



CITY OF EMPORIA

AGENDA
EMPORIA CITY COUNCIL
Regular Meeting
TUESDAY, December 16, 2014 - 6:30 P.M.

OPENING PRAYER

ROLL CALL

APPROVAL OF MINUTES

December 2, 2014 ~ Public Hearing and Regular Meeting

APPROVAL OF BILLS

REPORTS

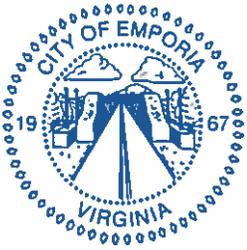
Financial and Tax Reports
Commissioner of the Revenue Report
Permit and Inspection Report
Police Report
Sheriff Report
Fire Report
City Attorney Report

APPROVAL OF AGENDA

NEW BUSINESS

- 14-85. Personnel Policy Updates - Request for Approval
- 14-86. Water and Sewer Tap Fees - Request for Direction
- 14-87. Fire Program Funds (City) - Appropriation Ordinance
- 14-88. Fire Program Funds (County) - Appropriation Ordinance
- 14-89. Farmers Market Trailhead Improvement Project - Appropriation Ordinance
- 14-90. DHCD Housing Needs Assessment Planning Grant - Appropriation Ordinance
- 14-91. City and Greensville County School Board Appointments
- 14-92. Water and Sewer Tap Fees - Request by Council Member Carey

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CITY OF EMPORIA

AGENDA
EMPORIA CITY COUNCIL
Regular Meeting
TUESDAY, December 16, 2014 - 6:30 P.M.

PUBLIC COMMENT

CLOSED SESSION

Closed Meeting pursuant to Virginia Code § 2.2 (A) (7) Legal matter requiring the advice of counsel pertaining to Comprehensive Services Act Funding.

PUBLIC HEARINGS

1. **City School Board Nominations**
 2. **Greensville County School Board Nominations**
 3. **Paid Time Off (PTO) Policy**
-

Emporia's City Council held a Public Hearing on Tuesday, December 2, 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 session.

The following City Council members were present:

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

Others present:

Mary L. Person, Mayor
C. Butler Barrett, City Attorney
Brian S. Thrower, City Manager
Dr. Edwin C. Daley, Assistant City Manager
Tessie S. Wilkins, City Clerk
W. S. Harris, Jr., Treasurer
Joyce E. Prince, Commissioner of the Revenue

Absent:

1. City School Board Nominations

Mr. Thrower stated that nominations were being accepted at this time for appointment to the City School Board.

Mayor Person asked if there was anyone present who wished to speak regarding this matter.

Ms. Marva Dunn, 272 Astrio Street, addressed Council stating that she would like to be reconsidered as a candidate for the City School Board. She stated that reappointment would allow her to work with a team already in place to ensuring that the youth will excel academically and become positive and productive citizens.

Councilman Harris nominated Denise Parker and Marva Dunn for the City School Board.

Mayor Person stated that a formal appointment would be made no earlier than seven (7) days after the public hearing.

With there being no further comments to come before City Council, Mayor Person declared the first public hearing closed and proceeded to the second public hearing.

2. Greenville County School Board Nominations

Mr. Thrower stated that nominations were being accepted at this time for appointment to the Greenville County School Board.

Mayor Person asked if there was anyone present who wished to speak regarding this matter.

Mrs. Bernadette Battle, 207 Lee Street, addressed Council stating that she would like to be considered as a candidate for the Greenville County School Board. She stated that she has been a member of the City School Board since 2005 and during that time she has served as Chairperson and Vice-Chairperson. She also stated that she works at Southside Virginia Community College as the Director of Counseling and has been there for 15 years. She further stated that she was passionate about the community and students. She stated that she keep up with the trends in higher education.

Ms. Marva Dunn, 272 Astrio Street, addressed Council stating that she would like to be reconsidered as a candidate for the Greenville County School Board. She stated that she was currently serving on the Greenville County School Board. She also stated that since her appointment to the board, she attended the yearly workshop for the board. She further stated that she recently met with teachers who are working to implement programs to help at-risk students. She stated that she was asked to help because of her experience in starting programs for at-risk kids and bringing them to the level of other students. She also stated that she has experience working with the superintendent in the Lynchburg school system as a liaison between inner city and low income at-risk kids and the school board.

