



CITY OF EMPORIA

AGENDA
EMPORIA CITY COUNCIL
Regular Meeting
TUESDAY, April 1, 2014 - 6:30 P.M.

OPENING PRAYER

ROLL CALL

APPROVAL OF MINUTES

March 18, 2014 ~ Regular Meeting

APPROVAL OF AGENDA

UNFINISHED BUSINESS

14-07. Industrial Development Authority - Request for Appointments

14-13. Southside Virginia Education Center Board of Directors - Unexpired Term (Alton F. Owen, Jr.)

NEW BUSINESS

14-18. Through Truck Traffic - Request by Council Member Harris

14-19. City Council Retreat - Request to Approve Dates

14-20. April 15, 2014 City Council Meeting - Request to Cancel

14-21. FY13 Audit - Presentation by Creedle, Jones & Alga, PC

PUBLIC COMMENT

CLOSED SESSION

Closed Meeting pursuant to Virginia Code § 2.2 3711(A) (5) Discussion concerning a prospective business or industry where no previous announcement has been made.

**MINUTES
EMPORIA CITY COUNCIL
CITY OF EMPORIA MUNICIPAL BUILDING
March 18, 2014**

Note to Reader: Although the printed agenda document for this City Council meeting is not part of these minutes, the agenda document provides background information on the items discussed by City Council during the meeting. A copy of the agenda document for this meeting may be obtained by contacting the Office of the City Clerk.

Emporia City Council held a regular meeting on Tuesday, March 18, 2014 at 6:30 p.m. in the Council Chambers of the Municipal Building, located at 201 South Main Street, Emporia, Virginia. Mayor Mary L. Person presided over the meeting with Deacon Cornell Hines offering the invocation.

Mayor Person presented a resolution to Phyllis Epps in memory of Larry Epps for his service to the City of Emporia.

ROLL CALL

The following City Council members were present:

Councilman F. Woodrow Harris
Councilman James E. Ewing, III
Councilwoman Deborah D. Lynch
Councilwoman Doris T. White
Councilwoman L. Dale Temple
Councilwoman Carol Mercer
Councilwoman Carolyn S. Carey

Others present:

Mary L. Person, Mayor
C. Butler Barrett, City Attorney
Brian S. Thrower, City Manager
Tessie S. Wilkins, City Clerk
W. S. Harris, Jr., Treasurer
Joyce E. Prince, Commissioner of the Revenue
Don Wyatt, Chief of Police
Ken Ryals, Emergency Service Coordinator

Absent:

MINUTES APPROVAL

Councilwoman Temple moved to approve the minutes from the Tuesday, February 18, 2014, Public Hearing and City Council Regular meeting minutes as presented, seconded by Councilwoman Mercer, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James E. Ewing	aye
Councilwoman Deborah D. Lynch	aye
Councilwoman Doris T. White	aye
Councilwoman Carol Mercer	aye
Councilwoman L. Dale Temple	aye
Councilwoman Carolyn S .Care	aye

APPROVAL OF BILLS

A listing of the March 18, 2014 bills was presented to City Council members.

General Fund	\$	998,164.86
Utility Fund	\$	72,939.62

Councilwoman Temple moved to approve the March 18, 2014 bills as presented, seconded by Councilwoman White, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James E. Ewing	aye
Councilwoman Doris T. White	aye
Councilwoman Carol Mercer	aye
Councilwoman Deborah D. Lynch	aye
Councilwoman L. Dale Temple	aye
Councilwoman Carolyn S. Carey	aye

FINANCIAL AND TAX REPORTS

Honorable W. S. Harris, Jr., City Treasurer provided his report to City Council members. There were no questions regarding his report.

COMMISSIONER OF THE REVENUE REPORT

Honorable Joyce E. Prince, Commissioner of the Revenue provided her report to City Council members. There were no questions regarding her report.

PERMIT AND INSPECTION REPORT

Randy C. Pearce, Building/Fire Official provided his report to City Council members. There were no questions concerning his report.

POLICE REPORT

Don Wyatt, Chief of Police provided his report to City Council members. There were no questions concerning his report.

CITY SHERIFF REPORT

Sam C. Brown, Sheriff provided his report to City Council members. There were no questions concerning his report.

CITY ATTORNEY REPORT

C. Butler Barrett, City Attorney had no matters to report to City Council members.

AGENDA APPROVAL

Mayor Person reported the addition of Close Session item per the request of Councilman Ewing - Closed Session pursuant to Virginia Code § 2.2 3711 (A) (7) Consultation with legal counsel pertaining to the regulation of through truck traffic.

Councilwoman Temple moved to approve the amended agenda as presented, seconded by Councilwoman Mercer, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James E. Ewing	aye
Councilwoman Deborah D. Lynch	aye
Councilwoman Doris T. White	aye
Councilwoman Carol Mercer	aye
Councilwoman L. Dale Temple	aye
Councilwoman Carolyn S. Carey	aye

UNFINISHED BUSINESS

14-07. Industrial Development Authority – Request for Appointments

Mayor Person stated that this item be carried over to the April 1, 2014, Council meeting.

NEW BUSINESS

14-12. Emporia Redevelopment and Housing Authority – Term Expirations

Mayor Person stated the on March 1, 2014 Ms. Veronica Leach and Mr. Edward Lankford's four-year term on the City of Emporia's Redevelopment and Housing Authority will expire. She also stated that they both have indicated that they do wish to be considered for reappointment.

Councilwoman Temple made a motion to reappoint Veronica Leach and Edward Lankford to serve another four-year term on the City of Emporia Redevelopment and Housing Authority Board, seconded by Councilwoman Carey, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James E. Ewing	aye
Councilwoman Deborah D. Lynch	aye
Councilwoman Doris T. White	aye

Councilwoman Carol Mercer	aye
Councilwoman L. Dale Temple	aye
Councilwoman Carolyn S. Carey	aye

14-13. Southside Virginia Education Center Board of Directors – Unexpired Term (Alton F. Owen, Jr.)

Mayor Person reported that Alton F. Owen, Jr., has submitted his letter of resignation from the Southside Virginia Education Center Board of Directors effective February 6, 2014. She stated that his unexpired four-year term on the Southside Education Center Board of Directors has an expiration date of July 1, 2015. She also stated that as result City Council will need to make a nomination to fill the vacant seat.

Mayor Person stated that this item be carried over to the April 1, 2014, Council meeting.

14-14. Planning Commission – Unexpired Term (Nancy B. Squire)

Mayor Person stated that Nancy Squire has submitted her letter of resignation from the Planning Commission effective February 4, 2014. She also stated that her unexpired four-year term on the Planning Commission has an expiration date of January 6, 2015. She further stated that as a result City Council will need to make a nomination to fill the vacant seat.

Councilwoman White nominated Clifton Threat to fill the unexpired four-year term on the Planning Commission with the expiration date of January 6, 2015.

Councilwoman White made a motion to appoint Clifton Threat to fill the unexpired four-year term on the Planning Commission with the expiration date of January 6, 2015, seconded by Councilwoman Mercer, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James E. Ewing	aye
Councilwoman Deborah D. Lynch	aye
Councilwoman Doris T. White	aye
Councilwoman Carol Mercer	aye
Councilwoman L. Dale Temple	aye
Councilwoman Carolyn S. Carey	aye

14-15. Airport Commission – Unexpired Term (Nancy B. Squire)

Mayor Person stated that Nancy Squire has submitted her letter of resignation from the Airport Commission effective February 4, 2014. She also stated that her unexpired four-year term on the Airport Commission has an expiration date of February 28, 2016. She further stated that as a result City Council will need to make a nomination to fill the vacant seat.

Councilman Harris nominated Councilwoman Dale Temple to fill the unexpired four-year term on the Airport Commission.

Councilwoman White nominated Clifton Threat to fill the unexpired four-year term on the Airport Commission.

Councilman Harris made a motion to appoint Councilwoman Dale Temple to fill the unexpired four-year term on the Airport Commission with the expiration date of February 28, 2016, seconded by Councilwoman Mercer, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James E. Ewing	aye
Councilwoman Deborah D. Lynch	aye
Councilwoman Doris T. White	nay
Councilwoman Carol Mercer	nay
Councilwoman L. Dale Temple	abstained
Councilwoman Carolyn S. Carey	aye

14-16. Recreation Advisory Commission – Term Expirations

Mayor Person stated the on April 1, 2014, Edward V. Lankford, IV, Rick Franklin, Deborah Lynch, Clifton Threat and Doris White’s one-year term on the Recreation Advisory Commission will expire. She also stated that Mr. Lankford, Mr. Threat, Mrs. Lynch and Ms. White had indicated that they do wish to be considered for reappointment. She further stated that Mr. Franklin had stated that he does not wish to be considered for reappointment.

