



# **CITY OF EMPORIA**

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**AGENDA**  
**EMPORIA CITY COUNCIL**  
*Regular Meeting*  
**TUESDAY, August 7, 2012- 7:30 P.M.**

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**OPENING PRAYER**

**ROLL CALL**

**APPROVAL OF MINUTES**

July 17, 2012 ~ Regular Meeting

**APPROVAL OF AGENDA**

**UNFINISHED BUSINESS**

**NEW BUSINESS**

- 12-57. Crater Criminal Justice Training Academy – Request to Adopt Resolution
- 12-58. Wal-mart Grant Funds – Appropriation Ordinance
- 12-59. Victim Witness Program – Appropriation Ordinance
- 12-60. Fire Truck Repairs – Appropriation Ordinance
- 12-61. Emporia-Greenville Cooperative Extension – Budget Amendment Request
- 12-62. VML Business Meeting – Designation of Voting Delegate
- 12-63. Emporia Redevelopment & Housing Authority – Term Expiration (Carolyn S. Carey)

**PUBLIC COMMENT**

**CLOSED SESSION**

Closed Meeting pursuant to Virginia Code § 2.2 3711 (A) (7) Legal matter pertaining to shared services with Greensville County and the proposed I-95 Tolls.

**MINUTES  
EMPORIA CITY COUNCIL  
CITY OF EMPORIA MUNICIPAL BUILDING  
July 17, 2012**

*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, July 17, 2012 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 Bishop Vincent Lowery offering the invocation.

**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 Beverly White  
Councilwoman L. Dale Temple  
Councilwoman Carolyn S. Carey

Others present:

Samuel W. Adams, III, Mayor  
Brian S. Thrower, City Manager  
C. Butler Barrett, City Attorney  
Steve B. Hall, Assistant City Manager  
Tessie S. Wilkins, City Clerk  
Joyce E. Prince, Commissioner of the Revenue  
Don Wyatt, Chief of Police  
W. S. Harris, Jr., Treasurer  
Ken Ryals, Emergency Service Coordinator

**MINUTES APPROVAL**

Councilwoman Temple moved to approve the minutes from the Tuesday, June 19, 2012 Regular City Council meeting minutes as presented, seconded by Councilman Saunders, 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 Beverly White	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman Dale Temple	aye

### **APPROVAL OF BILLS**

A listing of the July 17, 2012 bills was presented to City Council members.

General Fund	\$	1,170,673.03
Utility Fund	\$	355,134.65

Councilwoman Temple moved to approve the July 17, 2012 bills as presented, seconded by Councilwoman Carey, 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 Beverly White	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman Dale Temple	aye

### **FINANCIAL AND TAX REPORTS**

Honorable W. S. Harris, Jr., City Treasurer provided City Council members with highlights of the City's financial position. He requested that City Council members authorize the treasurer to submit a listing of all delinquent taxes, as of July 1<sup>st</sup>, to the local newspaper for publishing in accordance with § 58.1-3924 of the Code of Virginia. He also requested that the treasurer be authorized to omit individual names from the delinquent taxes listing, prior to submission to the local newspaper, if respective delinquencies have been satisfied.

Councilman Saunders moved to approve that the delinquent taxes listing be published once in the local newspaper with the provision that individuals satisfying respective tax obligations, prior to submission to a local newspaper, be stricken from the listing by the treasurer. Councilwoman Temple 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 Beverly White	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman Dale Temple	aye

### **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 Adams reported the additions of **Item 12-55 – Habitat for Humanity – Request for Waiver of Fees** and **Item 12-56 – Drug Seizure Fund – Appropriation Ordinance**.

Councilwoman Temple moved to approve the amended agenda as presented, seconded by Councilwoman Carey, 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 Beverly White	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman Dale Temple	aye

## **UNFINISHED BUSINESS**

### ***12-48. Southside Virginia Education Center Board of Directors – Term Expiration (Linda Stainback)***

Mr. Thrower stated that on July 1, 2012, Ms. Linda Stainback's three year term on the Southside Virginia Education Center Board of Directors will expire. He also stated that Ms. Stainback has indicated that she does wish to be considered for reappointment.

Councilman Saunders moved to reappoint Ms. Linda Stainback to serve a three year term on the Southside Virginia Education Center Board of Directors.

Councilwoman Temple moved to reappoint Linda Stainback to serve a three year term on the Southside Virginia Education Center Board of Directors, seconded by Councilwoman D. 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 Beverly White	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman Dale Temple	aye

**NEW BUSINESS**

***12-50. Fire Gear – Appropriation Ordinance***

Mr. Thrower reported that the Emporia Volunteer Fire Department has placed an order for fire gear prior to the close of FY12. He also reported that the items were not received prior to the close of the fiscal year and therefore must be paid for from the F13 budget. He also reported that the Fire Department had funds remaining in its FY12 budget to cover the cost of the items which total \$22,545.00. He further reported that the Fire Chief requested that Council re-appropriate the funds remaining from the FY12 budget into the FY13 budget to cover the cost of those items.

He recommended that Council adopt the ordinance and re-appropriate this sum to the Fire Department.

Councilman Saunders made a motion to adopt **Ordinance No. 12-15** to appropriate the sum of \$22,545.00 from the unappropriated fund balance of the General Fund for the purchase of fire gear, seconded by Councilwoman Carey, 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 Beverly White	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman Dale Temple	aye

***12-51. YMCA – Building Permit Fee Waiver Request 2012***

Mr. Thrower stated that the YMCA is requesting a waiver of building permit fees for work associated with the installation of underground water piping and above ground hydrants on its property. He also stated that the cost of the building permit is approximately \$35.