Councilman Harris nominated Marva Dunn for the Greenville County School Board.

Councilman Ewing nominated Bernadette Battle for the Greenville County School Board.

Mayor Person stated that a formal appointment would be made no earlier than seven (7) days after the public hearing.

With there being no further comments to come before City Council, Mayor Person declared the second public hearing closed and proceeded to the third public hearing.

3. Paid Time Off (PTO) Policy

Mr. Thrower stated that the major reason for doing this is as following:

- The State of Virginia mandated localities to cover all new full-time employees, excluding hazardous duty employees (police and fire), commencing employment on or after January 1, 2014 under short and long term disability programs. Existing employees hired before January 1, 2014 are not currently covered under these programs.

- This proposal covers all new and existing full-time City employees, including police and fire, under short and long term disability programs, i.e. increased level of benefits for all City employees and a more equitable benefit plan.
- Covers all full-time employees under the same benefit programs instead of having two different programs for two different groups of employees.
- Curbs the abuse of sick leave and unplanned absences to generate higher productivity.
- Rewards employees who do not abuse sick leave given the fact that employees will be accruing two additional hours per pay period, as compared to the current annual leave accrual rate.
- Employees will be covered under short and long term disability programs which reduce the need for sick leave.

Mr. Thrower stated that following about sick leave:

- Effective January 1, 2015 sick leave shall not be accrued.
- Employees may elect to be paid out all or a portion of sick leave accrued as of December 31, 2014 at a rate of 25% with no cap. Payout based on hourly rate as of December 31, 2014. Payouts will occur in January 2015.
- Employee may elect to “bank” all or a portion of sick leave accrued as of December 31, 2014. This leave may only be used according to the existing sick leave guidelines, i.e. personal and family illness and injury, doctor’s note are required, employees subject to disciplinary action if they misrepresent the need to use sick leave, etc. Leave may also be used to fill disability coverage gaps. Payout will be based on hourly rate at time of separation from City employment.
- Employees may elect to convert up to 96 hours (12 days) of sick leave accrued as of December 31, 2014 to PTO subject to the maximum accruals provided in the PTO table. Employees may elect to convert up to 96 hours (12 days) of banked sick leave to PTO on an annual basis subject to the maximum accruals provided in the table.

Mr. Thrower stated the following about Paid Time Off:

- Employees will accrue two additional hours per pay period (48 hours/9 days additional per year), as compared to annual leave.
- Employees will be allowed to carryover an additional 96 hours (12 days) per calendar year, as compared to annual leave.
- Maximum payouts upon separation from employment will increase as follows, as compared to annual leave:
 - Under 5 years – 96 additional hours/12 days
 - 5-9 years – 96 additional hours/12 days
 - 10-14 years – 96 additional hours/12 days
 - 15-19 years – 144 additional hours/18 days
 - 20-24 years – 144 additional hours/18 days
 - 25 years or more – 192 additional hours/24 days
- PTO will be classified as “scheduled” or unscheduled.”
 - “Scheduled” leave shall be submitted to the supervisor in advance and shall be permitted at the discretion of the supervisor based on operational needs.
 - “Unscheduled” PTO will be used in the event the employee is unable to work due to unforeseen personal/family illness/injury or for other unforeseen

reasons. If an employee is unable to report to work for any reason, he/she shall notify his/her supervisor prior to the beginning of his/her shift. Employees may be required to furnish medical verification or other proof that unscheduled use of PTO was unavoidable to his/her supervisor. Excessive use/abuse of unscheduled PTO by an employee may subject the employee to disciplinary action.

