visitors, Ms. Linda Sturgill of 1703 W. Main Street came forward and asked Council to consider some type of action, whether written or verbal, to congratulate the J. I. Burton Raiders for winning the Lonesome Pine District Championship. 14054

The Mayor advised the City Attorney to prepare an appropriate document congratulating the Raiders' win of the LPD Tournament and to bring it back to Council.

Ms. Eileen Brickey, West Main Avenue, asked Council if the City had any ordinances pertaining to noise pollution. The City Attorney advised that we do not and that some cities were adopting ordinances covering this. 14055

After a brief discussion, the Mayor advised Ms. Brickey that her only alternative appears to be obtaining a lawyer and that any ordinances passed now would not affect Castle Brothers.

Mr. Jim Peters, Kentucky Avenue, came before Council and asked why anyone fishing in the City reservoir would have to purchase either a State or County License along with their City license when this reservoir is stocked solely by the City. 14056

The City Attorney advised that the Commission of Game and Inland Fisheries requires having a State or County license when you are fishing on a town or city lake.

Mayor Daniels advised this had been enforced in the past, but the Commonwealth Attorney is going to seek an opinion on this.

Phil Henry, Guest River, spoke to Council on a sub-division he is constructing on Guest River. He asked Council's cooperation in trying to get the physical obstacles out of the way so he can continue with the sub-division while he tries to get the legal obstacles out of the way. 14057

Mr. Asbury advised that this had been tried in Circuit Court last week and that the Court had agreed the City does not own this land. The problem is that this land, part of the Esserville Sub-Division, and the plat on same has never been recorded. It is an undedicated street between two residences.

After a brief discussion, Mr. Asbury advised he would send a copy of the most recent letter to Mr. Henry on this problem. Mayor Daniels advised Mr. Henry that there is nothing Council can do that would offset the City Attorney's input on this.

Mr. Asbury stated the only remedy was if the City wanted to condemn this land - that the City has no deed, has not maintained or used this right-of-way, and the City has no title to this land. The title remains to the Esser heirs.

Mr. Joe Howard, Chairman of the Norton Electoral Board, gave Council a presentation on the upcoming Super Tuesday Election. Mr. Howard went through, step-by step, on how a vote would be cast on March 8th.

After a brief discussion, Council thanked Mr. Howard for his presentation and advised him of their appreciation of the job the Board is doing. 14058

A public hearing was held on the Proposed Revision to the Revenue Sharing Budget of the City of Norton.

Mr. Ward, the Assistant City Manager, advised that the General Revenue Sharing Program has been terminated and is no longer being funded and that the City is under a requirement to spend our remaining monies by October 1st.

Mayor Daniels advised we had a cash balance of \$89,000 as of 1/31/88 with six items listed totaling \$89,000. 14059

There was no public comment on the revised budget.

Councilman Mays stated he was glad to see where our I & I money was coming from.

Mayor Daniels advised in the future to please give Council a copy of both the previous budget and the proposed revised budget.

Upon a motion by Roy Roberts, seconded by Jack Wallace, and carried by unanimous roll call vote, Council moved to approve the Proposed Revision to the Revenue Sharing Budget of the City of Norton, Virginia.

A public hearing was held on An Ordinance of the City Council of the City of Norton, Virginia Providing for Amendments to the Zoning Ordinance of the City of Norton, Virginia Regulating Off-Street Parking and Establishing Guidelines Therefor.

Mayor Daniels advised this was the second of the public hearings and it was scheduled originally on an ordinance that was presented to Council. Since that time a work session has been held and there are some corrections to this ordinance with the major change being in Section 8.

Mr. Jon Rockett, Chairman of the City of Norton Planning Commission, spoke to Council on this ordinance. Mr. Rockett stated he felt that the Planning Commission had done the best job they could on the ordinance.

There was no response from the public as to comments on this ordinance. Council discussed same at length.

Mayor Daniels advised that since this was a potential major policy change in regard to the downtown area, he would suggest a work session be scheduled for Council to go through this ordinance in detail. Councilman Mays suggested that the work session be scheduled at a time when the City Attorney can also be present.

