

MINUTES
EMPORIA CITY COUNCIL
CITY OF EMPORIA MUNICIPAL BUILDING
August 3, 2010

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 August 3, 2010, 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 Carolyn S. Carey, Council Member offering the invocation.

ROLL CALL

The following City Council members were present:

Councilman John R. White
Councilman F. Woodrow Harris
Councilman James C. Saunders
Councilwoman Doris T. White
Councilwoman Carolyn S. Carey
Councilman Edward V. Lankford, IV
Councilwoman L. Dale Temple

Others present: Samuel W. Adams, III, Mayor
Brian S. Thrower, City Manger
Steve B. Hall, Assistant City Manager
Tessie S. Wilkins, City Clerk
Todd Anderson, Captain
Bernard Richardson, Chief of Police
Alvin A. Lockerman, Jr., Interim City Attorney

Absent: C. Butler Barrett, City Attorney

MINUTES APPROVAL

Councilwoman White moved to approve the minutes from the Tuesday, August 3, 2010 public hearing and regular meeting, as presented, seconded by Councilman Lankford, which passed as follows:

| | |
|-----------------------------------|-----|
| Councilman John R. White | aye |
| Councilman F. Woodrow Harris | aye |
| Councilman James C. Saunders | aye |
| Councilwoman Doris T. White | aye |
| Councilwoman Carolyn S. Carey | aye |
| Councilman Edward V. Lankford, IV | aye |
| Councilwoman L. Dale Temple | aye |

AGENDA APPROVAL

Mayor Adams advised that there was one deletion, **Virginia Code § 2.2 3711 (A) (1) (7) Legal matter requiring the advice of counsel** under Closed Session.

Mayor Adams reported the addition of **Virginia Code §2.23711(A) (3) Discussion of the disposition of publicly held real property** under Closed Session.

Councilman White reported the addition of **Virginia Code §2.23711(A) (1) Personnel Matters** under Closed Session.

Councilman White moved to approve the agenda as presented, seconded by Councilwoman White, which passed as follows:

| | |
|-----------------------------------|-----|
| Councilman John R. White | aye |
| Councilman F. Woodrow Harris | aye |
| Councilman James C. Saunders | aye |
| Councilwoman Doris T. White | aye |
| Councilwoman Carolyn S. Carey | aye |
| Councilman Edward V. Lankford, IV | aye |
| Councilwoman L. Dale Temple | aye |

NEW BUSINESS

10-64. CSX Donated Funds – Appropriation Ordinance

Mr. Thrower reported that the City's Police Department had received a donation in the amount of \$1,000.00 from CSX. He also reported that the CSX had given the City discretion on how to utilize those funds. He further reported that the Police Chief had recommended using the funds to purchase school supplies such as backpacks and pencils for children. He stated that the Chief viewed this as an opportunity to project a professional image through positive interaction with members of the community, particularly children.

Mr. Thrower stated that in order for the Police Department to utilize these funds for that purpose, Council must appropriate funds into the Fiscal Year 2010-2011 operating budget.

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

Councilwoman White made a motion to adopt **Ordinance No. 10-32** appropriating The Sum of \$1,000.00 In Donated Funds, seconded by Councilwoman Temple, which passed as follows:

| | |
|-----------------------------------|-----|
| Councilman John R. White | aye |
| Councilman F. Woodrow Harris | aye |
| Councilman James C. Saunders | aye |
| Councilwoman Doris T. White | aye |
| Councilwoman Carolyn S. Carey | aye |
| Councilman Edward V. Lankford, IV | aye |
| Councilwoman L. Dale Temple | aye |

10-65. Justice Assistance Grant (JAG) American Recovery & Reinvestment Act (ARRA) – Appropriation Ordinance

Mr. Thrower reported that the City of Emporia was awarded the Edward Byrne Memorial Justice Assistance Grant (JAG) with American Recovery & Reinvestment Act (ARRA) funds from the United States Department of Justice. He also reported that this \$43,378.00 grant would be used together with other grant funds to purchase new VHF radios. He further reported that Council reviewed this grant request at the April 7, 2009 meeting. He stated that the existing budget funds will be used for the balance.

