

MINUTES
EMPORIA CITY COUNCIL
CITY OF EMPORIA MUNICIPAL BUILDING
April 19, 2011

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, April 19, 2011, at 7:30 p.m. in the Council Chambers of the Municipal Building, located at 201 South Main Street, Emporia, Virginia. Mayor Samuel W. Adams, III presided over the meeting with James C. Saunders, Council Member offering the invocation and a moment of silence to honor the late Councilman John R. White.

ROLL CALL

The following City Council members were present:

Councilman F. Woodrow Harris
Councilman James C. Saunders
Councilwoman Doris T. White
Councilwoman Deborah D. Dixon
Councilwoman L. Dale Temple
Councilwoman Carolyn S. Carey

Others present: Samuel W. Adams, III, Mayor
C. Butler Barrett, City Attorney
Brian S. Thrower, City Manger
Tessie S. Wilkins, City Clerk
Don Wyatt, Chief of Police
W. S. Harris, Jr., Treasurer
Joyce E. Prince, Commissioner of the Revenue

Absent: Steve B. Hall, Assistant City Manager

MINUTES APPROVAL

Councilwoman Temple moved to approve the minutes from the Tuesday, April 5, 2011, Public Hearing, Budget Work Session and City Council regular meeting minutes as presented, seconded by Councilwoman Doris T. White, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Deborah D. Dixon	aye

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

APPROVAL OF BILLS

A listing of the April 19, 2011 bills was presented to City Council members.

General Fund	\$ 783,228.75
Utility Fund	\$ 107,712.15

Councilman Saunders moved to approve the April 19, 2011 bills as presented, seconded by Councilwoman Temple, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilman Doris T. White	aye
Councilwoman Deborah D. Dixon	aye
Councilwoman L. Dale Temple	aye
Councilwoman Carolyn S. Carey	aye

FINANCIAL AND TAX REPORTS

Honorable W. S. Harris, Jr., City Treasurer provided City Council members with highlights of the City's financial position. There were no questions concerning his reports.

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

Councilman James C. Saunders moved to approve the agenda as presented, seconded by Councilwoman Temple, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Deborah D. Dixon	aye
Councilwoman L. Dale Temple	aye
Councilwoman Carolyn S. Carey	aye

UNFINISHED BUSINESS

11-37. Water Bill Code Amendments – Request to Conduct a Public Hearing

Mr. Thrower stated that the City has been discussing amendments to the Utilities Code over the last year. He also stated that the City has been discussing increasing the required deposit upon opening an account, as well as reverting back to a one month water bill payment structure.

Mr. Thrower stated that the current deposit upon opening a new account is \$125.00. He also stated that he is now recommending this amount to be increased to \$250.00 in order to adequately cover non-payments, cut-on and cut-off fees, and penalties assessed by the City. He further stated that the increased deposit is necessary given to the fact that water rates will increase effectively July 1, 2011 in order to cover the cost of debt service for the water treatment plant and distribution line upgrade project. He stated that he's also proposing to increase the water cut-on and cut-off charges from \$30.00 to \$45.00, as well as increasing the late payment penalty from \$10.00 to \$15.00.

Mr. Thrower stated that in terms of cutting off water service due to non-payment, the current code states that the water service shall be shut off on the 25th of the second month of non-payment. He also stated that the water bill payments are due by the 20th of each month with a ten dollar penalty assessed on those customers not making the required payment by that date. He further stated that this policy, coupled with the low deposit fee, has facilitated the accumulation of \$159, 245.01 (as of 3/31/11) in uncollected water bills from both inactive accounts and active accounts (thirty days or more past due). He stated that these uncollected payments put more strain on City finances, and ultimately, those responsible citizens and businesses that actually make timely payments.

Mr. Thrower stated that under his recommendation that water service to a property "be shut off on the 25th of the month if the bill for water supplied to such premises is not paid prior to that date." He also stated that however, per Council provisions stating "service shall not be shut off for non-payment of fifteen dollar (proposed new penalty or less. He further stated any previous non-payment of fifteen dollar or less shall be paid prior to the 25th of the next billing month to avoid disconnection of water and sewer services." He stated that should Council agree with his recommendation of reverting back to a one month payment structure, the Treasurer's Office will allow existing active accounts that have accumulated charges covering more than a one month billing cycle a period of six months to pay those outstanding charges. He also stated that should those accounts not be paid by that time period, water service will be disconnected.