Mr. Thrower recommended the following options to Council:

1. Approve the plan as previously outlined.
2. Approve the plan as previously outlined with some amendments, i.e. increase accrual rates to supplement the net loss of three hours of sick leave, increase maximum carryovers, increase maximum payouts, and/or increase the sick leave payout percentage from 25% with no cap to 50%, 75%, or 100% with no cap.
3. Give employees hired prior to January 1, 2014 the option of "opting into" the new plan. Those employees hired January 1, 2014 and after would be required to participate in the new plan.
4. Take no action at this time and continue the current inequitable system of new employees receiving a higher level of benefits than current employees, i.e. receiving disability coverage while still accruing sick leave at the same rate as existing employees. Should you take no action at this time, the City will need to amend its leave plan at some point in the future.

He recommended that Council provide direction to City Administration regarding the aforementioned options. He also stated that should Council direct City Administration to move forward with options 1, 2, or 3 he will amend the various leave policies and bring them back for consideration. He further stated that if Council wishes to hold a special meeting the week of December 8, 2014 in order to further consider this item so that any changes to current policy can be implemented prior to January 1, 2015 and communicated to employees in a timely manner.

Mayor Person asked if there was anyone present who wished to speak regarding this matter.

Frank Mainwaring, of 3018 Dry Bread Road Street, Emporia, Virginia stated that he had work for the City of Emporia for over 20 years. He stated that the new PTO policy depersonalizes city employee when they are at their worst by asking them to call the insurance to file the claim. He also stated that under the new PTO program that if the insurance company deny your claim, then what would happen. He further stated that another concern was that the sick time accrued now can be used to take care of family members but with the new PTO policy you cannot.

Lisa Council, of 277 Moonlight Road, Emporia, Virginia, stated that she has been an employee of the City for 19 years. She also that she has three concerns about the new PTO program. She further stated that her first concern was there it is not a liaison between the employees and Lincoln Financial Group. She advised that her second concern is that pre-existing condition will not be covered the first 12 months. She also advised that her third concern is that how can this be a moral booster if new employees hired are receiving a higher level of benefits than current employees. She further questioned that why this change wasn't implemented prior to the end of the year. She stated that if the City had a Human-Resource person would this chaos been prevented from happening.

John Romano, of 310 Budd Street, Emporia, Virginia stated that he is concerned with the loss of the six hours of sick time with the new PTO policy. He also stated that you cannot treat everyone the same, but you can treat them fairly.

Jerry Wright, of 310 Budd Street, Emporia, Virginia stated that he has been an employee of the City since 2003. He stated that his concern was that short-term and long-term disability does not provide time off if you are off providing care for a family member.

Stan Allen, of 310 Budd Street, Emporia, Virginia stated that he has worked for the City of Emporia for over 25 years. He also stated that his concern was that he be allowed to finish somewhat similar to how he started. He further stated that he would like the option to choose this or to keep the old policy.

Randy Pearce, of 201 S Main Street, Emporia, Virginia stated that he has been an employee of the City since 2005. He also stated that his wife Debbie Pearce was also in attendance tonight, and that she worked for the Human Resources office for Department of Corrections and also faced a similar change at her workplace. He further stated that there are pros and cons of the new policy.

Debbie Pearce, Emporia, Virginia stated that she has been with the Department of Corrections for 25 years. She also stated that the Department of Corrections had faced a similar change in the workplace. She further stated that what the Department of Corrections did to benefit the employee was to give them the option to “opting into” the new policy.

With there being no further more comments to come before City Council, Mayor Person declared the public hearing closed.

Mary L. Person, Mayor

Tessie S. Wilkins, City Clerk

**MINUTES
EMPORIA CITY COUNCIL
CITY OF EMPORIA MUNICIPAL BUILDING
December 2, 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, December 2, 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 Bishop Vincent Lowery offering the invocation.

ROLL CALL

The following City Council members were present:

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

Others present:

Mary L. Person, Mayor
C. Butler Barrett, City Attorney
Brian S. Thrower, City Manager
Dr. Edwin C. Daley, Assistant Manager
Tessie S. Wilkins, City Clerk
W. S. Harris, Jr., Treasurer
Joyce E. Prince, Commissioner of the Revenue

Absent:

MINUTES APPROVAL

Councilwoman Temple moved to approve the minutes from the Tuesday, November 18, 2014, City Council Public Hearing and Regular meeting minutes as presented, 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 |

AGENDA APPROVAL

Councilwoman Temple moved to approve the 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

14-80. Farmers Market Advisory Board Expirations – Honorable Doris White/Mike Allen

Mayor Person stated that on November 30, 2014 the four-year term of Council Member Doris White on the City's Farmers Market Advisory Board would expire. She also stated that Councilwoman White stated that she does not wish to be considered for reappointment.