Councilman Saunders moved to approve the request to waive the building permit fees for work associated with the installation of underground water piping and above ground hydrants as requested, seconded by Councilwoman Carey 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 Beverly White	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman Dale Temple	aye

***12-52. Justice Assistance Grant – Appropriation Ordinance***

Mr. Thrower reported that the City of Emporia made application and was awarded an Edward Byrne Memorial Justice Assistance Grant (JAG) from the United States Department of Justice. He stated that this \$9,999 grant will be used in conjunction with \$1,111 in matching funds from our present budget to purchase and install emergency equipment in a new patrol vehicle. He also stated that the emergency equipment consists of blue lights, consoles, computer mounts, security partitions, an in-car camera, and radio.

Mr. Thrower advised that these funds were not included in the FY13 operating budget. He also advised that utilizing this award requires the adoption of an ordinance to appropriate funds of \$9,999 into the City's FY13 operating budget. He further advised that the Department of Justice will reimburse the City's General Revenue Account for \$9,999.00.

He recommended that Council adopt the ordinance.

Councilwoman Temple made a motion to adopt **Ordinance No. 12-16** to appropriate the sum of \$9,999.00 in DOJ Justice Assistance Grant (JAG), seconded by Councilwoman Dixon, 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 Beverly White	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman Dale Temple	aye

***12-53. MAMaC – Request to Approve an Ordinance Creating a Regional Industrial Facility Authority***

Mr. Thrower reported that the City of Emporia and Greensville County have been working on the development of the Mid-Atlantic Advanced Manufacturing Center (Mega Site) over the last several years. He stated that at Council April 17, 2012 meeting, Council approved the Mid-Atlantic Advanced Manufacturing Center Regional Industrial Facility Authority Member Locality Participation Agreement.

Mr. Thrower stated that per the Virginia Regional Industrial Facilities Act, Council will need to adopt the ordinance in order to create the Mid-Atlantic Advanced Manufacturing Center Regional Industrial Facility Authority.

He recommended that Council adopt the ordinance.

Councilwoman Temple made a motion to adopt **Ordinance No. 12-17** to approve the creation of the Mid-Atlantic Advanced Manufacturing Center Regional Industrial Facility Authority, seconded by Councilman Saunders, 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 Beverly White	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman Dale Temple	aye

***12-55. Habitat for Humanity – Request for Waiver of Fees***

Mr. Hall reported that the City had received a request from Mr. G. W. Pugh, President and Mr. Cornell Hines, Building Site Director from the Emporia-Greenville Habitat for Humanity chapter. He also reported that the City had received permit applications for a new home to be constructed on Zion Blvd. He further reported that the initial reviews of the materials indicate compliance with the Building and Zoning Code.

Councilwoman Carey moved to approve the request to waive the permit applications fees associated with the construction of the new home on Zion Boulevard as requested, seconded by Councilwoman D. 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 Beverly White	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman Dale Temple	aye

***12-56. Drug Seizure Fund – Appropriation Ordinance***

Mr. Thrower stated that the City of Emporia Police Department seized money, by court order, and determined it to have been used in drug transactions. He also stated that before spending those funds, they must first be appropriated into the General Fund Operating Budget for the current year.

Mr. Thrower stated that the Police Department wishes to use \$50,000 in seized funds for the purchase of a drug detection canine and fully equipped canine transport vehicle. He also stated that an ordinance is required to appropriate and expend those funds.

He recommended that Council adopt the ordinance.

Councilwoman Temple made a motion to adopt **Ordinance No. 12-18** to appropriate the sum of \$50,000.00 in Drug Seizure funds, seconded by Councilwoman Carey, 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 Beverly White	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman Dale Temple	aye

***12-54. I-95 Tolling Project – Update from VDOT Staff and Resolution in Opposition to the Project***

Mayor Adams reported that Mr. Mike Estes, with the Virginia Department of Transportation was present to give an overview on the I-95 Tolling Project.

Mr. Mike Estes stated that he was in attendance tonight to inform Council about the pilot program that is available at the Federal Government level to allow states to toll what has been previously a free Interstate. He also stated that one of the other things that need to be demonstrated to the Federal Government before they can allow potential tolls on I-95 is the need to raise additional revenue. He further stated that eighty percent of the mainline bridges are over forty years old. He stated that seventy-two mainline pavement is in need of maintenance. He also stated that sixty-seven percent of I-95 is at or will be above capacity by 2035. He further stated that there will be a forty percent projected increase in travel time by 2035. He reported that \$12.1 billion is projected in twenty-five year need. He also reported that \$2.5 billion is the projected twenty-five year funding at current levels. He further reported that \$9.6 billion is the funding gap.

Mr. Estes stated that the Federal Government allowed three slots in this Pilot program and provisions held them for Virginia, North Carolina, and Missouri. He also stated that back in last fall they received a conditional provisional approval in the pilot program. He further stated that provisional means that they are holding one of these three slots for Virginia. He stated that it was conditional for them going thru the rest of the process and the Environmental review of what the impact of tolling would have on the Commonwealth and the Interstate. Mr. Estes stated that they must first do a formal application under the pilot program with the Federal Highway Administration process which will be submitted by late summer to get the provisional approval stricken. He stated that once the conditional provisional was approved they would ask to put together a vision plan for the corridor which was done during the winter months. He also stated that the vision plan was looking at the environmental issues, analysis impacts, along with traffic and revenue studies set forth with the different rates of the type of revenues tolling would bring and what type of diversion it would have off the interstate on the local road network.