Councilman Harris made a motion to reappointment Edward Lankford, Clifton Threat, Deborah Lynch and Doris White to serve a one-year term on the Recreation Advisory Commission, seconded by Councilwoman Carey, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James E. Ewing	aye
Councilwoman Deborah D. Lynch	abstained
Councilwoman Doris T. White	abstained
Councilwoman Carol Mercer	aye
Councilwoman L. Dale Temple	aye
Councilwoman Carolyn S. Carey	aye

Councilwoman Carey nominated Councilwoman Mercer to serve a one-year term on the Recreation Advisory Commission.

Councilwoman Carey made a motion to appoint Councilwoman Carol Mercer to serve a one-year term on the Recreation Advisory Commission, seconded by Councilwoman Carey, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James E. Ewing	aye
Councilwoman Deborah D. Lynch	aye
Councilwoman Doris T. White	aye
Councilwoman Carol Mercer	abstained
Councilwoman L. Dale Temple	aye
Councilwoman Carolyn S. Carey	aye

14-17. Virginia Department of Fire Programs Grant Funds – Appropriation Ordinance

Mr. Thrower reported that the City of Emporia has been awarded a grant from the Virginia Department of Fire Programs in the amount of \$43,350.00 for renovation/repair of the burn building as a prop to assist in training. He stated that in order for the City to utilize this award for the renovation/repair work, Council would need to appropriate these funds in the current operating budget.

Councilwoman Temple made a motion to approve **Ordinance No. 14-04** to appropriate the sum of \$43,350.00 in Grant Funds from the Virginia Department of Fire Programs for Renovation of the Burn Building, seconded by Councilman Ewing, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James E. Ewing	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman Doris T. White	aye
Councilwoman Carol Mercer	aye
Councilwoman L. Dale Temple	aye
Councilwoman Carolyn S. Carey	aye

PUBLIC COMMENT

Mayor Person asked if anyone wished to bring a matter before City Council members adhering to the three-minute time limitation.

Linwood Matthews, 766 Courtland Road, addressed Council stating that he was glad to see the construction of the boat landing for Meherrin River.

With there being no further comments to come before City Council, Mayor Person closed the public comment portion of the meeting.

*****CLOSED SESSION*****

Councilwoman Temple moved that Closed Session be entered for the purpose of discussing Virginia Code Sections § 2.2 3711 (A) (5) **Discussion concerning a prospective business or industry where no previous announcement has been made and (A) (7) Consultation with legal counsel pertaining to the regulation of through truck traffic**, seconded by Councilwoman Mercer, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James E. Ewing	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman Doris T. White	aye
Councilwoman Carol Mercer	aye
Councilwoman L. Dale Temple	aye
Councilwoman Carolyn S. Carey	aye

*****Regular Session*****

Councilwoman White moved that the meeting be returned to Regular Session. Councilwoman Temple seconded the motion, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James E. Ewing	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman Doris T. White	aye
Councilwoman Carol Mercer	aye
Councilwoman L. Dale Temple	aye
Councilwoman Carolyn S. Carey	aye

CERTIFICATION

Councilwoman White moved to certify the following:

1. only public business matters are lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were discussed in the Closed Session to which this certification applies, and
2. only such public business matter as were identified in the motion by which the Closed Session was convened were heard, discussed, or considered by City Council.

Councilwoman Temple seconded the motion, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James E. Ewing	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman Doris T. White	aye
Councilwoman Carol Mercer	aye
Councilwoman L. Dale Temple	aye
Councilwoman Carolyn S. Carey	aye

ADJOURNMENT

With no further business to come before City Council, Mayor Person adjourned the meeting.

Mary L. Person, Mayor

Tessie S. Wilkins, City Clerk



CITY OF EMPORIA

Memorandum

January 31, 2014

TO: The Honorable Mayor and City Council
FROM: Brian S. Thrower, City Manager
SUBJECT: Industrial Development Authority – Request for Appointments
ITEM: 14-07

J. Reid Wrenn has submitted his letter of resignation from the Industrial Development Authority Board effective January 31, 2014. His unexpired four (4) year term on the Industrial Development Authority Board has an expiration date of February 28, 2015.

Roland E. Weaver has submitted his letter of resignation from the Industrial Development Authority Board effective December 12, 2013. His unexpired four (4) year term on the Industrial Authority Development Authority Board has an expiration date of February 28, 2016.

As a result, City Council needs to make a nomination(s) to fill the vacant seats.

Recommendation:

This information is provided to City Council for consideration.

Attachment:

Current Industrial Development Authority Roster

BST/tsw

INDUSTRIAL DEVELOPMENT AUTHORITY

Term of Office: 4 Years

William S. Newsome
503 Jefferson Street
Emporia, Virginia 23847
(H) 434/634-3641
(W) 434/634-5141
02/28/2014

J. Reid Wrenn
426 Laurel Street
Emporia, Virginia 23847
(H) 434/634-3186
02/28/2015

Vincent Lowery
622 Clay Street
Emporia, Virginia 23847
(H) 434/634-9956
02/28/2017

Gloria Robinson
801 Peachtree Street
Emporia, Virginia 23847
(H) 434/348-7367
02/28/2017

Ruth W. Tillar
703 Peachtree Street
Emporia, Virginia 23847
(H) 434/634-2677
Secretary
02/28/2016

Roland E. Weaver
613 Peachtree Street
Emporia, Virginia 23847
(H) 434/634-4078
02/28/2016

INDUSTRIAL DEVELOPMENT AUTHORITY (Continued)...

David Bland
510 Peachtree Street
02/28/2016

Emporia, Virginia 23847
(H) 434/634-9744

C. Butler Barrett
522 Peachtree Street
Emporia, Virginia 23847
(H) 434/634-5038
(W) 434/634-2167

Attorney



CITY OF EMPORIA

Memorandum

March 14, 2014

TO: The Honorable Mayor and City Council

FROM: Brian S. Thrower, City Manager

SUBJECT: Southside Virginia Education Center Board of Directors – Unexpired Term (Alton F. Owen, Jr.)

ITEM: 14-13

Alton F. Owen, Jr., has submitted his letter of resignation from the Southside Virginia Education Center Board of Directors effective February 6, 2014. His unexpired four (4) year term on the Southside Education Center Board of Directors has an expiration date of July 1, 2015. As a result, City Council needs to make a nomination(s) to fill the vacant seat.

Recommendation:

This information is provided to City Council for consideration.

Attachment:

Current Southside Education Center Board of Directors Roster

BST/tsw

SOUTHSIDE VIRGINIA EDUCATION CENTER
BOARD OF DIRECTORS

Board Created in 2006. Appointments/Changes in Appointments should be sent to Natalie Slate, Deputy County Administrator, County of Greensville, 1781 Greensville County Circle, Emporia, Virginia 23847

Linda Stainback 502 Meherrin Street Emporia, Virginia 23847 (H) 434/634-3347	Business/Industry	07/01/2016
Alton F. Owen, Jr. Owen Ford 322 Oak Hill Drive Emporia, Virginia 23847 (W) 434/535-8515	Business/Industry	07/01/2015
Moe Ghassemi Arby's of Emporia 109 Market Drive Emporia, Virginia 23847 (C) 434/637-3436	Business/Industry	07/01/2015
Mary L. Person 304 South Turner Street Emporia, Virginia 23847 (H) 434/634-0380 (W) 434/949-7820	City Council Appointed	07/01/2017



CITY OF EMPORIA

Memorandum

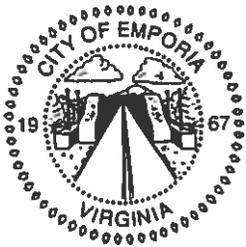
March 28, 2014

TO: The Honorable Mayor and City Council
FROM: Brian S. Thrower, City Manager *BST*
SUBJECT: Through Truck Traffic – Request by Council Member Harris
ITEM #: 14-18

Council Member Harris requested this issue be included on tonight's agenda. Should you wish to suspend enforcement of or amend this ordinance, the City Attorney and I recommend you proceed with conducting a public hearing and considering a code amendment at your May 6th meeting.

Attachments

Information Provided from Previous City Council Meetings



CITY OF EMPORIA

Memorandum

February 14, 2014

TO: The Honorable Mayor and City Council

FROM: Brian S. Thrower, City Manager *BST*

SUBJECT: Through Truck Traffic – Consideration of Amendment to City Code Section 74-13

ITEM #: 14-09

Background

On April 6, 2005, City Council adopted the attached ordinance prohibiting truck traffic within the City limits. Exceptions were granted allowing trucks to travel through the City on I-95 and US 58 and for the purpose of receiving loads or making deliveries. This ordinance was also unanimously recommended by the Planning Commission at that time.