Councilman Ewing nominated David Webb for the Farmers Market Advisory Board.

Councilman Ewing made a motion to appoint David Webb to serve a four years term on the Farmers Market Advisory Board, seconded by Councilman Harris, 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 |

NEW BUSINESS

14-84. Paid Time Off (PTO) Policy

Mr. Thrower stated that this item was the subject of the public hearing previously held.

Mr. Thrower recommended the following options to Council:

1. Approve the plan as previously outlined.
2. Approve the plan as previously outlined with some amendments, i.e. increase accrual rates to supplement the net loss of three hours of sick leave, increase

- maximum carryovers, increase maximum payouts, and/or increase the sick leave payout percentage from 25% with no cap to 50%, 75%, or 100% with no cap.
3. Give employees hired prior to January 1, 2014 the option of “opting into” the new plan. Those employees hired January 1, 2014 and after would be required to participate in the new plan.
 4. Take no action at this time and continue the current inequitable system of new employees receiving a higher level of benefits than current employees, i.e. receiving disability coverage while still accruing sick leave at the same rate as existing employees. Should you take no action this time, the City will need to amend its leave plan at some point in the future.

Councilman Harris inquired if there was a cash cap? Shelia Cutrell stated that the cash cap was \$15,000.00 per month.

Councilman Harris inquired about the pre-existing condition. Shelia Cutrell stated that employees may not be eligible for benefits if they received treatment for a condition within three months prior to the effective date of this policy until you have been covered under the policy for 12 months.

Councilman Harris stated that one of his concerns was from the International City/County Management Association Article which stated that the organizations that have instituted the PTO programs saw improved morale as a benefit. He stated that he thinks the City will see the opposite of this.

Councilman Harris made a motion to approve option 3 to give the employees hired prior to January 1, 2014 the option of “opting into” the new plan, and those employees hired January 1, 2014 and after would be required to participate in the new plan, seconded by Councilwoman Temple, 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 |

PUBLIC COMMENT

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

Ms. Marva Dunn, 272 Astrio Street, addressed Council stating that she appreciates Council taking the time to listen to the employees whom it effected.

With there being no 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) (7) Legal matter requiring the advice of counsel pertaining to Comprehensive Services Act Funding, 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 |

*****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 Deborah D. Lynch | 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 Deborah D. Lynch | aye |
| Councilwoman Doris T. White | aye |
| Councilwoman Carol Mercer | aye |
| Councilwoman L. Dale Temple | aye |
| Councilwoman Carolyn S. Carey | aye |

Councilman Ewing made the motion to authorize the Mayor and/or City Manager to execute the Comprehensive Services Act agreement subject to Greenville County agreeing to the amendments discussed, Councilwoman Temple seconded the motion, which passed as follows:

| | |
|-------------------------------|---------|
| Councilman F. Woodrow Harris | abstain |
| 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 |

ADJOURNMENT

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

Mary L. Person, Mayor

Tessie S. Wilkins, City Clerk

Review of Bills

December 16, 2014

GENERAL FUND

LEGISLATIVE

| | |
|-----------------------|--------|
| Independent Messenger | 548.55 |
| Mercer, Carol | 33.00 |
| Telpage, Inc. | 79.90 |
| Verizon | 19.20 |
| White, Doris T. | 75.00 |

EXECUTIVE

| | |
|---|----------|
| Brunswick Times Gazette | 207.00 |
| Dell Marketing LP | 1,244.41 |
| Hermes Publications | 198.00 |
| Independent Messenger | 414.00 |
| Lennie Turner - Richmond Times | 20.00 |
| North Carolina League of Municipalities | 68.00 |
| Pembroke Occupational Health | 150.00 |
| Roanoke Rapids Daily Herald | 499.00 |
| Telpage, Inc. | 84.95 |
| Verizon | 278.43 |