Mr. Estes stated that if Virginia attempted to fund the entire \$9.6 billion gap over 25 years by tolls alone, the toll rate required would be:

- utilizing two collection points, one north of Richmond and one south of Petersburg, the toll rate would be ~ \$0.53 per mile
- using a barrier system with 6 collection points, the toll rate would be ~ \$0.27 per mile
- Using a closed system where all trips were charged based on actual miles traveled; the toll rate would be ~ \$0.14 per mile.

He also stated that VDOT analyzed the rates from \$0.02 to \$0.15 per mile. He further stated that VDOT is requesting approval to initiate tolling at a reduced rate of ~ \$0.02 per mile.

Mr. Estes stated that the different toll scenarios being looked at now included but not limited to:

- A1: 1 Gantry System (tolling both directions - Sussex County )

- A2: 2 Gantry System (one toll northbound - Sussex ; one toll southbound - Caroline)
- A3: 2 Gantry System (tolling both directions – Sussex County or Caroline)
- B: 6 Gantry System (tolling both directions at ~ 20 mile intervals)
- C: Closed System (tolling at every interchange – ramps)
- D: Hybrid System (mainline tolling + ramp tolling)
- E: Closed System (tolling between every interchange).

Mr. Estes stated the different factors to consider in the location for the toll was traffic characteristics, and diversion. He further stated that the number of gantries factors to consider was ease and timeliness of construction, cost effectiveness of up-front capital costs, and operations and maintenance implications.

Mr. Estes stated that Option A-1: One Gantry System (tolling both directions – Sussex County) is one of the most likely scenario being looked at now with current condition being: ADT 36,000, 15% trucks, 48% of traffic continues through mile marker 100, low commuter traffic, low local trucks, and high long-haul trucks. He also stated that the following items are under further review diversion, toll rate verse revenue, and economic review. He further stated that the location of the gantry will be between MP 20 and MP24 ramp gantries to minimize diversion. He stated that the method will be an open road tolling and cash collection with the rate of \$4.00 2-axle mainline, \$2.00 2-axle ramp, and 5-axle vehicle: 3x base rate. He also stated that VDOT will own, operate, and maintain.

Mr. Estes stated that VDOT is requesting approval to initiate tolling at a reduced rate of \$0.02 per mile much lower than other eastern toll facilities. He also stated that the proposed toll schedule for mainline toll is 2 axle \$4.00, 3 axle \$7.00, 4 axle \$9.00, 5 axle \$12.00 and 6 axle \$15.00. He further stated that the proposed toll schedule for ramp toll is 2 axle \$2.00, 3 axle \$3.50, 4 axle \$4.50, 5 axle \$6.00, and 6 axle \$7.50.

Mr. Estes stated that the benefits of tolling revenue included, but was not limited to:

- Gross Revenue Projection: Scenario A-1 ~ \$35 millions - \$40 million/year (gross)
- Other Scenarios ~ \$55 million - \$160 million/year (gross)
- Acceleration of an identified need
- Safety
- Mobility/Economic Vitality
- System Maintenance & Preservation.

Mr. Estes stated that the next short-term steps included, but was not limited to:

- Refine proposal and application with: feedback from the Federal Highway Administration and Public/Local Government input through continued outreach.
- Develop implementation details: continue analysis of diversion routes, develop/analyze discount tolling plan, discount amount, and the scope.

Mr. Estes stated that the preliminary schedule is as following:

- Jan – April 2012 Data Collection/Analysis
- Feb 2012 Vision Plan
- April 2012 MPO/Locality Briefings
- May 2012 Preliminary Traffic & Revenue Forecasts, tolling scenario analysis, etc.

- June 2012 MPO/PDC/ Locality Workshops
- Summer 2012 Submit ISRRPP application to FHWA
- Fall 2012 Citizen Meetings
- Winter 2012 Execute Tolling Agreement.

Mayor Adams stated that Emporia is the number one or two fiscally stressed municipality in the state of Virginia. He also stated that per median income Emporia is the 11<sup>th</sup> poorest community in the state of Virginia. He further stated that the unemployment rate for Emporia is 10.3 percent which is double what the state rate. He stated that for 100 years the communities with this area have naturally gravitated to Richmond, Petersburg, Colonial Height areas for specialized medical, educational, shopping, and entertainment needs. He further stated that it is not fair. He stated that people who have four doctor appointments a month and have to go to Richmond this would be unfair and ridiculous, and fairness is all he is after.

Mayor Adams stated that he don't understand why the governor of Virginia is going to make him pay \$8 to go see his son who lives in Richmond and vise-versa for his son to pay \$8 to come see him. He also stated that a person in Spotsylvania County, if they want to see their son who lived in Richmond it would not cost them a penny. He further stated that it's a free ride for them on 95 but not for this area that is poor.