Mr. Thrower advised that these funds were appropriated in the 2009-2010 operating budget, but the funds were not received or expended as the City was awaiting for the approval of new radio frequencies. He also advised that utilizing the Edward Byrne Memorial Assistance Grant award requires adoption of the ordinance to appropriate funds of \$43,378 into the City's 2010-2011 operating budget. He further advised that the Department of Justice will reimburse the City's General Revenue Account for \$43,378.

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

Councilman Saunders made a motion to adopt **Ordinance No. 10-33** appropriating The Sum of \$43,378.00 In DOJ Justice Assistance Grant (JAG) American Recovery & Reinvestment Act (ARRA) Funds, seconded by Councilman White, which passed as follows:

| | |
|-----------------------------------|-----|
| Councilman John R. White | aye |
| Councilman F. Woodrow Harris | aye |
| Councilman James C. Saunders | aye |
| Councilwoman Doris T. White | aye |
| Councilwoman Carolyn S. Carey | aye |
| Councilman Edward V. Lankford, IV | aye |
| Councilwoman L. Dale Temple | aye |

10-66. Justice Assistance Grant (JAG) - Appropriation Ordinance

Mr. Thrower reported that the City of Emporia was awarded the Edward Byrne Memorial Justice Assistance Grant (JAG) from the United States Department of Justice. He also reported that the \$10,547 grant would be used with other grant funds to purchase new VHF radios. He further reported that Council reviewed the Edward Byrne Memorial Justice Assistance grant request at the June 2, 2009 meeting. He stated that the existing budget funds would be used for the balance.

Mr. Thrower advised that those funds were appropriated in the 2009-2010 operating budget, but the funds were not received or expended as the City was awaiting for the approval of new radio frequencies. He also advised that utilizing the Edward Byrne Memorial award requires the adoption of the ordinance to appropriate funds of \$10,547 into the City's 2010-2011 operating budget. He further advised that the Department of Justice will reimburse the City's General Revenue Account for \$10,547.

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

Councilman Harris made a motion to adopt **Ordinance No. 10-34** appropriating The Sum of \$10,547.00 In DOJ Justice Assistance Grant (JAG) Funds, seconded by Councilman White, which passed as follows:

| | |
|-----------------------------------|-----|
| Councilman John R. White | aye |
| Councilman F. Woodrow Harris | aye |
| Councilman James C. Saunders | aye |
| Councilwoman Doris T. White | aye |
| Councilwoman Carolyn S. Carey | aye |
| Councilman Edward V. Lankford, IV | 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.

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

*****Closed Session*****

Councilman Harris move that Closed Session be entered for the purpose of discussing Virginia Code **Virginia Code §2.23711(A) (3) Discussion of the disposition of publicly held real property, and (A) (1) Personnel Matters** . Councilman Saunders seconded the motion, which passed as follows:

| | |
|-----------------------------------|-----|
| Councilman John R. White | aye |
| Councilman F. Woodrow Harris | aye |
| Councilman James C. Saunders | aye |
| Councilwoman Doris T. White | aye |
| Councilwoman Carolyn S. Carey | aye |
| Councilman Edward V. Lankford, IV | aye |
| Councilwoman L. Dale Temple | aye |

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

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

| | |
|-----------------------------------|-----|
| Councilman John R. White | aye |
| Councilman F. Woodrow Harris | aye |
| Councilman James C. Saunders | aye |
| Councilwoman Doris T. White | aye |
| Councilwoman Carolyn S. Carey | aye |
| Councilman Edward V. Lankford, IV | aye |

Councilwoman L. Dale Temple aye

CERTIFICATION

Councilman Saunders moved to certify the following:

1. only public business matters 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.

Councilman Lankford seconded the motion, which passed as follows:

| | |
|-----------------------------------|-----|
| Councilman John R. White | aye |
| Councilman F. Woodrow Harris | aye |
| Councilman James C. Saunders | aye |
| Councilwoman Doris T. White | aye |
| Councilwoman Carolyn S. Carey | aye |
| Councilman Edward V. Lankford, IV | aye |
| Councilwoman L. Dale Temple | aye |

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