LAW

| | |
|------------------------|----------|
| Barrett Law Office, PC | 1,652.33 |
|------------------------|----------|

REGISTRAR

| | |
|----------------------------------|----------|
| Atlantic Election Services, Inc. | 6,175.90 |
| Poll Workers | 3,845.00 |
| Verizon | 19.20 |

EMERGENCY SERVICES

| | |
|-----------------------------------|----------|
| Gaston Security, Inc. | 6,654.00 |
| Independent Messenger | 248.40 |
| Sadler Brothers Oil Company, Inc. | 126.40 |
| Verizon | 38.40 |
| Verizon Wireless | 49.75 |

COURTS

| | |
|---------------------------|-----------|
| Southside Regional Jail | 99,727.52 |
| Stallings & Randall, P.C. | 120.00 |
| Verizon | 94.12 |

COURT SERVICES UNIT

| | |
|-----------------------------------|----------|
| Emporia CNBB, LP | 2,337.50 |
| F. Woodrow Harris | 60.00 |
| Sadler Brothers Oil Company, Inc. | 332.14 |
| Treasurer of Virginia - VITA | 48.96 |
| Verizon | 239.34 |
| Walmart | 11.94 |

VICTIM WITNESS

| | |
|--------------|-------|
| Pitney Bowes | 32.00 |
|--------------|-------|

VJCCCA/FAMILY VIOLENCE PREVENTION

| | |
|-----------------------------------|--------|
| Behavioral Interventions | 160.89 |
| Caroline J. Gatten | 555.00 |
| F. Woodrow Harris | 24.50 |
| Intermedia, Inc. | 970.85 |
| Marva Dunn | 176.05 |
| Sadler Brothers Oil Company, Inc. | 80.06 |
| Telpage, Inc. | 49.95 |
| Treasurer of Virginia - VITA | 15.14 |
| Verizon | 112.71 |
| Verizon Wireless | 445.39 |

SHARED SERVICES

| | |
|----------------------|------------|
| County of Greenville | 450,224.71 |
|----------------------|------------|

FINANCE

| | |
|-------------------------------|-----------|
| Anthem Blue Cross/Blue Shield | 46,089.78 |
| Davenport & Company, LLC | 13,157.00 |
| Verizon | 57.35 |

TREASURER

| | |
|-----------------------|--------|
| City Directories | 270.00 |
| Independent Messenger | 93.15 |
| Pam Lifsey | 95.20 |
| Verizon | 155.97 |

COMMISSIONER OF REVENUE/ASSESSOR

| | |
|---------------------|--------|
| NADA Used Car Guide | 79.50 |
| Quill Corporation | 520.33 |
| Verizon | 81.05 |

DEBT SERVICE

| | |
|--------------------------------|----------|
| BB&T Governmental Finance | 7,553.54 |
| First Citizens Bank & Trust | 7,580.08 |
| The Bank of Hampton Roads | 3,665.43 |
| The Bank of Southside Virginia | 1,129.24 |
| USDA Rural Development | 5,000.00 |

NON-DEPARTMENTAL

| | |
|---------------------------|----------|
| Meherrin Regional Library | 7,877.92 |
|---------------------------|----------|

Review of Bills December 16, 2014

SHERIFF

| | |
|-----------------------------------|--------|
| Emporia CNBB, LP | 325.00 |
| Sadler Brothers Oil Company, Inc. | 423.25 |
| Sam C. Brown | 335.40 |
| Telpage, Inc. | 39.99 |
| Verizon | 104.78 |
| Verizon Wireless | 116.07 |