Mayor Adams stated that there are number of individuals that work in the Petersburg area. He also stated that one example is a young man who has worked hard and gotten his RN and is now employed at Southside Virginia Regional Medical Center, this toll will cost this young man \$1,320 year. He further stated that the guy from Richmond that commutes to hospital in Fredericksburg isn't going to pay anything. He stated that the Ward of Greensville County Correction Center stated that the tolling will affect 85% of the there employees

Mayor Adams stated that he tried to find a location that was equal distance from the Broad Street exit to Emporia and that was the Spotsylvania County exit 118. He also stated that on the internet he found that the traffic count on exit 11 is 38,000 per day and exit 118 traffic count is 88,000. He further stated that 50,000 more cars a day at \$4 a car you could build those bridges out of gold. He stated that he just don't understand this.

Mayor Adams questioned why the Governor is doing this to us why would he want to segregate us down here so we have to pay an extra toll costing us extra money in one of the poorest localities in the state.

Councilman Harris stated that from this point on in his life and he hope others will do the same thing that is not to vote for any candidate of either party regardless of how qualified they are that is in favor of the tolls. He also stated that the Mayor stated that it is not fair but it is also just a bad idea and Virginia has had a number of bad ideas recently.

Councilman Harris stated that if this estimate is accurate \$30 - \$40 million a year will be the gross revenue then what is the net after you take out the cost of construction, staff, wear and tear on the roads and if that all this is going to raise and generate you are not going to take a very big bite out of that 9.6 billions that is left on the table. He also stated that there is a much smarter way to do this if the Virginia gasoline tax generates \$875 million a year at it current rate wouldn't one penny increased under the gasoline tax generate more than you are talking about taking in a year from this toll. He further stated that if this is the case imagine how much negative attention it is going to be focused on the millions of dollars Virginia wasted on building

a toll plaza, paying state, enforcing violations when the very same amount can be generated by less than a penny increase in state gas taxes. He stated that the bumper sticker is going to change from Virginia is for Lovers to Virginia is for Losers.

Councilman Saunders stated that North Carolina gas tax is \$0.38 cents per gallon and Virginia gas tax is 17.5 cents. He also stated that there has not been an increase in gas tax since the 80's. He further stated that forty percent of the fuel sold in the state of Virginia is brought by people outside of the state of Virginia so if they are using all of our roads and not just 95 let them pay for them and if we are using our own roads then we need to pay for it. He stated that a toll that is going net \$25 million per year is chump change at the state level. He further stated that if a toll is going to be put at that exit it is going to increase the cost of our rescue squad and our fire department and they are all volunteer organizations. He stated that they are funded by the City of Emporia, the County of Greensville, the County of Sussex, the town of Jarratt, and the town of Stony Creek again some of the poorest communities in the state. He also stated that he is sure that in this PR piece that VDOT have there is not a nickel to help that.

Councilwoman Carey stated that the tolls are coming at a time when the economy is just in bad shape.

Councilwoman Temple stated that tolls would be a burden on citizens who are already struggling to find job and feed their families.

Councilman Saunders asked what the definition of good mix of traffic. Mr. Estes stated that a good mix of traffic is a mix of local and long haul users.

Councilman Saunders stated that he has spoken with a couple in the fuel industry and they said that they don't mind an increase and that the fluctuations in the market are more impacting as long as it done in a simple way.

Mayor Adams advised Mr. Estes to tell the governor that it is not fair or a smart thing to do. He also stated that the citizens of Emporia want to pay a toll but want to pay the same thing that people in Spotsylvania are going to be paying for them to travel from Spotsylvania to Richmond which is zero.

He recommended that Council adopt the ordinance.

Councilwoman Temple made a motion to adopt **Resolution No. 12-10** in opposition to the installation of toll collection facilities on Interstate 95, seconded by Councilman Saunders, 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 Beverly White	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman 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.

***Cornell Hines, 1537 Lowground Road***, addressed Council by inviting them to the groundbreaking at 223 Zion Blvd., by the Emporia/Greenville Habitat for Humanity on Tuesday, July 24, 2012 at 9:00 a.m.

***Jerry Adams, 611 Maryland Avenue***, addressed Council about concerns with the written policy of the Treasurer Office for new Water Services in the City of Emporia.

***Martha Dodd Slippery, 204 Jefferson Street***, addressed Council with concerns about the proposed I-95 tolls.

***James Browning, 1143 North Main Street***, addressed Council by inviting them to the Hope Fest block party.

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

**\*\*\*CLOSED SESSION\*\*\***

Councilman Saunders moved that Closed Session be entered for the purpose of discussing Virginia Code Sections § 2.2 3711 (A) (7) **Legal matter pertaining to the Mega Site development** 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 Beverly White	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman Dale Temple	aye

**\*\*\*Regular Session\*\*\***

Councilwoman Temple moved that the meeting be returned to Regular Session. Councilman Harris 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 Beverly White	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman Dale Temple	aye

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## **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.

Councilwoman Temple 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 Beverly White	aye
Councilwoman Dale Temple	aye
Councilwoman Carolyn S. Carey	aye

Councilman Harris made the motion to authorize the Mayor to execute the Water Availability and Supply Agreement pertaining to the development of the Mid-Atlantic Advanced Manufacturing Center Project, subject to clarification of the bulk rate agreement provision

Councilman Saunders 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 Beverly White	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman Dale Temple	aye

## **ADJOURNMENT**

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

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Samuel W. Adams, III, Mayor

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Tessie S. Wilkins, City Clerk



# **CITY OF EMPORIA**

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## **Memorandum**

August 3, 2012

**TO:** The Honorable Mayor and City Council

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

**SUBJECT:** Crater Criminal Justice Training Academy – Request to Adopt Resolution

**ITEM #:** 12-57

Chief Wyatt is requesting that the City of Emporia become a member of the Crater Criminal Justice Training Academy (Crater). The City was previously a member of Chesterfield Training Academy. Becoming a member of Crater will allow for more efficient and cost effective training opportunities, as well as allow our officers to train with our neighboring law enforcement agencies. There will be no charge for the FY13 membership fee.

