

The regular meeting of the Norton City Council was held on Tuesday, October 1, 2002 at 7:30 p.m. in the Council Chambers with Mayor Robert Raines presiding.

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

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

The invocation was given by Rev. Amy Alcorn and was followed by the pledge of allegiance, which was led by Parks and Recreation Director Michele Knox.

Upon a motion by Joseph Hunnicutt, seconded by William Mays, and passed by unanimous vote, Council moved to adopt the minutes of the September 17, 2002 meeting as presented.

20287

During the audience for visitors, Mrs. Charlene Price of 221 – 10th Street, N. W. presented Council with a petition signed by residents of 10th Street requesting new sidewalks.

Mayor Raines advised Mrs. Price that the City would take this under advisement.

20288

A public hearing was held on An Ordinance of the City Council of the City of Norton, Virginia Regulating the Activities of Dogs Within the City and Providing Penalties for Violations.

Mayor Raines advised that this item came up during the Best Friend Festival activities held at the City Park wherein the Health Department had advised the Committee of problems with animal feces at the park. While looking at this situation, complaints began coming in from around the City. The ordinance before Council tonight was prepared by the City Manager and City Attorney.

20289

The City Attorney advised Council that the ordinance was drafted in compliance with other ordinances done by other municipalities throughout the Commonwealth and provides for a civil penalty rather than a criminal penalty. He feels that it is an enforceable ordinance.

Mr. Ward read three paragraphs of the ordinance, which stipulates the provisions of this ordinance and advised this ordinance would be in effect 30 days from the adoption date.

Michele Knox, the City's Parks and Recreation Director, had on display and showed Council various utensils made for collection of animal feces. Mayor Raines thanked Ms. Knox for her presentation.

There was a brief discussion on this ordinance prior to the public hearing.

Mayor Raines opened the public hearing.

Present and speaking in support of this ordinance were residents Robert Mathieson, Charlene Price, and Roy Roberts. Mr. Roberts further asked if cats could be included in this ordinance. Mayor Raines advised that the City was aware of a problem with cats; however, this ordinance covers dogs only.

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

Upon a motion by Joseph Hunnicutt, seconded by Joseph Fawbush, and passed by the following unanimous roll call vote: YES - Hunnicutt, Wallace, Mays, Fawbush, Raines, NO - None, ABSENT - None, Council moved to adopt An Ordinance of the City Council of the City of Norton, Virginia Regulating the Activities of Dogs Within the City and Providing Penalties for Violations. (Insert) The item of seeing-eye dogs, which was brought up in the discussion prior to the public hearing, will be handled administratively.

A public hearing was held on An Ordinance of the City Council of the City of Norton, Virginia Amending Section 13-68 of the Norton City Code as Pertains to Penalties for Parking Violations.

Mr. Ward advised that this problem had been discussed by Council for some time and a draft ordinance was prepared. Council had asked the City Administration to advertise a public hearing. The new ordinance increases all fines except that for parking in a handicapped space and adds the item of trespassing to park on private parking lots.

Mayor Raines advised that if the ordinance were adopted, it would not become effective for sixty days to allow for new tickets to be printed.

During comments from Council prior to the public hearing, Councilman Hunnicutt advised that he would discuss this item, but would abstain from any vote on this ordinance because he is a property owner in the down town area.

Mayor Raines opened the public hearing.

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

Upon a motion by William Mays, seconded by Jack Wallace, and passed by the following roll call vote: YES - Wallace, Mays, Fawbush, Raines, NO - None, ABSTAIN - Hunnicutt, Council moved to adopt An Ordinance of the City Council of the City of Norton, Virginia Amending Section 13-68 of the Norton City Code as Pertains to Penalties for Parking Violations. (Insert)

Mr. Ward discussed with Council the budget crisis in the Commonwealth and the possible affect on the City. The amount of shortfall could reach approximately two billion dollars out of a twenty five billion dollar budget in the Commonwealth. Governor Warner is to announce the first phase of cuts on October 15th with additional cuts to be announced in December. Mr. Ward further advised that there is concern for local governments to be adversely affected.

Mr. Ward presented Council with a graph showing potential reductions in State Aid during fiscal year 2003, which was broken down by funds and showing 5%, 10%, and 15% cuts. The City receives 4.8 million dollars annually from the State.

Following a brief discussion, Mayor Raines encouraged the City Manger to make recommendations to Council to assess areas where spending can be curtailed and to also advise department heads of this situation.

Mr. Ward gave Council an update on water issues. As of today, we have a total capacity in the two reservoirs of 51.18 million gallons. The City received over 2" of rain last week. Hopefully, more rain this week-end will make a more significant impact. We did increase a little less than two million gallons of water. Voluntary water conservation is still being asked of our citizens.

20290

20291

20292

On the Water Line Replacement Project, a closing date has been set for October 9th at 11:00 in the City Hall's Conference Room. Prior to the closing, a Pre-Construction Conference will be held. After the closing, the contractor will be issued a Notice to Proceed and the project will hopefully begin within two weeks.

Mayor Raines again asked residents of the City to continue to conserve water.

Council had a check in the amount of \$168,188.00 made payable to the Treasurer of Virginia for approval.

Upon a motion by Joseph Hunnicutt, seconded by Jack Wallace, and passed by unanimous roll call vote, Council moved to approve a check in the amount of \$168,188.00 made payable to the Treasurer of Virginia.

20293

Upon a motion by Jack Wallace, seconded by Joseph Hunnicutt, and passed by unanimous roll call vote, Council moved to go into closed meeting to discuss personnel as per 2.2-3711(A) (1) of the Code of Virginia, as amended.

20294

Mayor Raines declared Council in closed meeting.

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

20295

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

20296

Mayor Raines opened the floor for nominations to the Southwest Virginia Emergency Medical Services Council for a three year term, which will expire on September 30, 2005.

William Mays nominated Brian Saunders to be reappointed to the Southwest Virginia Emergency Medical Services Council.

20297

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

Mayor Raines declared Mr. Brian Saunders reappointed to the Southwest Virginia Emergency Medical Services Council for a three year term which will expire on September 30, 2005.

In comments from the City Manager, Mr. Ward reminded Council of the October 10th meeting at the Hotel Norton to look at the draft of the new Comprehensive Plan. The meeting should be short with light refreshments being served.

20298

In comments from the City Attorney, Mr. Bradshaw advised that in regard to the Water Line Replacement Project, which is scheduled for closing on Wednesday, Octo-

20299

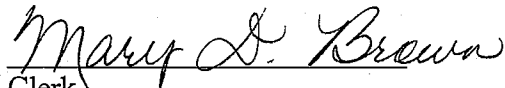
ber 9th, he foresees everything to be in order and does not anticipate any problems as pertains to the legal aspects of the project.

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

CITY OF NORTON, VIRGINIA


B. Robert Raines, Mayor

ATTEST:


Clerk