The purpose and intent of the ordinance is stated as follows:

“To restrict commercial vehicles from traveling or passing through the City on certain streets as designated by ordinance of the Council in order to reduce or prevent congestion, hazardous traffic conditions, and protect both public and private property within the boundaries of the City. Operators of commercial vehicles shall be restricted to the exclusive use of streets adopted by ordinance of Council in traveling or passing through the City, except for the purpose of receiving loads or making deliveries.”

In researching this issue, it appears Overload Permits issued through the Virginia Department of Motor Vehicles (DMV) are no longer valid on roads within the Federal Highway System. i.e. I-95 (see attached DMV permit application). As such, trucks traveling on I-95 must meet certain weight limits in order to avoid receiving a Virginia Overweight Citation from State Police (see attached DMV permit application). The amount of the citation issued through the State Police varies based on the weight of the truck (see attached State Police citations).

In order to avoid receiving the Virginia Overweight Citation, some trucks are now attempting to use Route 301 which runs directly through the City. The amount of the citation issued by Emporia Police (\$176) for traveling through the City without making a delivery or receiving a load is generally less than the Virginia Overweight Citation issued by State Police.

Council Member Harris initially requested this issue be included on your December 3, 2013 meeting agenda for discussion. At your December 17, 2013 meeting you directed Administration to explore options regarding this issue. At your January 21, 2014 meeting you approved moving forward with a public hearing to consider amending the existing ordinance. Specifically, Council Member Harris made the motion to add item (D) to the ordinance exempting loaded log or chip trucks traveling on Main Street in the City through December 31, 2015. The motion was seconded by Council Member Carey and approved 6 to 0 (Council Member Lynch absent).

Recommendation

In discussing this issue with the Police Chief, Emergency Services Coordinator, and Public Works Director, I recommend maintaining the existing ordinance for several reasons including:

- 1) Maintaining the existing City Code prohibiting through truck traffic serves to reduce unnecessary traffic congestion and damage to City streets. Allowing additional truck traffic will increase the potential for traffic accidents and need for additional street maintenance funding. Moreover, emergency vehicle response may also be hampered due to increased traffic congestion caused by tractor trailers.
- 2) Trucks are already allowed to utilize I-95 and US 58 within the prescribed weight limits. The trucking companies requesting this allowance are seeking to maximize profit by carrying extra weight at the expense of the City, i.e. traffic congestion and street damage.
- 3) There is very little economic interest to the City in allowing through truck traffic given the fact that the trucks are not directly engaged in commerce with other businesses and industries, i.e. picking up and delivering loads.
- 4) Exempting one type of truck load (wood) but not other types of loads from the ordinance may be perceived as inequitable.

Should you agree with my recommendation of maintaining the existing ordinance no action is needed. Should you wish to allow loaded log or chip trucks to travel through the City on Main Street through December 31, 2015, you will need to adopt the attached ordinance.

Attachments

Amended Ordinance for Consideration
Minutes from the January 21, 2014 City Council Meeting
Minutes from the April 6, 2005 City Council meeting
DMV Overload Permit Application
Virginia State Police Overweight Citations

Ordinance

An Ordinance To Amend Section 74-13 Of The
City Code Of Ordinances Of The City Of Emporia,
Virginia

BE IT ORDAINED by the Council of the City of Emporia, Virginia as follows:

1. That Section 74-13 of the Code of Ordinances, City of Emporia, Virginia, is hereby amended to read as follows:

Sec. 74-13. Commercial vehicle routes; certain streets closed to commercial vehicles except receiving loads or making deliveries.

- (a) *Purpose and intent.* To restrict commercial vehicles from traveling or passing through the city on certain streets as designated by ordinance of the council in order to reduce or prevent congestion, hazardous traffic conditions, and protect both public and private property within the boundaries of the city. Operators of commercial vehicles shall be restricted to the exclusive use of street adopted by ordinance of council in traveling or passing through the city, except for the purpose of receiving loads or making deliveries.
- (b) *Commercial vehicle defined.* Any motor vehicle used to transport property which either: (i) is designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the load and weight of the vehicle attached thereto (such commercial vehicle is commonly referred to as a "tractor truck"); or (ii) is of any size and is used in the transportation of hazardous materials. Every such motor vehicle shall be considered a commercial motor vehicle whether or not it is used in a commercial or profit-making activity.
- (c) *Restricted streets.* Interstate Highway 95 and U.S. Highway 58 bypass are hereby designated as the streets or roads upon which such vehicles may travel.
- (d) Exempted from this ordinance are loaded log or chip trucks traveling on Main Street in the City through December 31, 2015.

Adopted: February 18, 2014

City of Emporia, Virginia

By _____
Mary L. Person
Mayor

Attest:

City Clerk

Form Approved:

City Attorney

Jan. 21st, 2014 City Council meeting

Option 5 – Allow through truck traffic on City streets. No requirement of through trucks (trucking companies) obtaining a permit from the City prior to use of City streets. Require through trucks to pay a monthly or annual fee based on the actual number of through truck trips made the previous month or year.

Option 6 – Allow through truck traffic on City streets. Require through trucks (trucking companies) to obtain a monthly or annual permit from the City prior to use of City streets. Permit fee to be based on the number of trucks that will be traveling on City street that month or year.

Mr. Daley reported that the Administration recommended Option 1 for several reasons, including:

1. Maintaining the existing City Code prohibiting through truck traffic serves to reduce unnecessary traffic congestion and damage to City streets. Allowing additional truck traffic will increase the potential for traffic accidents and need for additional street maintenance funding. Moreover, emergency vehicle response may also be hampered due to increased traffic congestion caused by tractor trailers.
2. Trucks are already allowed to utilize I-95 and US 58 within the prescribed weigh limits. The trucking companies requesting this allowance are seeking to maximize profit by carrying extra weight at the expense of the City, i.e. traffic congestion and street damage.
3. There is very little economic interest to the City in allowing through truck traffic given the fact that the trucks are not directly engaged in commerce with other businesses and industries, i.e. picking up and delivering loads.
4. Designing, implementing, and enforcing any of the aforementioned permitting and fee based systems will be very difficult and time consuming.

Mr. Daley stated that if Council agreed with the Administration status quo (Option 1) no action is needed. He also stated that if Council wished to pursue Options 2 through 6 or another option not listed, he requested that Council specify such formal action, authorize a public hearing on the matter, and provide input on permit fee charges.

Councilman Harris proposed a seventh option to amend Section 74-13 of the code to add an item (D) which will state exempted from this ordinance are loaded log or chip trucks traveling on Main Street in the City through December 31, 2015.

Councilman Harris made a motion to authorize a public hearing to amend Section 74-13 of the City Code to add item (D) which will state exempted from this ordinance are loaded log or chip trucks traveling on Main Street in the City through December 31, 2015, seconded by Councilwoman Carey, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James E. Ewing	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman Doris T. White	aye
Councilwoman Carol Mercer	aye
Councilwoman L. Dale Temple	aye

Section 74-13. Commercial vehicle routes; certain streets closed to commercial vehicles except receiving loads or making deliveries.

- (a) Purpose and Intent. *To restrict commercial vehicles from traveling or passing through the city on certain streets as designated by ordinance of the Council in order to reduce or prevent congestion, hazardous traffic conditions, and protect both public and private property within the boundaries of the city. Operators of commercial vehicles shall be restricted to the exclusive use of streets adopted by ordinance of council in traveling or passing through the city, except for the purpose of receiving loads or making deliveries*
- (b) Commercial vehicle defined. *Any motor vehicle used to transport property which either: (i) is designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the load and weight of the vehicle attached thereto (such commercial vehicle is commonly referred to as a "tractor truck"); or (ii) is of any size and is used in the transportation of hazardous materials. Every such motor vehicle shall be considered a commercial motor vehicle whether or not it is used in a commercial or profit-making activity.*
- (c) Restricted Streets. *Interstate Highway 95 and U.S Highway 58 bypass are hereby designated as the streets or roads upon which such vehicles may travel*

2. This ordinance shall be in effect on and after its adoption.

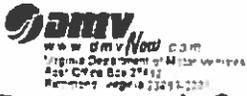
Councilman Harris moved to adopt the ordinance regarding Truck Routes Certain Streets Closed to Trucks. Councilman Owen seconded the motion.