### **Recommendation**

I recommend you adopt the attached resolution requesting that the City of Emporia be allowed to join the Crater Criminal Justice Training Academy and authorizing the City Manager to execute any documents pursuant thereto.

### **Attachments**

Memo from Chief Wyatt  
Resolution



To: Brian Thrower

From: Don Wyatt

Date: 8/1/12

Ref: Return to Crater Criminal Justice Academy

- Training for the department had solely been handled by the Administrative Lieutenant. The elimination of this position has spread the responsibilities amongst the Sergeants. This task is easier with Crater Criminal Justice Academy; due to their entire training schedule can be accessed on-line. Previously, the Admin. Lt. had to continually coordinate with Chesterfield Police Academy to address our department's training needs.
- Crater Criminal Justice Academy offers the option of on-line training for many in-service training requirements. This keeps an officer in Emporia and reduces fuel costs.
- The 2012-13 fiscal year was one of the most challenging budgets to put together. Arrangements were made for Crater Criminal Justice Academy to be our only academy starting this fiscal year and the fee was to be free. We will start paying dues on the 2013-14 fiscal year.
- We will still send officers occasionally to training at Chesterfield Police Academy, but it will be as a guest (not a member). Emporia and Chesterfield Police have had a great working relationship for the past 8 years and we will continue to maintain this.
- A return to Crater Criminal Justice Academy will allow our officers to train with our neighboring law enforcement agencies.

**RESOLUTION**

**WHEREAS**, the Crater Criminal Justice Training Academy (the “Academy”) is located in Prince George, Virginia and provides training to forty-six separate law enforcement agencies; and

**WHEREAS**, Emporia Police Department has been conducting training through Chesterfield County’s training program, the contract for which expires June 30, 2012; and

**WHEREAS**, the Police Chief has recommended that Emporia become a member of the Crater Criminal Justice Training Academy to address the long term training needs of the members of this department.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of Emporia that, pursuant to Section 15.2-1747 of the Code of Virginia and Section 6 of the Agreement Establishing the Crater Criminal Justice Training Academy dated July 1, 2002 (the “Agreement”), the City of Emporia hereby requests that the City be allowed to join the Academy as a member and authorizes the City Manager to execute any documents pursuant thereto.

Adopted: August 7, 2012

City of Emporia, Virginia

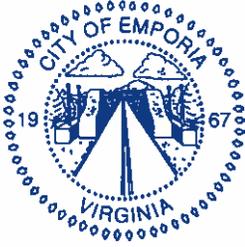
By: \_\_\_\_\_  
Samuel W. Adams, III  
Mayor

Attest:

Form Approved:

\_\_\_\_\_  
Tessie Wilkins, City Clerk

\_\_\_\_\_  
City Attorney



# **CITY OF EMPORIA**

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## **Memorandum**

August 3, 2012

**TO:** The Honorable Mayor and City Council  
**FROM:** Brian S. Thrower, City Manager *BST*  
**SUBJECT:** Wal-Mart Grant Funds – Appropriation Ordinance  
**ITEM #:** 12-58

The City's Police Department has received a grant from Wal-Mart in the amount of \$1,500. The Police Department will use these funds to purchase supplies for the Citizens Police Academy and to purchase educational materials for the Community Youth Program. In order for the Police Department to utilize these funds for this purpose, you must appropriate them into the FY13 operating budget.

### **Recommendation**

I recommend that you adopt the attached appropriation ordinance.

### **Attachment**

Ordinance

Ordinance No. \_\_\_\_\_

**Ordinance**

An Ordinance To Appropriate The Sum Of  
\$1,500.00 In Grant Funds From Wal-Mart For  
Public Safety

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

1. That the sum of \$1,500.00 in grant fund revenue from Wal-Mart, be, and the same hereby is, appropriated into the City's Operating Budget for Fiscal Year 2012-2013.
2. Said appropriation shall be reflected in the Fiscal Year 2012-2013 Operating Budget as the sum of \$1,500.00 in General Fund Revenues and the sum of \$1,500.00 appropriated to General Fund Expenditures, \$1,000.00 to Account Number 31100-6019 Citizens Police Academy and \$500.00 to Account Number 31100-6030 Community Youth Program.
3. This ordinance shall be in effect on and after its adoption.

Adopted: August 7, 2012

City of Emporia, Virginia

By \_\_\_\_\_  
Samuel W. Adams, III  
Mayor

Attest:

Form Approved:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
City Attorney



# **CITY OF EMPORIA**

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## **Memorandum**

August 3, 2012

**TO:** The Honorable Mayor and City Council  
**FROM:** Brian S. Thrower, City Manager *BST*  
**SUBJECT:** Victim Witness Program – Appropriation Ordinance  
**ITEM #:** 12-59

As you know, the City annually receives grant funds from the Department of Criminal Justice Services (DCJS) for our Victim Witness Program. We have received notification that DCJS has approved funding in the amount of \$56,618 for FY13. Funding in the amount of \$55,508 was included in our FY13 budget. Therefore, you will need to appropriate the difference of \$1,110 into the FY13 Operating Budget so that these grant funds may be utilized for the program.

