

The regular meeting of the Norton City Council was held on Tuesday, May 6, 2003 at 7:30 p.m. in the Municipal Council Chambers with Mayor Robert Raines presiding.

Present: Jack Wallace, Robert Raines, William Mays, Joseph Fawbush

Absent: Joseph Hunnicutt

Also Present: E. W. Ward, City Manager and Bill Bradshaw, 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 Ramey.

Upon a motion by Jack Wallace, seconded by Joseph Fawbush, and passed by unanimous vote, Council moved to adopt the minutes of the April 15, 2003 meeting as presented.

20479

At this time, Mayor Raines welcomed Ms. Leslie Lowery and Mr. Mike McCall, members of the Forward Wise County Class.

20480

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

20481

A public hearing was held on the 2003-04 budget of the Norton City Schools.

Dr. John Sessoms, Superintendent, was present and gave Council a brief synopsis of this budget, which totals \$5,609,180, and of which \$1,603,475 are local funds. Of this amount, \$48,555 is new money.

Also present were Mr. Steve McElroy and Mr. Tim Cassell, Norton City School Board members.

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

Mayor Raines opened the public hearing.

There being no public input, Mayor Raines closed the public hearing.

20482

Mayor Raines thanked Dr. Sessoms for this presentation and advised that Council would take action on this budget at its next council meeting.

Dr. Sessoms thanked Council for their continued support.

A public hearing was held on An Ordinance of the City of Norton, Virginia, Providing for the Imposition of a Cigarette Tax as Provided by Section 58.1-3830, 58.1-3832, and 58.1-3840 of the Code of Virginia, as Amended.

Mr. Ward advised that this ordinance was discussed at our last Council meeting and Council had authorized him to advertise a public hearing. If adopted, this ordinance would implement a five cent tax on each package of cigarettes sold in the City. At present, both St. Paul and Coeburn have adopted this ordinance.

20483

The City Attorney advised the ordinance was in line with State Code.

Mr. Ward advised that the City Administration is in favor of the adoption of this ordinance.

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

There being no public input, Mayor Raines closed the public hearing.

Following a brief discussion and upon a motion by Jack Wallace, seconded by Joseph Fawbush, and passed by the following unanimous roll call vote: YES – Wallace, Mays, Fawbush, Raines, NO – None, ABSENT – Hunnicutt, Council moved to adopt An Ordinance of the City of Norton, Virginia, Providing for the Imposition of a Cigarette Tax as Provided by Section 58.1-3830, 58.1-3832, and 58.1-3840 of the Code of Virginia, as amended. (Insert) This ordinance will have an effective date of July 1, 2003.

A public hearing was held on An Ordinance of the City Council of the City of Norton, Virginia Amending Article VII, Meals Tax; Section 23-192 of the Norton City Code.

Mr. Ward advised that this ordinance would increase the Meals Tax from 5% to 6% on every meal sold within the City.

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

Mayor Raines opened the public hearing.

There being no public input, Mayor Raines closed the public hearing.

20484

Upon a motion by William Mays, seconded by Joseph Fawbush, and passed by the following unanimous roll call vote: YES – Wallace, Mays, Fawbush, Raines, NO – None, ABSENT – Hunnicutt, Council moved to adopt An Ordinance of the City Council of the City of Norton, Virginia Amending Article VII., Meals Tax; Section 23-192 of the Norton City Code. (Insert) This ordinance will have an effective date of July 1, 2003.

The next item on the agenda was the discussion of firearms regulations within the City.

Mr. Ward advised that in 1995 when the new Code of Criminal Ordinances was adopted, the changes were very different from the regulations originally in the City Code, wherein there was no discharging of weapons within the City. Since the incident of two weeks ago where a dog was shot and killed on West Main Avenue, a review of the Code brought to the City's attention the changes. Since this incident, the City Administration would like to have a similar law put back in the Code that was in effect prior to the 1995 adoption.

The City Attorney advised that the ordinance currently in the Code is a general parallel of statutes that the State has enacted. He further advised that if the City would like to proceed to enact a different ordinance that would be in the best interest of the citizens, they can do so. However, being a rural area, he felt that it would be hard to regulate for the allowance of hunting.

20485

Following a brief discussion and with the consensus of Council, it was determined that the City Manager and City Attorney work together and bring something back to Council for their consideration.

Council had a request for one water tap for Robin Gardner, 4636 Dorchester Road.

Upon a motion by Joseph Fawbush, seconded by William Mays, and passed by unanimous vote, Council moved to approve one water tap for Robin Gardner of 4636 Dorchester Road.

20486

Council had a copy of a check made payable to the Norton City Schools in the amount of \$170,000.

Upon a motion by Jack Wallace, seconded by William Mays, and passed by unanimous roll call vote, Council moved to approve a check in the amount of \$170,000 made payable to the Norton City Schools.

Council had a copy of a check made payable to R. S. Jones and Associates in the amount of \$199,854.54 for the Water Line Replacement Project.

20487

Upon a motion by William Mays, seconded by Jack Wallace, and passed by unanimous roll call vote, Council moved to approve a check in the amount of \$199,854.54 to R. S. Jones and Associates for the Water Line Replacement Project.

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 2.2-3711(A) (1) of the Code of Virginia, as amended.

20488

Mayor Raines declared Council in closed meeting.

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

20489

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

20490

In comments from the City Manager, Mr. Ward advised that the Flag Rock Recreation Area had opened on May 1<sup>st</sup> and the upper campground now has electrical hook-ups. Legion Park is also open.

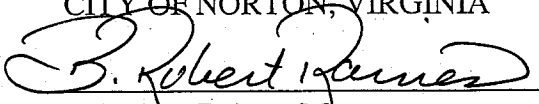
20491

In comments from City Council, Mayor Raines advised Council members that they had been invited to the Duffield Regional Jail Ground Breaking to be held on May 22, 2003 at 12:00 Noon. Please advise Mary Brown by May 15<sup>th</sup> if you will be able to attend.

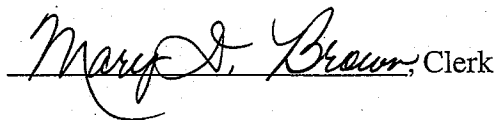
20492

There being no further business to come before the Council, the meeting adjourned with a budget workshop to follow.

CITY OF NORTON, VIRGINIA

  
B. Robert Raines, Mayor

ATTEST:

  
Mary S. Brown, Clerk