The votes were as follows:

Councilwoman Squire	aye
Councilman John R. White	aye
Councilman Harris	aye
Councilman Ronnie White	aye
Councilman Owen	aye
Councilwoman Person	aye
Councilman Saunders	aye

3414. City Internet Provider Proposals

Councilman Owen inquired if the City should have done a request for proposal if there was already a company currently supplying a service that would require an upgrade. Attorney Barret stated that the cart was placed before the horse after the proposal from Mecklenburg. He stated that:



OVERLOAD PERMIT APPLICATION

VSA 145 (01/01/2013)

Purpose: An Overload Permit is vehicle/owner-specific and allows the vehicle to carry loads on Virginia state roads in excess of the amount previously registered for the vehicle.

Instructions: Read the information on the reverse of this form. Complete all sections of the form and submit to any DMV customer service center or mail to the address above.

PERMIT TYPE	
CHECK ONE (application is invalid if more than one box is checked) <input type="checkbox"/> ORIGINAL - 5% overload <input type="checkbox"/> RENEWAL <input type="checkbox"/> MULTI-YEAR <input type="checkbox"/> TRANSFER - \$2.00 FEE <input type="checkbox"/> REISSUE - \$10.00 FEE	OLD PERMIT NUMBER (if applicable)

Overload Permits are not valid on the Federal Highway System.

VEHICLE INFORMATION				
VEHICLE TITLE NUMBER	LICENSE PLATE NUMBER	EXPIRATION DATE	STATE OF ISSUE	VEHICLE YEAR
VEHICLE IDENTIFICATION NUMBER (VIN)	MAKE/MODEL	VEHICLE GROSS WEIGHT (7 500 lbs or more)		

OWNER INFORMATION				
OWNER NAME (last)	(first)	(middle)	(suffix)	DL/CUSTOMER NUMBER/ FEIN
OWNER ADDRESS			CITY	STATE ZIP CODE
				TELEPHONE NUMBER ()

CERTIFICATION		
I certify and affirm that all information presented in this form is true and correct, that any documents I have presented to DMV are genuine, and that the information included in all supporting documentation is true and accurate. I make this certification and affirmation under penalty of perjury and I understand that knowingly making a false statement or representation on this form is a criminal violation.		
OWNER NAME (print)	OWNER SIGNATURE	DATE

GENERAL PERMIT INFORMATION

1. Application form must be filled out completely

2. THE OVERLOAD PERMIT

- is purchased or renewed at the time of your annual or quarterly vehicle registration. If purchased with a quarterly registration the fee is prorated.
- the 5% Overload fee is not refundable
- is valid only for the vehicle and owner described on the application
- applies to the lesser of these weights
the maximum gross weight limit, or
registered gross weight of a vehicle (or combination) or
the weight the axles will carry.
- does not authorize a vehicle (or combination) to exceed the following weights while operating on Federal highways
80,000 pounds gross weight, or
20,000 pounds per single axle, or
34,000 pounds per tandem axle
- in no case does this permit allow a vehicle (or combination) to exceed 84,000 pounds gross weight.

3. ADDITIONAL OVERLOAD

In addition to the 5% overload purchased by this permit another 5% overload will be allowed only if the vehicle (or combination) is hauling Virginia grown farm or forest products from the location where they are first produced to a location where they are first processed.

4. DECALS

Two decals which indicate the 5% overload are issued with the overload permit
Place one decal in the vicinity of the State Corporation Commission (SCC) sticker on the driver side of the power unit and place the second decal in the same approximate area on the passenger side

5. TRANSFER OVERLOAD PERMIT

Permit may be transferred to another vehicle only if the old decals are removed from the vehicle and presented to DMV with a new VSA 145, Overload Application and Permit completed and checked for Transfer

Overload permits may be purchased to allow certain motor vehicles to extend their weight limitations by 5% as specified on the permit

Definition

An overload permit authorizes a 5% weight extension for:

- Single axle weight limit of 20,000 pounds
- Tandem axle weight limit of 34,000 pounds, and
- Gross weight limit based on the axle spacing and number of axles of the vehicle.

In no case shall the permit allow a vehicle or combination of vehicles to exceed a gross weight of 84,000 pounds

Overload permits are valid only on Virginia state roads. They are not valid on interstate highways

Vehicle Qualifications

Vehicles issued an overload permit must have a gross weight greater than 7,500 pounds.

Overload permits can be issued to vehicles titled and registered in Virginia and to vehicles registered out of state

Validity Period

Overload permits may be issued on an annual, multi-year, or quarterly basis

Overload permits expire at the same time that the vehicle registration expires. Multi-year overload permits are not allowed for vehicles with a gross weight of 55,000 pounds or more. These vehicles must provide DMV with annual proof of payment of the Heavy Vehicle Use Tax (HVUT)

Overload permits for local, state or federal agencies are always issued for two years and no fees are charged

Permit Application

Application for an Overload Permit ([VSA-145](#))

Overload Permit Cost

The annual fee for a 5% Overload Permit is \$250. Permits may be purchased at the time of registration or between registration renewal periods at a pro-rated fee

NAME(S) OF PERSON(S) CITED AS RESPONSIBLE FOR OVERWEIGHT VIOLATION: _____
 BUSINESS ADDRESS: STREET, RURAL ROUTE OR P.O. BOX _____
 CITY _____ STATE _____ ZIP CODE _____

PERSON(S) TO WHOM VEHICLE IS REGISTERED: _____
 LICENSE PLATE NO. _____ YEAR _____ MAKE _____ NAME _____ TYPE _____ ADDRESS _____
 JURIS. CODE 040 NAME GREENSVILLE ROUTE NO. 95-S LOCATION @ EXT 8 STATE _____ VEHICLE IDENTIFICATION NO. _____ UNIT NO., IF ANY _____ PERMANENT/MOBILE UNIT NO. 05

DATE _____ TIME _____ AM _____ PM _____
 AFFECTED CODE SECTION (check one)
 46-2-1125 46-2-1126 46-2-1127 _____
 PERMIT NUMBER _____ REASON PERMIT INVALIDATED: _____ TYPE OF OVERWEIGHT: SINGLE AXLE TANDEM AXLE
 GROUP OF AXLES GROSS _____
 AX. ALLOWABLE WT. 7300 AMT. OVER ALLOWABLE WT. 7300 RATE PER LB. OF LIQUIDATED DAMAGES .05 ADDITIONAL STATUTORY \$20 LIQUIDATED DAMAGES _____ OFFICER/AG NT NAME (print) COATES CODE# 6354
 (if or veh. is hauling non-hazardous products)

WITHIN 21 CALENDAR DAYS after the date that this Citation is served, as shown in the DATE CITATION SERVED block at bottom of this form, the person cited above MUST DELIVER THIS CITATION to the Virginia Department of Motor Vehicles either:
 1) Pay the TOTAL AMOUNT ASSESSED OR 2) Provide WRITTEN NOTICE OF ELECTION TO CONTEST this overweight charge.
 Complete the appropriate block below. Follow instructions on back of this Citation.
 I CHOOSE TO PAY THE TOTAL AMOUNT ASSESSED.
 I ELECT TO CONTEST this overweight charge as signified by the authorized signature below, at trial, I acknowledge that there will be no trial unless DMV receives this election to contest within 21 days after this citation was served.
 NAME (Print) _____ SIGNATURE _____ DATE _____

Instructions on how to pay and how to contest are on the back of this citation, and must be followed exactly. Failure to deliver citation and other payment or notice of election to contest within 21 days will result in an administrative order of assessment for the Total Amount Assessed, and no trial will be held. If notice of election to contest is received by DMV within 21 days, a trial will be scheduled on _____ at _____ (time) _____ in the _____ at _____ General District Court.
 (Trial Date - at least 60 days after Offense Date)

ASSESSMENTS
 IVL PENALTY \$ 25.00
 PROCESSING FEE \$ 20.00
 WEIGHING FEE \$ 2.00
 LIQUIDATED DAMAGES \$ 365.00
 ADDITIONAL LIQ. DAMAGES \$ 0.00
 TOTAL AMOUNT ASSESSED \$ 412.00

DRIVERS NAME (FIRST, MIDDLE AND LAST) _____ SERVICE OF PROCESS (jurisdiction) _____
 DRIVERS LICENSE NO. _____
 DRIVERS STREET, RURAL ROUTE OR P.O. BOX _____ ADDRESS _____ CITY _____ STATE _____ ZIP CODE _____
 SIGNATURE OF DRIVER/AGENCY ACCEPTING SERVICE (signing this citation is not an admission of liability.) _____ DATE CITATION SERVED (mm/dd/yyyy) _____ OFFICER/AGENCY SIGNATURE _____ DATE (mm/dd/yyyy) _____