### **Recommendation**

I recommend that you adopt the attached appropriation ordinance.

### **Attachment**

Ordinance

**Ordinance No.** \_\_\_\_\_

**Ordinance**

An Ordinance To Appropriate The Sum Of  
\$1,110.00 In Grant Funds From The Department of  
Criminal Justice Services For The Victim Witness  
Program

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

1. That the sum of \$1,110.00 in revenue from grant funds from the Department of Criminal Justice Services be, and the same hereby is, appropriated into the City's Operating Budget for Fiscal Year 2012-2013.
2. Said appropriation shall be reflected in the Fiscal Year 2012-2013 Operating Budget as the sum of \$1,110.00 in anticipated General Fund Revenues and the sum of \$1,110.00 appropriated to General Fund Expenditures for our Victim Witness Program.
3. This ordinance shall be in effect on and after its adoption.

Adopted: August 7, 2012

City of Emporia, Virginia

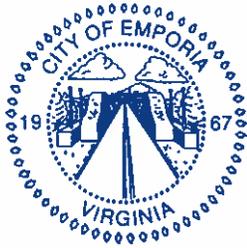
By \_\_\_\_\_  
Samuel W. Adams, III  
Mayor

Attest:

Form Approved:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
City Attorney



# **CITY OF EMPORIA**

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## **Memorandum**

August 3, 2012

**TO:** The Honorable Mayor and City Council  
**FROM:** Brian S. Thrower, City Manager *BST*  
**SUBJECT:** Fire Truck Repairs – Appropriation Ordinance  
**ITEM #:** 12-60

On June 28, 2012, the City of Emporia received insurance funds in the amount of \$1,739.20 from the Virginia Municipal League (VML) Insurance Programs for repairs to a 2005 fire truck that was damaged. Since the repairs were not completed until July 16, 2012, these funds were not utilized in FY12. As such, the funds technically went into fund balance with the close of the fiscal year. In order for the City to utilize these funds for the cost of the repairs, you will need to appropriate the insurance receipts into the FY13 operating budget.

### **Recommendation**

I recommend that you adopt the attached appropriation ordinance.

### **Attachment**

Ordinance

Ordinance No. \_\_\_\_\_

**Ordinance**

An Ordinance To Appropriate The Sum Of  
\$1,739.20 From The Un-appropriated Fund Balance  
Of The General Fund For Repairs To A Fire Truck

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

1. That the sum of \$1,739.20 in previously received funds from the un-appropriated fund balance of the General Fund received from the Virginia Municipal League Insurance Programs be, and the same hereby is, appropriated into the City's Operating Budget for Fiscal Year 2012-2013 for repairs to a 2005 fire truck.
2. Said appropriation shall be reflected in the 2012-2013 Operating Budget as the sum of \$1,739.20 appropriated to General Fund Expenditures, Account Number 32100-3310 Repairs & Maintenance.
3. This ordinance shall be in effect on and after its adoption.

Adopted: August 7, 2012

City of Emporia, Virginia

By \_\_\_\_\_  
Samuel W. Adams, III  
Mayor

Attest:

Form Approved:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
City Attorney



# **CITY OF EMPORIA**

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## **Memorandum**

August 3, 2012

**TO:** The Honorable Mayor and City Council

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

**SUBJECT:** Emporia-Greenville Cooperative Extension – Budget Amendment Request

**ITEM #:** 12-61

Due to a budget request submission error, the Emporia-Greenville Cooperative Extension is requesting the City approve an additional \$7,807 in its FY13 budget allocation in order to adequately fund employee salaries.

Emporia-Greenville Cooperative Extension Office staff is in attendance to explain the submission error.

### **Recommendation**

This item is for your consideration.

### **Attachments**

E-mail from Morris White, Unit Coordinator  
Budget Forms

## Brian Thrower

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**From:** White, Morris [morrisfw@vt.edu]  
**Sent:** Tuesday, July 03, 2012 4:23 PM  
**To:** bthrower@ci.emporia.va.us  
**Cc:** Goerlich, Daniel; sheila.cutrell@ci.emporia.va.us  
**Subject:** City of Emporia Extension Budget FY2013  
**Attachments:** KMBT22220120703100851.pdf

Brian,

Thank you for your continued support of Extension in the City of Emporia. I am truly sorry for the error that was submitted on our FY 2013 Budget. We submitted the correct figure for the "total amount requested by Extension" (\$29,035) but forgot to move the dollars from the FY2012 county/city funded program assistant position (Buck Harrison) into the state employee category (\$7,807) which is why the individual numbers did not match up with the total. Due to the hire of Brittany Council (the ANR agent) the funds allotted for Buck (\$7,807) should be in the State Salary portion of the form for FY2013.

Sheila shared that the City approved \$17,438 for the FY2013 extension budget. My interpretation is that this figure includes \$13,228 for salary and fringe benefits, plus \$4,210 for support services. We recognize that times are tight and we can work with the City on the cut to support services. But, **we really need the \$7,807 to remain in the budget to pay the agents.** With the cut to support services factored in, the approved budget amount from the City needs to be \$25,245 for us to operate. In other words, \$21,035 salary/fringe + \$4,210 support services. Attached is the correct form for FY2013, along with the approved FY2012 budget request for reference purposes. Thank you for meeting with me on Friday to help resolve this mistake. I am truly sorry.