Mayor Daniels stated he hoped the work session could be publicized and give the people one more opportunity for a public hearing and to point out that Section 8 is a major change for the City. 14060

Upon a motion by Roy Roberts, seconded by Jack Wallace, and passed by unanimous vote, Council moved to pass An Ordinance of the City Council of the City of Norton, Virginia Providing for Amendments to the Zoning Ordinance of the City of Norton, Virginia Regulating Off-Street Parking and Establishing Guidelines Therefor with the inclusion of Section 8 on the first reading.

Council then scheduled a work session to be held on Monday, March 7, 1988 at 7:00 p.m. Mr. Rockett was invited to attend. Mayor Daniels asked that copies of the original ordinance be sent to Council before the week-end. This work session is to be held in Council Chambers.

Council had been presented in their packets A Resolution of the City Council of the City of Norton, Virginia, Requesting that the Virginia Department of Transportation Include the U. S. 23 By-Pass Through the City of Norton, Virginia, in the Next Six Year Improvement Program.

Mr. Ward advised that the enclosed letter from Lenowisco stated that if the City wanted Lenowisco's regional support in getting the U. S. 23 By-Pass in the next Six Year Program, a resolution needed to be passed prior to March 15th.

Mayor Daniels advised there had been a lot of activity in the last couple of weeks pertaining to this. He has received letters from both the Norton Industrial Development Authority and the Norton Highway Safety Commission regarding the need of the Norton By-Pass and expressing a safety concern. He also stated that the City

had received the endorsement of the Wise County Board of Supervisors, along with preliminary approval from Lee and Scott Counties, and that discussions had been held in Richmond by Delegate Kennedy. Mayor Daniels stated that Mr. Edgar Bacon, Highway Commissioner of the Bristol District, was in Norton and was shown the condition of our main street and what has happened to it in the last six months, as well as rode around the area and shown him the proposed site of the U. S. 23 By-Pass.

Upon a motion by Roy Roberts, seconded by Robert Raines, and passed by unanimous vote, Council moved to pass A Resolution of the City Council of the City of Norton, Virginia, Requesting that the Virginia Department of Transportation Include the U. S. 23 By-Pass Through the City of Norton, Virginia, in the Next Six Year Improvement Program. (Insert) 14061

Mayor Daniels also asked that copies of this resolution go to Jack Kennedy and Commissioner Pethtel.

Council had been given a copy of a sample ordinance covering the Regulation of Fire and Burglar Alarm Systems and Providing Service Fees for False Alarms.

Mr. Ward advised that we have numerous false alarms from both the residential and business alarms that are hooked up on our board in the Police Department. Also the City is experiencing both costs and a liability also. Currently the City has nothing on the books to regulate these.

After much discussion, Council advised that they would like to see this ordinance expanded to include control, monitoring, and have an all-encompassing ordinance to cover every aspect of these alarms. 14062

Council advised the City Attorney and the Police Chief to work together on this ordinance and bring same back to Council.

Council had been provided with a copy of a grant application prepared by the City of Norton School Board from the Virginia Department of Criminal Justice Services which requires the signature of the City Manager. This grant covers the establishment of a School Drop-Out Prevention Program. These funds will also allow the School Board to employ an elementary school guidance counselor.

After a brief discussion and upon a motion by Robert Raines, seconded by Roy Roberts, and carried by unanimous vote, Council authorized the City Manager to sign the Grant for the City of Norton School Board from the Virginia Department of Criminal Justice Services for the purpose of establishing a School Drop Out Prevention Program. 14063

Upon a motion by Roy Roberts, seconded by Robert Raines, and passed by unanimous vote, Council moved to go into Executive Session to discuss personnel as per 2.1-344 (A) (6) of the Code of Virginia As Amended. 14064

Upon a motion by William Mays, seconded by Robert Raines, and passed by unanimous vote, Council moved to go back into regular session. 14065

The Mayor declared the floor open for nominations to a Local Hazardous Materials Coordinator for an indefinite term.

Councilman Mays nominated Mr. Bill Stokes.

Upon a motion by Jack Wallace, seconded by Roy Roberts, and passed by unanimous vote, Council moved that the nominations cease. 14066

Mayor Daniels declared Mr. Bill Stokes as Local Hazardous Materials Coordinator for an indefinite term.

There being no comments by Mr. Ward, Mr. Asbury, and Council, the meeting adjourned.

*Cliff Daniels*  
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Mayor

ATTEST:

*Mary S. Brown*  
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Clerk