OWNER(S) LESSEE NAME(S) OF PERSON(S) CITED AS RESPONSIBLE FOR OVERWEIGHT CHARGE
 DRIVER OTHER
 LICENSE NUMBER MC NUMBER US DOT NUMBER DRIVER'S LICENSE NUMBER/STATE

BUSINESS ADDRESS STREET, RURAL ROUTE OR P.O. BOX CITY STATE ZIP CODE
 PERSON(S) TO WHOM VEHICLE IS REGISTERED ADDRESS STATE ZIP CODE
 LICENSE PLATE NO. YEAR MAKE TYPE VEHICLE IDENTIFICATION NO. UNIT NO., IF ANY

JURIS CODE 040 NAME GREENSVILLE ROUTE NO. LOCATION 301-S @ RT 629 PERMANENT/MOBILE UNIT NO. 05
 DATE TIME AM PM AFFECTED CODE SECTION (check one) TYPE OF OVERWEIGHT SINGLE AXLE TANDEM AXLE
 46.2-1125 46.2-1126 46.2-1127 GROUP OF AXLES GROSS

UNLAWFULLY CONFIGURED HAULING PERMIT? (46.2-1139(D)) YES NO REASON PERMIT INVALIDATED
 (X) ALLOWABLE WT. AMT. OVER ALLOWABLE WT. RATE PER LB. OF LIQUIDATED DAMAGES ADDITIONAL STATUTORY \$20 LIQUIDATED DAMAGES (For vehicle hauling non-hazardous products) OFFICER/AGENT NAME (print) COATES
 7400 6300 .10 6354

COMPLIANCE REQUIREMENTS

WITHIN 21 CALENDAR DAYS after the date that this Citation is served, as shown in the DATE CITATION SERVED block at bottom of this form, the person cited above MUST DELIVER THIS CITATION to the Virginia Department of Motor Vehicles either:
 1) Pay the TOTAL AMOUNT ASSESSED OR 2) Provide WRITTEN NOTICE OF ELECTION TO CONTEST this overweight charge.

Complete the appropriate block below. Follow instructions on back of this Citation.
 I CHOOSE TO PAY THE TOTAL AMOUNT ASSESSED.
 I ELECT TO CONTEST this overweight charge as signified by the authorized signature below, at which I acknowledge that there will be no trial unless DMV receives this election to contest within 21 days after this citation was served.

NAME (Print) SIGNATURE DATE

Instructions on how to pay and how to contest are on the back of this citation, and must be followed exactly. Failure to deliver citation and either payment or notice of election to contest within 21 days will result in an administrative order of assessment for the Total Amount Assessed, and no trial will be held. If notice of election to contest is received by DMV within 21 days, a trial will be scheduled on _____ at _____ (time) _____ (jurisdiction) General District Court.
 (Trial Date - at least 60 days after Offense Date)

ASSESSMENTS

VIL PENALTY	\$ 25.00
PROCESSING FEE	\$ 20.00
WEIGHING FEE	\$ 2.00
LIQUIDATED DAMAGES	\$ 630.00
ADDITIONAL LIQ. DAMAGES	\$ 0.00
TOTAL AMOUNT ASSESSED	\$ 677.00

SERVICE OF PROCESS

DRIVER'S NAME (FIRST, MIDDLE AND LAST) DRIVER'S LICENSE NO. STATE
 STREET, RURAL ROUTE OR P.O. BOX CITY STATE ZIP CODE
 ADDRESS CITY STATE ZIP CODE
 SIGNATURE OF DRIVER/HAULING ACCEPTING SERVICE (signing this citation is not an admission of liability.) DATE (mm/dd/yyyy)
 OFFICER/AGENT SIGNATURE DATE (mm/dd/yyyy)

DATE CITATION SERVED (mm/dd/yyyy) OFFICER/AGENT SIGNATURE DATE (mm/dd/yyyy)

OWNER(S) LESSEE | NAME(S) OF PERSON(S) CITED AS RESPONSIBLE FOR OVERWEIGHT CHARGE
 DRIVER OTHER
 LICENSE NUMBER | MC NUMBER | US DOT NUMBER | DRIVERS LICENSE NUMBER/STATE
 BUSINESS ADDRESS | STREET, RURAL ROUTE OR P.O. BOX | CITY | STATE | ZIP CODE
 PERSON(S) TO WHOM VEHICLE IS REGISTERED | ADDRESS | CITY | STATE | ZIP CODE

LICENSE PLATE NO. | YEAR | MAKE | TYPE | STATE | VEHICLE IDENTIFICATION NO. | UNIT NO. (IF ANY)
 JURIS | CODE | NAME | GREENSVILLE | ROUTE NO. | LOCATION | PERMANENT/MOBILE UNIT NO.
 DATE | TIME | AM | 46-2-1125 | 46-2-1126 | 46-2-1127 | 95-S | @ EXIT 8 | 05
 SCHEDULED/CONFISCATED HAULING PERMIT? (46-2-1138(D)) YES | NO | PERMIT NUMBER | REASON PERMIT INVALIDATED | TYPE OF OVERWEIGHT | GROUP OF AXLES | SINGLE AXLE | TANDEM AXLE
 X ALLOWABLE WT. | AMT. OVER ALLOWABLE WT. | RATE PER LB. OF LIQUIDATED DAMAGES | ADDITIONAL STATUTORY \$20 LIQUIDATED DAMAGES (For vehicle hauling non-harmful or est. products) | OFFICER/AGENT NAME (phn) | COATES | CODE# | 6354
 1000 | 6000 | .10 |

WITHIN 21 CALENDAR DAYS after the date that this Citation is served, as shown in the DATE CITATION SERVED block at bottom of this form, the person cited above MUST DELIVER THIS CITATION to the Virginia Department of Motor Vehicles either:
 1) Pay the TOTAL AMOUNT ASSESSED or 2) Provide WRITTEN NOTICE OF ELECTION TO CONTEST this overweight charge.
 Complete the appropriate block below. Follow instructions on back of this Citation.

I CHOOSE TO PAY THE TOTAL AMOUNT ASSESSED.
 I ELECT TO CONTEST this overweight charge as signified by the authorized signature below. I acknowledge that there will be no trial unless DMV receives this election to contest within 21 days after this citation was served.
 NAME (phn) | SIGNATURE | DATE

Instructions on how to pay and how to contest are on the back of this citation, and must be followed exactly. Failure to deliver citation and either payment or notice of election to contest within 21 days will result in an administrative order of assessment for the Total Amount Assessed, and no trial will be held. If notice of election to contest is received by DMV within 21 days, a trial will be scheduled on _____ at _____ in the _____ General District Court.
 (Trial Date - at least 60 days after Offense Date) (time) (jurisdiction)

ASSESSMENTS
 VIL. PENALTY \$ 25.00
 PROCESSING FEE \$ 20.00
 CITING FEE \$ 2.00
 LIQUIDATED DAMAGES \$ 600.00
 ADDITIONAL LIQ. DAMAGES \$ 0.00
 TOTAL AMOUNT ASSESSED \$ 647.00

DRIVERS NAME (FIRST, MIDDLE AND LAST) | SERVICE OF PROCESS | DRIVERS LICENSE NO. | STATE
 STREET, RURAL ROUTE OR P.O. BOX | ADDRESS | CITY | STATE | ZIP CODE
 SIGNATURE OF DRIVER/AGENT ACCEPTING SERVICE (signing this citation is not an admission of liability.) | OFFICER/AGENT SIGNATURE | DATE (mm/dd/yyyy)

DATE CITATION SERVED (mm/dd/yyyy) | OFFICER/AGENT SIGNATURE | DATE (mm/dd/yyyy)

DRIVING AGENCY'S COPY

LESSEE NAME(S) OF PERSON(S) HELD AS RESPONSIBLE FOR OVERWEIGHT CHARGE
 DRIVER OTHER
 LICENSE NUMBER _____ MC NUMBER _____ US DOT NUMBER _____ DRIVER'S LICENSE NUMBER/STATE _____
 BUSINESS ADDRESS STREET, RURAL ROUTE OR P.O. BOX _____ CITY _____ STATE _____ ZIP CODE _____
 PERSON(S) TO WHOM VEHICLE IS REGISTERED _____ ADDRESS _____ STATE _____ ZIP CODE _____

LICENSE PLATE NO. _____ YEAR _____ MAKE _____ TYPE _____ STATE _____ VEHICLE IDENTIFICATION NO. _____ UNIT NO., IF ANY _____
 JURISDICTION CODE 040 NAME GREENSVILLE ROUTE NO. LOCATION @ EXIT 8 PERMANENT/MILE UNIT NO. 05
 DATE _____ TIME _____ AM _____ PM _____
 AFFECTED CODE SECTION (check one)
 46.2-1125 46.2-1126 46.2-1127
 PERMIT NUMBER _____ REASON PERMIT INVALIDATED _____ TYPE OF OVERWEIGHT SINGLE AXLE TANDDEM AXLE
 46.2-1139(D) YES NO GROUP OF AXLES GROSS
 X. ALLOWABLE WT. AMT. OVER ALLOWABLE WT. 1000 7600 RATE PER LB. OF LIQUIDATED DAMAGES .10 ADDITIONAL STATUTORY \$20 LIQUIDATED DAMAGES (for vehicle hauling non-hazardous products) COATES
 CODE# 6354

WITHIN 21 CALENDAR DAYS after the date that this Citation is served, as shown in the DATE CITATION SERVED block at bottom of this form, the person cited above MUST DELIVER THIS CITATION to the Virginia Department of Motor Vehicles either:

- 1) Pay the TOTAL AMOUNT ASSESSED or
- 2) Provide WRITTEN NOTICE OF ELECTION TO CONTEST this overweight charge.