Morris

**Morris F. White, III**  
**Unit Coordinator**  
**Extension Agent, 4-H Youth Development**  
**Virginia Cooperative Extension**  
**105 Oak Street**  
**Emporia, VA 23847**  
**phone: 434-348-4223**  
**fax: 434-348-3643**  
**[morrisfw@vt.edu](mailto:morrisfw@vt.edu)**

**"The Vision Unites Us"**

**VIRGINIA COOPERATIVE EXTENSION BUDGET REQUEST**  
**Virginia Polytechnic Institute and State University**  
**Virginia State University**

**BUDGET FY 2012**

Budget Request To: City of Emporia Unit: Greensville/Emporia VCE

Amount requested by Extension from local governing body for the year beginning July 1, 2011 and ending June 30, 2012 ..... \$ 29,035.00

Amount approved by local governing body for their cost of conducting the Extension program ..... 26,060.00

**STATE EMPLOYEE SALARIES:**

	Amount Requested	Amount Appropriated
Total State Salary Rates:	\$ <u>10,354.00</u>	\$ <u>10,354.00</u>
State Employee Benefits (27.75% salary rate):	\$ <u>2,874.00</u>	\$ <u>2,874.00</u>
Total State Salary Rates & Employee Benefits:	\$ <u>13,228.00</u>	\$ <u>13,228.00</u>

**COUNTY/CITY EMPLOYEE SALARIES:**

	Amount Requested	Amount Appropriated
Total County/City Salary Rates:	\$ <u>7,252.00</u>	\$ <u>7,252.00</u>
County/City Employee Benefits:	\$ <u>555.00</u>	\$ <u>555.00</u>
Total County/City Salary Rates & Employee Benefits:	\$ <u>7,807.00</u>	\$ <u>7,807.00</u>

*FY 2013  
 Britany  
 Lavinia  
 State employee*

*L BUCK County/City Employee  
 Harrison 2012 FY*

**OFFICE RENT SECTION:**

	Amount Requested	Amount Appropriated
Rental Value of Non-Leased Space: (\$_____)		
Rent of Leased Space:	\$ _____	\$ _____

**UNIT SUPPORT SERVICES:**



**VIRGINIA COOPERATIVE EXTENSION BUDGET REQUEST**  
**Virginia Polytechnic Institute and State University**  
**Virginia State University**

**BUDGET FY 2013**

Budget Request To: City of Emporia Unit: Greensville/Emporia VCE

Amount requested by Extension from local governing body for the year beginning July 1, 2011 and ending June 30, 2012 ..... \$ 29,035.00

Amount approved by local governing body for their cost of conducting the Extension program ..... \_\_\_\_\_

**STATE EMPLOYEE SALARIES:**

	Amount Requested	Amount Appropriated
Total State Salary Rates:	\$ <u>16,446.00</u>	\$ _____
State Employee Benefits (27.75% salary rate):	\$ <u>4,569.00</u>	\$ _____
Total State Salary Rates & Employee Benefits:	\$ <u>21,035.00</u>	\$ _____

**COUNTY/CITY EMPLOYEE SALARIES:**

	Amount Requested	Amount Appropriated
Total County/City Salary Rates:	\$ _____	\$ _____
County/City Employee Benefits:	\$ _____	\$ _____
Total County/City Salary Rates & Employee Benefits:	\$ _____	\$ _____

**OFFICE RENT SECTION:**

	Amount Requested	Amount Appropriated
Rental Value of Non-Lease		
Rent of Leased Space:		\$ _____

*Correct Budget Request for 2013*

**UNIT SUPPORT SERVICES**

Amount  
Requested

Amount  
Appropriated

Total Support Services:

\$ 8,000.00

\$

**GRAND TOTAL:** .....

\$29,035.00

\$

BILLING ADDRESS:

**BILLING INSTRUCTIONS:  
Greensville/Emporia VCE  
105 Oak Street  
Emporia, VA 23847  
Attention: Morris White**

\_\_\_\_\_  
Unit Coordinator

\_\_\_\_\_  
Date

\_\_\_\_\_  
City of Emporia

Has approved an appropriation of  
\$ \_\_\_\_\_

as shown in the amount appropriated column for Cooperative Extension work during the 2012 fiscal year.

Signed: \_\_\_\_\_

Name/Title: Brian S. Thrower

Date: \_\_\_\_\_

Address: 201 S. Main St. Emporia, VA 23847

Telephone: 434-634-3332

\_\_\_\_\_  
District Director

\_\_\_\_\_  
Date

**VIRGINIA COOPERATIVE EXTENSION BUDGET REQUEST**  
**Virginia Polytechnic Institute and State University**  
**Virginia State University**

**BUDGET FY 2013**

Budget Request To: City of Emporia Unit: Greensville/Emporia VCE

Amount requested by Extension from local governing body for the year beginning July 1, 2012 and ending June 30, 2013 ..... \$ 29,035.00

Amount approved by local governing body for their cost of conducting the Extension program ..... \$ 26,060.00

**STATE EMPLOYEE SALARIES:**

	Amount Requested	Amount Appropriated
Total State Salary Rates:	\$ <u>10,354.00</u>	\$ _____
State Employee Benefits (23.75% salary rate):	\$ <u>2,874.00</u>	\$ _____
Total State Salary Rates & Employee Benefits:	\$ <u>13,228.00</u>	\$ _____