Mr. Thrower stated that another customer friendly amendment to this code section is in regards to the restoration of water service. He also stated that the current code states that payment of water and sewer services must be rendered prior to noon on the due date in order for service to be restored the same business day. He further stated that the proposed amended code section states that “payment must be received prior to 4:00 p.m. for services to be restored the same business day.” He stated that this will allow services to be restored in a timelier manner upon payment.

He recommended that City Council authorize conducting a public hearing on these code amendments at the City Council’s May 3, 2011 meeting.

Councilwoman Temple made a motion to authorize a public hearing on May 3, 2011 to discuss water bill code amendments, seconded by Councilwoman White, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Deborah D. Dixon	aye
Councilwoman L. Dale Temple	aye
Councilwoman Carolyn S. Carey	aye

Councilman Saunders stated that he was in agreement to reverting back to one month for cutoffs. He also stated that he suggests increasing the deposit to \$175.00 and not \$250.00. He further stated that he does not support increasing the cut-on and cut-off fees. He stated that he does support increasing the late penalty to \$15.00. He also stated that he supports that payments must be received prior to 4:00 p.m. for services to be restored the same business day.

Councilwoman Carey stated that she still has concerns with the deposit increasing to \$250.00.

NEW BUSINESS

11-38. Council Vacancy – Filling of Unexpired Term

Mayor Adams stated that due to the passing of Council Member John White, Council will need to appoint an individual from Council District Two to fill the vacant seat. He also stated that per City Charter, “Vacancies in either the office of the Mayor or in the Council shall be filled within thirty days by a recorded majority vote of the Council for the unexpired term.” He further stated that Council will need to appoint an individual to fill the vacant seat at the May 3, 2011 Council meeting.

Mayor Adams stated that citizens of Council District Two that are interested in the position should submit a resume and letter expressing their interest to the City Clerk no later than Thursday, April 28, 2011 by 5:00 p.m.

Mayor Adams stated that this item will be on the May 3, 2011 Council agenda.

11-39. Budget Work Sessions – Request to Approve Dates

Mr. Thrower requested that City Council members approve the scheduling of the budget work sessions on the following dates at 6:00 p.m. in the Council Chambers of the Municipal Building:

Tuesday, May 3, 2011
Thursday, May 5, 2011
Tuesday, May 10, 2011
Thursday, May 12, 2011
Tuesday, May 24, 2011
Thursday, May 26, 2011

Councilwoman Carey moved to approve the proposed budget work session dates as followings at 6:00 p.m. in the Council Chambers of the Municipal Building:

Tuesday, May 3, 2011
Tuesday, May 10, 2011
Thursday, May 12, 2011
Tuesday, May 24, 2011
Thursday, May 26, 2011

Councilwoman White seconded the motion, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Deborah D. Dixon	aye
Councilwoman L. Dale Temple	aye
Councilwoman Carolyn S. Carey	aye

11-40. Fire Program Funds – Appropriation Ordinance

Mr. Thrower stated that the City annually receives grant funds from the Virginia Department of Fire Program through the County of Greensville for the Emporia Volunteer Fire Department. He also stated that the City did not include this grant in our current operating budget, as the City was unsure of the amount that the City would receive. He further stated that Council need to appropriate the sum of \$14,251.00 into the Fiscal Year 2010-2011 operating budget so that the Emporia Volunteer Fire Department can utilize these grant funds.

He recommended Council to adopt the Ordinance to appropriate the funds.

Councilman Saunders made a motion to adopt **Ordinance No. 11-07** to appropriate the Sum of \$14,251.00 in grant funds from The Virginia Department of Fire Program received from the County of Greensville for Fire Programs, seconded by Councilwoman Temple, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Deborah D. Dixon	aye
Councilwoman L. Dale Temple	aye

PUBLIC COMMENT

Mayor Adams asked if anyone wished to bring a matter before city council members adhering to the three minute time limitation.

Marva Dunn, 505-D Washington St, addressed Council with concerns about the water deposit being increase to \$250.00.

Councilman Saunders stated that the City of Emporia citizens does have the option of having there water bill ACH draft.

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

ADJOURNMENT

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

Samuel W. Adams, III, Mayor

Tessie S. Wilkins, City Clerk