FIRE

| | |
|------------------------------------|----------|
| Chesterfield Insurers, Inc. | 5,898.00 |
| City of Emporia - Utility Fund | 392.60 |
| Dominion Virginia Power | 24.41 |
| Emporia Clinic Corporation | 107.00 |
| Emporia Medical Associates, PC | 390.00 |
| Fire-X Corporation | 187.00 |
| Houchins Pest Control | 18.50 |
| Lincoln Financial Group | 23.59 |
| McNeil & Company, Inc. | 2,381.00 |
| Mecklenburg Electric Cooperative | 22.67 |
| Morris Refrigeration Company, Inc. | 140.56 |
| Parker Oil Company, Inc. | 487.82 |
| Rawlings Brothers Garage | 1,338.75 |
| Sadler Brothers Oil Company, Inc. | 106.18 |
| Telpage, Inc. | 39.95 |
| Verizon | 153.60 |
| Verizon Wireless | 30.97 |

PARKS & RECREATION

| | |
|-----------------------------------|--------|
| Cintas Corporation | 4.55 |
| Sadler Brothers Oil Company, Inc. | 207.52 |
| Wootton Brother's Greenhouse | 675.00 |

ECONOMIC DEVELOPMENT

| | |
|-----------------------------------|----------|
| Emporia IDA | 560.00 |
| Emporia Redevelopment & Housing | 5,271.43 |
| Sadler Brothers Oil Company, Inc. | 50.39 |
| Verizon | 19.20 |
| Verizon Wireless | 49.75 |

PLANNING AND ZONING

| | |
|--------------------------------------|-----------|
| Community Planning Partners | 9,618.65 |
| Dell Marketing LP | 621.21 |
| Dewberry Engineers, Inc. | 1,944.00 |
| H. G. Reynolds Company, Inc. | 11,975.40 |
| Kyle Green | 194.52 |
| Quill Corporation | 282.83 |
| Sadler Brothers Oil Company, Inc. | 276.21 |
| Verizon | 156.41 |
| Verizon Wireless | 80.70 |
| Wilbert Williams & Sons Bldg. Contr. | 1,750.00 |

POLICE

| | |
|-----------------------------------|-----------|
| Carousel Industries | 650.00 |
| Crossroads Chrysler Jeep Dodge | 1,710.30 |
| David Shidell | 271.59 |
| Davis Body Shop, Inc. | 608.25 |
| Department of Motor Vehicles | 20.00 |
| Emporia Medical Associates, PC | 390.00 |
| June Rae | 102.00 |
| Radio Communications of Virginia | 38,872.94 |
| Sadler Brothers Oil Company, Inc. | 7,900.50 |
| Telpage, Inc. | 59.95 |
| Town Police Supply of Richmond | 1,947.00 |
| United Parcel Service | 13.72 |
| Verizon | 521.44 |
| Verizon Wireless | 614.14 |
| Willie Richards | 122.93 |

ANIMAL CONTROL

| | |
|-----------------------------------|--------|
| Sadler Brothers Oil Company, Inc. | 101.57 |
| Verizon Wireless | 30.33 |

FACILITIES

| | |
|------------------------------------|----------|
| Amerigas Propane LP | 1,084.72 |
| Cintas Corporation | 39.20 |
| City of Emporia - utility Fund | 36.90 |
| David W. Fladung | 82.15 |
| Dominion Virginia Power | 2,487.14 |
| Gaston Security, Inc. | 80.00 |
| Houchins Pest Control Service | 138.75 |
| Independent Messenger | 186.30 |
| Mecklenburg Electric Cooperative | 507.98 |
| Morris Refrigeration Company, Inc. | 1,003.60 |
| The Yellow Room, Inc. | 1,053.40 |
| Troy & Banks | 40.62 |

Review of Bills December 16, 2014

PUBLIC WORKS

| | |
|-----------------------------------|-----------|
| B & B Consultants, Inc. | 187.50 |
| Cintas Corporation | 199.59 |
| Dominion Virginia Power | 6,850.13 |
| Fuel Freedom Card | 4,551.17 |
| Greensville County Landfill | 18,429.21 |
| Jasper Engines & Transmissions | 2,219.12 |
| Lincoln Financial Group | 72.17 |
| Mecklenburg Electric Cooperative | 1,245.84 |
| Michael Williams | 50.00 |
| Owen Ford, Inc. | 44,541.45 |
| Rightmyer Machine Rentals | 2,839.33 |
| Sadler Brothers Oil Company, Inc. | 2,333.81 |
| Southside Regional Jail | 140.00 |
| Telpage, Inc. | 39.95 |
| Verizon | 290.86 |
| Verizon Wireless | 211.42 |