**COUNTY/CITY EMPLOYEE SALARIES:**

	Amount Requested	Amount Appropriated
Total County/City Salary Rates:	\$ _____	\$ _____
County/City Employee Benefits:	\$ _____	\$ _____
Total County/City Salary Rates & Employee Benefits:	\$ _____	\$ _____

**OFFICE RENT SECTION**

	Amount Requested	Amount Appropriated
Rental Value of Non-Leased Space:	_____	_____
Rent of Leased Space:	_____	\$ _____

*Incorrect Budget Request Submitted and Adopted for FY 2013*

**UNIT SUPPORT SERVICES**





# **CITY OF EMPORIA**

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## **Memorandum**

August 3, 2012

**TO:** The Honorable Mayor and City Council  
**FROM:** Brian S. Thrower, City Manager *BST*  
**SUBJECT:** VML Business Meeting – Designation of Voting Delegate  
**ITEM #:** 12-62

Per the attached memo from Virginia Municipal League staff, you will need to appoint a Council Member to serve as the City's voting delegate at the annual VML business meeting, due to the Mayor's absence.

### **Recommendation**

I recommend you appoint a voting delegate.

### **Attachments**

Memo from R. Michael Amyx, Executive Director of VML  
Voting Delegate Form



OFFICERS

PRESIDENT

ROSEMARY WILSON  
VIRGINIA BEACH COUNCIL MEMBER

PRESIDENT-ELECT

EDWIN C. DALEY  
HOPEWELL CITY MANAGER

VICE PRESIDENT

DAVID P. HELMS  
MARION MAYOR

IMMEDIATE PAST PRESIDENT

JAMES P. COUNCELL III  
FRANKLIN MAYOR

EXECUTIVE DIRECTOR

R. MICHAEL AMYX

MAGAZINE

VIRGINIA TOWN & CITY

TO: Key Officials  
FROM: R. Michael Amyx, Executive Director  
DATE: July 27, 2012  
RE: Voting at the Business Meeting

The rules for voting by member localities during the Business Session are set out in Article IV, Section 6 of the League Constitution:

**"Representatives.** The mayor or board chairman, as the case may be, of each active member shall be deemed to be its official representative for the purpose of voting upon matters considered by an annual or special meeting of the League. In lieu of the mayor or board chairman, the governing body of a member may designate another official of the member to vote on behalf of the member. Such designation shall be in writing filed with the Executive Director or such other person acting as Secretary of the meeting prior to any vote. In the absence of the mayor or board chairman or other officers designated by the governing body as above specified at a vote taking, a majority of the elected and appointed officials present and registered at the meeting may file with the Executive Director or Secretary of the meeting in writing designating one of the member's officials present to vote in behalf of the member, and said filing to be in advance of the taking of any vote in which such person casts a vote."

VML's principle is that each locality that attends should be entitled to one vote at the business meeting. The rules are set up to ensure that.

Voting may not be by proxy. If the mayor or chair is not going to be at the business meeting, please complete the enclosed form (Attachment A) and return by September 20 to certify your locality's voting delegate during the Conference's Business Meeting on Tuesday, September 25. If you are not sure who will be present at the Business Session, credentials may be certified at the registration desk during the Conference or prior to the start of the business meeting. Each member locality has one vote at the business meeting. This voting certification does not exclude others from your locality from participating in discussions during the Business Session.

At the business meeting, VML staff will check in each attending member locality. Any vote that is contested or not unanimous will be by voice roll call administered by the presiding officer. The goal is that each locality attending the business meeting has the opportunity to cast a vote.

P.O. Box 12164  
RICHMOND, VIRGINIA 23241

13 EAST FRANKLIN STREET  
RICHMOND, VIRGINIA 23219

804/649-8471  
FAX 804/343-3758  
e-mail@vml.org  
www.vml.org

CERTIFICATION OF VOTING DELEGATE  
AND ALTERNATE

BUSINESS SESSION

Virginia Municipal League Annual Conference  
Williamsburg, Virginia  
Tuesday, September 25, 2012

Voting Delegate:

Name \_\_\_\_\_

Title \_\_\_\_\_

Locality \_\_\_\_\_

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Alternate Voting Delegate:

Name \_\_\_\_\_

Title \_\_\_\_\_

Locality \_\_\_\_\_

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Certified by:

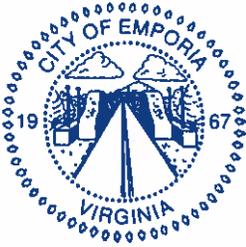
Name \_\_\_\_\_

Title \_\_\_\_\_

Locality \_\_\_\_\_

**Return by September 10, 2012 to:**

Virginia Municipal League  
P.O. Box 12164  
Richmond, Virginia 23241  
FAX: (804) 343-3758



# CITY OF EMPORIA

## MEMORANDUM

August 3, 2012

**TO:** The Honorable Mayor and City Council

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

**SUBJECT:** Emporia Redevelopment & Housing Authority – Term Expiration (Carolyn S. Carey)

**ITEM:** 12-63

On August 19, 2012 Mrs. Carolyn Carey's four (4) year term on the City of Emporia's Redevelopment & Housing Authority Board will expire. Mrs. Carey has indicated that she does wish to be considered for reappointment.

**Recommendation:**

This information is provided to City Council for consideration.

**Attachment:**

No attachment

BST/tsw