Complete the appropriate block below. Follow instructions on back of this Citation.

I CHOOSE TO PAY THE TOTAL AMOUNT ASSESSED.
 I ELECT TO CONTEST this overweight charge as signified by the authorized signature below, at trial. I acknowledge that there will be no trial unless DMV receives this election to contest within 21 days after this citation was served.
 NAME (Print) _____ SIGNATURE _____ DATE _____

instructions on how to pay and how to contest are on the back of this citation, and must be followed exactly. Failure to deliver citation and either payment or notice of election to contest within 21 days will result in an administrative order of assessment for the Total Amount Assessed, and no trial will be held. If notice of election to contest is received by DMV within 21 days, a trial will be scheduled on _____ at _____ in the _____ General District Court.
 (Trial Date - at least 60 days after Offense Date) _____ (time) _____ (jurisdiction) _____

ASSESSMENTS
 VIL PENALTY \$ 25.00
 PROCESSING FEE \$ 20.00
 FILING FEE \$ 2.00
 LIQUIDATED DAMAGES \$ 760.00
 ADDITIONAL U.O. DAMAGES \$ 0.00
TOTAL AMOUNT ASSESSED \$ 807.00

SERVICE OF PROCESS
 DRIVER'S NAME (FIRST, MIDDLE AND LAST) _____ DRIVER'S LICENSE NO. _____ STATE _____
 DRIVER'S ADDRESS STREET, RURAL ROUTE OR P.O. BOX _____ CITY _____ STATE _____ ZIP CODE _____
 SIGNATURE OF DRIVER/AGENT ACCEPTING SERVICE (signing this citation is not an admission of liability) _____
 DATE CITATION SERVED (mm/dd/yyyy) 11/14/2013 OFFICER/AGENT SIGNATURE _____
 WING AGENCY'S COPY

OWNER(S) LESSEE NAME(S) OF PERSON(S) CITED AS RESPONSIBLE FOR OVERWEIGHT CHARGE
 DRIVER OTHER
 (A LICENSE NUMBER) MC NUMBER US DOT NUMBER DRIVER'S LICENSE NUMBER/STATE
 BUSINESS STREET, RURAL ROUTE OR P.O. BOX CITY STATE ZIP CODE
 ADDRESS
 PERSON(S) TO WHOM VEHICLE IS REGISTERED

LICENSE PLATE NO. YEAR MAKE TYPE STATE VEHICLE IDENTIFICATION NO. UNIT NO., IF ANY PERMANENT/MOBILE UNIT NO.
 JURIS CODE NAME GREENSVILLE ROUTE NO. LOCATION @ EXIT 8
 DATE TIME AM PM AFFECTED CODE SECTION (check one)
 46.2-1125 46.2-1126 46.2-1127
 TYPE OF OVERWEIGHT SINGLE AXLE TANDEM AXLE
 GROUP OF AXLES GROSS
 REASON PERMIT INVALIDATED
 UNLAWFUL WT. AMT. OVER ALLOWABLE WT. RATE PER LB. OF LIQUIDATED DAMAGES ADDITIONAL STATUTORY \$20 LIQUIDATED DAMAGES (for vehicle hauling non-hazardous products) OFFICER/AGENT NAME (print) COATES CODE# 6354
 000 8200 20

WITHIN 21 CALENDAR DAYS after the date that this Citation is served, as shown in the DATE CITATION SERVED block at bottom of this form, the person cited above MUST DELIVER THIS CITATION to the Virginia Department of Motor Vehicles either:

- 1) Pay the TOTAL AMOUNT ASSESSED or
- 2) Provide WRITTEN NOTICE OF ELECTION TO CONTEST this overweight charge.

Complete the appropriate block below. Follow instructions on back of this Citation.
 I CHOOSE TO PAY THE TOTAL AMOUNT ASSESSED.
 I ELECT TO CONTEST this overweight charge as signified by the authorized signature below, at trial. I acknowledge that there will be no trial unless DMV receives this election to contest within 21 days after this citation was served.
 NAME (print) SIGNATURE DATE

Instructions on how to pay and how to contest are on the back of this citation, and must be followed exactly. Failure to deliver citation and either payment or notice of election to contest within 21 days will result in an administrative order of assessment for the Total Amount Assessed, and no trial will be held. If notice of election to contest is received by DMV within 21 days, then trial will be scheduled on _____ at _____ in the _____ General District Court.
 (Trial Date - at least 60 days after Offense Date) (time) (jurisdiction)

ASSESSMENTS
 VIL PENALTY \$ 25.00
 PROCESSING FEE \$ 20.00
 FILING FEE \$ 2.00
 JUDICATED DAMAGES \$ 1,640.00
 ADDITIONAL LIQ. DAMAGES \$ 0.00
 TOTAL AMOUNT \$ 1,687.00

DRIVER'S NAME (FIRST, MIDDLE AND LAST) SERVICE OF PROCESS (jurisdiction)
 DRIVER'S LICENSE NO. STATE
 STREET, RURAL ROUTE OR P.O. BOX
 CITY STATE ZIP CODE
 SIGNATURE OF PARTICIPANT ACCEPTING SERVICE (signing this citation is not an admission of liability.) DATE (mm/dd/yyyy)

DATE CITATION SERVED (mm/dd/yyyy) OFFICER/AGENT SIGNATURE: *Ken Coates*

OWNER/DRIVER LESSEE NAME(S) OF PERSON(S) CITED AS RESPONSIBLE FOR OVERWEIGHT CHARGE

DRIVER OTHER LICENSE NUMBER MC NUMBER US DOT NUMBER DRIVER'S LICENSE NUMBER/STATE

BUSINESS ADDRESS STREET, RURAL ROUTE OR P.O. BOX CITY STATE ZIP CODE

PERSON(S) TO WHOM VEHICLE IS REGISTERED ADDRESS STATE ZIP CODE

LICENSE PLATE NO. YEAR MAKE MODEL TYPE STATE VEHICLE IDENTIFICATION NO. UNIT NO., IF ANY

JURIS CODE 040 NAME GREENSVILLE PERMANENT/MOBILE UNIT NO. 05

DATE TIME PERMIT NUMBER AFFECTED CODE SECTION (check one) REASON PERMIT INVALIDATED TYPE OF OVERWEIGHT GROUP OF AXLES SINGLE AXLE TANDEM AXLE

ADDITIONAL/CONFISCATED HAULING PERMIT? (46.2-1126(D)) YES NO PERMIT NUMBER DATE PERIOD OF LIQUIDATED DAMAGES ADDITIONAL STATUTORY \$20 LIQUIDATED DAMAGES (if or vehicle hauling non-hazardous products) OFFICER/AGENT NAME (print) COATES CODE# 6354

X ALLOWABLE WT. 1000 AMT. OVER ALLOWABLE WT. 8200 RATE PER LB. OF LIQUIDATED DAMAGES .20

COMPLIANCE REQUIREMENTS

WITHIN 21 CALENDAR DAYS after the date that this citation is served, as shown in the DATE CITATION SERVED block at bottom of this form, the person cited above MUST DELIVER THIS CITATION to the Virginia Department of Motor Vehicles either:

- 1) Pay the TOTAL AMOUNT ASSESSED or
- 2) Provide WRITTEN NOTICE OF ELECTION TO CONTEST this overweight charge.

Complete the appropriate block below. Follow instructions on back of this citation.

I CHOOSE TO PAY THE TOTAL AMOUNT ASSESSED.