TOTAL GENERAL FUND \$863,656.96

UTILITY FUND

| | |
|-----------------------------------|-----------|
| Anthem Blue Cross/Blue Shield | 10,279.72 |
| Brenntag Mid-South, Inc. | 357.50 |
| Cintas Corporation | 87.71 |
| Dewberry Engineers, Inc. | 10,750.00 |
| Dominion Virginia Power | 3,756.31 |
| Duncan Hill | 50.00 |
| Fuel Freedom Card | 472.65 |
| Hampton Roads Sanitation | 381.50 |
| Independent Messenger | 331.20 |
| John W. Fetko, Jr. | 50.00 |
| Kelly Harrell | 180.00 |
| Lincoln Financial Group | 20.68 |
| Mecklenburg Electric Cooperative | 6,770.73 |
| Parker Oil Company, Inc. | 501.38 |
| Sadler Brothers Oil Company, Inc. | 995.86 |
| Telpage, Inc. | 79.90 |
| Treasurer of Virginia - DGS | 151.00 |
| U. S. Postal Service | 741.90 |
| Univar USA, Inc. | 4,413.57 |
| Verizon | 849.10 |
| Verizon Wireless | 240.24 |
| VUPS | 30.15 |

TOTAL UTILITY FUND \$41,491.10

**CITY OF EMPORIA
CITY COUNCIL MEETING
December 23, 2014
AGENDA MEMORANDUM**

**SUBJECT: FINANCIAL STATEMENT
COLLECTIONS 2012-2014
COLLECTIONS 2009-2011
DELINQUENT TAX SUMMARY-ALL YEARS
2014 PPTRA ALLOTMENT-COMPARISON
SALES & USE TAX COMPARISON
MONTHLY UTILITY DEPT. COMPARISON
CUT OFFS FOR UTILITY CUSTOMERS
UNCOLLECTED UTILITY BILLS
BOOT COLLECTIONS**

W. S. HARRIS, JR., TREASURER

Financial Statement

November 30, 2014

CHECKING / DAILY INVESTMENT

General Fund

Utility Fund

1,825,076.22

675,885.64

CERTIFICATES OF DEPOSIT / INVESTMENTS

| | | | | |
|----------------------|----------------|---------------|-----------|----|
| FIRST COMMUNITY BANK | \$384,851.23 | MMF @ .07% | NA | GF |
| CARTER BANK & TRUST | \$1,513,848.22 | 12 Mos @ .55% | 1/7/2015 | GF |
| CARTER BANK & TRUST | \$1,012,285.34 | 12 Mos @ .60% | 1/30/2015 | GF |
| CARTER BANK & TRUST | \$1,012,285.34 | 12 Mos @ .60% | 1/30/2015 | GF |
| CARTER BANK & TRUST | \$776,553.95 | 12 Mos @ .65% | 2/5/2015 | GF |
| CARTER BANK & TRUST | \$506,542.61 | 12 Mos @ .65% | 2/5/2015 | GF |
| CARTER BANK & TRUST | \$506,542.61 | 12 Mos @ .65% | 2/5/2015 | GF |
| CARTER BANK & TRUST | \$753,382.56 | 12 Mos @ .65% | 6/30/2015 | GF |

| | | | | |
|----------------------|--------------|---------------|-----------|----|
| FIRST COMMUNITY BANK | \$505,048.12 | MMF @ .07% | NA | UT |
| CARTER BANK & TRUST | \$504,616.08 | 12 Mos @ .55% | 1/7/2015 | UT |
| CARTER BANK & TRUST | \$505,891.05 | 12 Mos @ .60% | 1/30/2015 | UT |