I ELECT TO CONTEST this overweight charge as signified by the authorized signature below, at trial. I acknowledge that there will be no trial unless DMV receives this election to contest within 21 days after this citation was served.

NAME (Print) _____ SIGNATURE _____ DATE _____

Directions on how to pay and how to contest are on the back of this citation, and must be followed exactly. Failure to deliver citation and other payment or notice of election to contest within 21 days will result in an administrative order of assessment for the Total Amount Assessed, and no trial will be held. If notice of election to contest is received by DMV within 21 days, a trial will be scheduled on _____ at _____ in the _____ General District Court.

(Trial Date - at least 60 days after Offense Date) _____ (line) _____ (jurisdiction)

ASSESSMENTS

VIL PENALTY	\$ 25.00
PROCESSING FEE	\$ 20.00
WEIGHING FEE	\$ 2.00
LIQUIDATED DAMAGES	\$ 1,640.00
ADDITIONAL LIQ. DAMAGES	\$ 0.00
TOTAL AMOUNT ASSESSED	\$ 1,687.00

SERVICE OF PROCESS

DRIVER'S NAME (FIRST, MIDDLE AND LAST) _____ DRIVER'S LICENSE NO. _____ STATE _____

STREET, RURAL ROUTE OR P.O. BOX _____

CITY _____ STATE _____ ZIP CODE _____

SIGNATURE OF DRIVER/AGENT ACCEPTING SERVICE (signing this citation is not an admission of liability.) _____

DATE CITATION SERVED (mm/dd/yyyy) _____ OFFICER/AGENT SIGNATURE _____

DRIVING AGENCY'S COPY

BUSINESS ADDRESS: STREET, RURAL ROUTE OR P.O. BOX | CITY | STATE | ZIP CODE
 PERSON(S) TO WHOM VEHICLE IS REGISTERED | ADDRESS

LICENSE PLATE NO. | YEAR | MAKE | TYPE | STATE | VEHICLE IDENTIFICATION NO. | UNIT NO., IF ANY
 JURIS CODE 040 | NAME GREENSVILLE | ROUTE NO. 95-S | LOCATION @ EXIT 8 | PERMANENT/MOBILE UNIT NO. 05

DATE | TIME | AFFECTED CODE SECTION (check one)
 AM 46.2-1129 46.2-1126 46.2-1127
 PM

LIQUIDATED/CONFISCATED HAULING PERMIT? (46.2-113B(4)) YES NO | PERMIT NUMBER | REASON PERMIT INVALIDATED | TYPE OF OVERWEIGHT
 GROUP OF AXLES GROSS TANDEM AXLE

X ALLOWABLE WT 4000 | AMT. OVER ALLOWABLE WT 2300 | RATE PER LB. OF LIQUIDATED DAMAGES .01 | ADDITIONAL STATUTORY \$20 LIQUIDATED DAMAGES (for vehicle hauling non-hazardous products) | OFFICER/AGENT NAME (print) COATES | CODE# 6354

WITHIN 21 CALENDAR DAYS after the date that this Citation is served, as shown in the DATE CITATION SERVED block at bottom of this form, the person cited above MUST ELIVER THIS CITATION to the Virginia Department of Motor Vehicles either:

- 1) Pay the TOTAL AMOUNT ASSESSED or
- 2) Provide WRITTEN NOTICE OF ELECTION TO CONTEST this overweight charge.

Complete the appropriate block below. Follow instructions on back of this Citation.
 I CHOOSE TO PAY THE TOTAL AMOUNT ASSESSED.
 I ELECT TO CONTEST the overweight charge as signified by the authorized signature below, at trial, I acknowledge that there will be no trial unless DMV receives this election to contest within 21 days after this Citation was served.

NAME (Print) | SIGNATURE | DATE

Instructions on how to pay and how to contest are on the back of this citation, and must be followed exactly. Failure to deliver citation and other payment or notice of election to contest within 21 days will result in an administrative order of assessment for the Total Amount Assessed, and no trial will be held. If notice of election to contest is received by DMV within 21 days, a trial will be scheduled on _____ at _____ in the _____ at _____ (time) _____ (jurisdiction) General District Court. (Trial Date - at least 60 days after offense date)

ASSESSMENTS		SERVICE OF PROCESS	
VIL PENALTY	\$ 25.00	DRIVER'S NAME (FIRST, MIDDLE AND LAST)	DRIVER'S LICENSE NO. STATE
PROCESSING FEE	\$ 20.00	STREET, RURAL ROUTE OR P.O. BOX	
EQUIPING FEE	\$ 2.00	CITY	
LIQUIDATED DAMAGES	\$ 23.00	ADDRESS	STATE ZIP CODE
ADDITIONAL LIQ. DAMAGES	\$ 0.00	SIGNATURE OF DRIVER/AGENT ACCEPTING SERVICE (signing this citation is not an admission of liability.)	
TOTAL AMOUNT ASSESSED	\$ 70.00	DATE CITATION SERVED (month/day/year)	OFFICER/AGENT SIGNATURE: <i>John Coates</i> DATE (month/day/year)
INCLUDING AGENCY'S COPY			

DRIVER
 LICENSEE
 OTHER

NAME(S) OF PERSON(S) CITED AS RESPONIBLE FOR OVERWEIGHT CHARGE _____
 CITY _____ STATE _____ ZIP CODE _____
 US DOT NUMBER _____ DRIVER'S LICENSE NUMBER/STATE _____
 MC NUMBER _____

BUSINESS ADDRESS: STREET, RURAL ROUTE OR P.O. BOX _____
 PERSON(S) TO WHOM VEHICLE IS REGISTERED _____
 LICENSE PLATE NO. _____ YEAR _____ MAKE _____ TYPE _____ STATE _____ ADDRESS _____
 JURIS CODE: 040 NAME: GREENSVILLE ROUTE NO. LOCATION: 95-S @ EXIT 8 VEHICLE IDENTIFICATION NO. _____ UNIT NO., IF ANY _____
 DATE _____ TIME _____ PERMITS: AM1 _____ PM1 _____

UNDATED/CONFISCATED HAULING PERMIT? (46-2-1139(0)) YES NO
 RATE PER LB. OF LIQUIDATED DAMAGES: 20
 ADDITIONAL STATUTORY \$20 LIQUIDATED DAMAGES (for vehicle hauling non-hazardous products) COATES
 OFFICER/AGENT NAME (print) _____ CODE# 6354

COMPLETE THE APPROPRIATE BLOCK BELOW. FOLLOW INSTRUCTIONS ON BACK OF THIS CITATION.
 I CHOOSE TO PAY THE TOTAL AMOUNT ASSESSED.
 I ELECT TO CONTEST THIS OVERWEIGHT CHARGE AS SIGNIFIED BY THE AUTHORIZED SIGNATURE BELOW, AT TRIAL. I ACKNOWLEDGE THAT THERE WILL BE NO TRIAL UNLESS DMV RECEIVES THIS ELECTION TO CONTEST WITHIN 21 DAYS AFTER THIS CITATION WAS SERVED.

INSTRUCTIONS ON HOW TO PAY AND HOW TO CONTEST ARE ON THE BACK OF THIS CITATION, AND MUST BE FOLLOWED EXACTLY. FAILURE TO DELIVER CITATION AND EITHER PAYMENT OR NOTICE OF OBJECTION TO CONTEST WITHIN 21 DAYS WILL RESULT IN AN ADMINISTRATIVE ORDER OF ASSESSMENT FOR THE TOTAL AMOUNT ASSESSED, AND NO TRIAL WILL BE HELD. IF NOTICE OF OBJECTION TO CONTEST IS RECEIVED BY DMV WITHIN 21 DAYS, A TRIAL WILL BE SCHEDULED ON _____ AT _____ (time) _____ IN THE _____ GENERAL DISTRICT COURT.
 (Trial Date - at least 60 days after Offense Date)

COMPLETE THE SERVICE OF PROCESS SECTION.
 DRIVER'S NAME (FIRST, MIDDLE AND LAST) _____ SERVICE OF PROCESS (instructions)
 DRIVER'S LICENSE NO. _____ STATE _____
 STREET, RURAL ROUTE OR P.O. BOX _____
 CITY _____ STATE _____ ZIP CODE _____
 SIGNATURE OF DRIVER/AGENT ACCEPTING SERVICE (signing this citation is not an admission of liability.) _____ DATE (mm/dd/yyyy) _____

ASSESSMENTS
 VIOL. PENALTY \$ 25.00
 PROCESSING FEE \$ 20.00
 SIGHTING FEE \$ 2.00
 UNDATED DAMAGES \$ 1,620.00
 ADDITIONAL LIQ. DAMAGES \$ 0.00
 TOTAL AMOUNT \$ 1,667.00

DATE CITATION SERVED (mm/dd/yyyy) _____ OFFICER/AGENT SIGNATURE _____
 SIGNING AGENCY'S COPY _____

OFFICER/AGENT SIGNATURE: *[Signature]*
 DATE CITATION SERVED (mm/dd/yyyy): _____

DRIVER(S) LICENSE OTHER NAME(S) OF PERSON(S) LICENSE RESPONSIBLE FOR OVERWEIGHT CHARGE
 LICENSE NUMBER MC NUMBER I/S DOT NUMBER DRIVER'S LICENSE NUMBER/STATE
 ADDRESS ZIP CODE

CENSUS PLATE NO. YEAR MAKE TYPE STATE VEHICLE IDENTIFICATION NO. UNIT NO., IF ANY
 PERMITS TO WHOM VEHICLE IS REGISTERED ADDRESS CITY STATE ZIP CODE

PERMIT NO. 040 NAME GREENSVILLE ROUTE NO. LOCATION 95-S @ EXIT 8 PERMANENT/MOBILE UNIT NO. 05
 DATE TIME AM PM AFFECTED CODE SECTION (check one)

UNVALIDATED/CONFISCATED HAULING PERMIT? 46.2-1139(D) YES NO REASON PERMIT INVALIDATED TYPE OF OVERWEIGHT II SINGLE AXLE TANDEM AXLE
 ALLOWABLE WT. AMT. OVER ALLOWABLE WT. 5100 RATE PER LB. OF LIQUIDATED DAMAGES 10 ADDITIONAL STATUTORY \$20 LIQUIDATED DAMAGES (for vehicle hauling non-harmful/unsafe products) OFFICER/AGENT NAME (print) COATES CODE# 6354

COMPLIANCE REQUIREMENTS

WITHIN 21 CALENDAR DAYS after the date that this Citation is served, as shown in the DATE CITATION SERVED block at bottom of this form, the person cited above MUST
 FULFILL THIS CITATION to the Virginia Department of Motor Vehicles either:

- 1) Pay the TOTAL AMOUNT ASSESSED or
- 2) Provide WRITTEN NOTICE OF ELECTION TO CONTEST this overweight charge.

Complete the appropriate block below. Follow instructions on back of this Citation.
 I CHOOSE TO PAY THE TOTAL AMOUNT ASSESSED.
 I ELECT TO CONTEST this overweight charge as signified by the authorized signature below, at trial. I acknowledge that there will be no trial unless DMV receives this election to contest within 21 days after this citation was served.

NAME (Print) SIGNATURE DATE

How long on how to pay and how to contest are on the back of this citation, and must be followed exactly. Failure to deliver citation and either payment or notice of election to contest within 21 days will result in an administrative order of assessment for the Total Amount Assessed, and no trial will be held. If notice of election to contest is received by DMV within 21 days, then trial will be scheduled on _____ at _____ in the _____ General District Court.
 (Trial Date - at least 60 days after Offense Date) (time) (jurisdiction)

ASSESSMENTS		SERVICE OF PROCESS	
TOTAL AMOUNT ASSESSED	\$ 557.00	DRIVER'S NAME (FIRST, MIDDLE AND LAST)	DRIVER'S LICENSE NO. STATE
TRAIL PENALTY	\$ 25.00	DRIVER'S STREET, RURAL ROUTE OR P.O. BOX	
CESSING FEE	\$ 20.00	DRIVER'S ADDRESS	
ILING FEE	\$ 2.00	CITY	
ADATED DAMAGES	\$ 510.00	STATE	ZIP CODE
ITIONAL LQ. DAMAGES	\$ 0.00	SIGNATURE OF DRIVER/AGENT (Signatures: Signing this citation is not an admission of liability.)	DATE (mm/dd/yyyy)
DATE CITATION SERVED (mm/dd/yyyy)		OFFICER/AGENT SIGNATURE	

5/16/14 Agency's Copy

ADDRESS BUSINESS STREET, RURAL ROUTE OR P.O. BOX CITY STATE ZIP CODE

PERSON(S) TO WHOM VEHICLE IS REGISTERED ADDRESS STATE ZIP CODE

LICENSE PLATE NO. YEAR MAKE TYPE STATE VEHICLE IDENTIFICATION NO. UNIT NO., IF ANY

JURIS CODE 040 NAME GREENSVILLE ROUTE NO LOCATION 95-S @ EXIT 8 PERMANENT/MOBILE UNIT NO. 05

DATE TIME AM PM AFFECTED CODE SECTION (check one) 46-2-1125 46-2-1126 46-2-1127

ALLOWABLE WT. 9800 AMT. OVER ALLOWABLE WT. 20 RATE PER LB. OF LIQUIDATED DAMAGES 20 OFFICER/AGENT NAME (initial) COATES CODE# 6354

LIQUIDATED/CONFISCATED HAULING PERMIT? (46-2-1139(D)) YES NO PERMIT NUMBER REASON/PLURAL (INVALID) TYPE OF OVERWEIGHT GROUP OF AXLES SINGLE AXLE GROSS TANDEM AXLE

ADDITIONAL STATUTORY \$20 LIQUIDATED DAMAGES (For vehicle hauling non-hazardous products) ADDITIONAL STATUTORY \$20 LIQUIDATED DAMAGES

COMPLIANCE REQUIREMENTS

1) Pay the TOTAL AMOUNT ASSESSED or 2) Provide WRITTEN NOTICE OF ELECTION TO CONTEST this overweight charge.

Complete the appropriate block below. Follow instructions on back of this Citation.

I CHOOSE TO PAY THE TOTAL AMOUNT ASSESSED.

I ELECT TO CONTEST this overweight charge as signified by the authorized signature below, at trial. I acknowledge that there will be no trial unless DMV receives this election to contest within 21 days after this citation was served.

NAME (Print) SIGNATURE DATE

INSTRUCTIONS on how to pay and how to contest are on the back of this citation, and must be followed exactly. Failure to deliver citation and either payment or notice of election to contest within 21 days will result in an administrative order of assessment for the Total Amount Assessed, and no trial will be held. If notice of election to contest is received by DMV within 21 days, a trial will be scheduled on _____ at _____ (time) _____ (jurisdiction) General District Court.

(Trial Date - at least 60 days after offense date)

ASSESSMENTS

TOTAL AMOUNT ASSESSED	\$ 2,007.00
TOTAL LIC. DAMAGES	\$ 0.00
LIQUIDATED DAMAGES	\$ 1,960.00
WEIGHING FEE	\$ 2.00
PROCESSING FEE	\$ 20.00
TRAIL PENALTY	\$ 25.00

DRIVER'S NAME (FIRST, MIDDLE AND LAST) DRIVER'S LICENSE NO. STATE

DRIVERS STREET, RURAL ROUTE OR P.O. BOX ADDRESS CITY STATE ZIP CODE

SIGNATURE OF DRIVER/AGENT ACCEPTING RESPONSIBILITY (including this citation is not an admission of liability.) DATE (mm/dd/yyyy)

OFFICER/AGENT SIGNATURE DATE CITATION SERVED (mm/dd/yyyy)



CITY OF EMPORIA

Memorandum

March 28, 2014

TO: The Honorable Mayor and City Council
FROM: Brian S. Thrower, City Manager *BST*
SUBJECT: City Council Retreat – Request to Approve Dates
ITEM #: 14-19

The City Clerk has contacted you regarding available dates to hold your annual retreat. The dates of Friday, April 11th and Saturday, April 12th appear to be the dates everyone is available. The VPI Extension Office is also available for use that weekend.

Recommendation

I recommend you approve holding your retreat on the dates of April 11th and April 12th at the VPI Extension Office.



CITY OF EMPORIA

Memorandum

March 28, 2014

TO: The Honorable Mayor and City Council
FROM: Brian S. Thrower, City Manager *BST*
SUBJECT: April 15, 2014 City Council Meeting – Request to Cancel
ITEM #: 14-20

Due to lack of agenda items and holding your retreat the previous weekend, I recommend you cancel your April 15th meeting.



CITY OF EMPORIA

Memorandum

March 28, 2014

TO: The Honorable Mayor and City Council
FROM: Brian S. Thrower, City Manager *BST*
SUBJECT: FY13 Audit – Presentation by Creedle, Jones & Alga, PC
ITEM #: 14-21

Scott Thompson with Creedle, Jones & Alga, PC is in attendance to review the FY13 audit report.

Recommendation

I recommend you approve the FY13 audit.