Nov-14

RECAP OF 2014 TAXES

| TYPE OF TAX | BAL. FWD. | SUPPLEMENTS | ABATEMENTS | ADJUSTED LEVY | COLLECTIONS | BALANCE DUE |
|--|---------------------|------------------------|--|----------------------|------------------------|---------------------|
| | (A) | (B) | (C) | (Cols. A+B-C) (D) | TO DATE (E) | |
| Real Estate | 3,115,570.28 | 2,882.31 | 2,328.29 | 3,116,124.30 | 1,346,546.06 | 1,789,578.24 |
| Personal Property | 1,296,854.59 | 59,741.55 | 22,872.49 | 1,333,723.65 | 1,285,003.57 | 88,720.08 |
| Decals | 106,527.00 | 4,982.50 | 1,545.82 | 109,943.88 | 85,084.84 | 24,859.40 |
| Personal Property Relief | 553,560.55 | 28,482.43 | 7,606.19 | 574,436.79 | 488,947.03 | 87,489.76 |
| Public Service | 188,396.69 | 0.00 | 0.00 | 188,396.69 | 101,778.64 | 86,618.05 |
| TOTAL | 5,260,909.11 | 96,068.79 | 34,352.59 | 5,322,625.31 | 3,285,360.14 | 2,037,265.17 |
| 2014 Real Estate Tax Collections | | 43.21% | 2014 Personal Property Tax Relief | | 84.77% | |
| 2014 Personal Property Tax Collections | | 94.85% | 2014 Public Service Tax Collection | | 54.02% | |

RECAP OF 2013 TAXES

| TYPE OF TAX | BAL. FWD. | SUPPLEMENTS | ABATEMENTS | ADJUSTED LEVY | COLLECTIONS | BALANCE DUE |
|--|---------------------|------------------------|--|----------------------|-------------------------|------------------|
| | (A) | (B) | (C) | (Cols. A+B-C) (D) | TO DATE (E) | |
| Real Estate | 3,098,844.15 | 3,059.50 | 3,348.95 | 3,098,556.70 | 3,047,984.80 | 50,571.90 |
| Personal Property | 1,269,263.24 | 22,706.50 | 25,215.49 | 1,266,754.25 | 1,251,837.52 | 14,916.73 |
| Decals | 106,188.00 | 1,982.50 | 2,680.71 | 105,489.79 | 97,533.89 | 7,955.90 |
| Personal Property Relief | 581,632.25 | 10,214.96 | 23,667.51 | 548,179.70 | 527,401.44 | 20,778.26 |
| Public Service | 200,213.60 | 0.00 | 0.00 | 200,213.60 | 200,213.60 | 0.00 |
| TOTAL | 5,236,141.24 | 37,963.46 | 54,910.66 | 5,219,194.04 | 5,124,971.25 | 94,222.79 |
| 2013 Real Estate Tax Collections | | 98.37% | 2013 Personal Property Tax Relief | | 96.21% | |
| 2013 Personal Property Tax Collections | | 98.82% | 2013 Public Service Tax Collection | | 100.00% | |

RECAP OF 2012 TAXES

| TYPE OF TAX | BAL. FWD. | SUPPLEMENTS | ABATEMENTS | ADJUSTED LEVY | COLLECTIONS | BALANCE DUE |
|--|---------------------|------------------------|--|----------------------|-------------------------|------------------|
| | (A) | (B) | (C) | (Cols. A+B-C) (D) | TO DATE (E) | |
| Real Estate | 3,019,463.59 | 1,020.90 | 2,560.52 | 3,017,923.97 | 3,002,041.99 | 15,881.98 |
| Personal Property | 1,224,318.90 | 68,794.39 | 32,993.06 | 1,260,120.23 | 1,251,185.81 | 8,919.92 |
| Decals | 104,243.00 | 9,600.50 | 4,170.00 | 109,673.50 | 103,515.15 | 6,108.35 |
| Personal Property Relief | 580,183.75 | 63,406.00 | 42,878.85 | 580,710.90 | 567,701.99 | 13,008.91 |
| Public Service | 173,084.34 | 0.00 | 0.00 | 173,084.34 | 173,064.34 | 0.00 |
| TOTAL | 5,081,273.58 | 142,821.79 | 82,602.43 | 5,141,492.94 | 5,097,509.28 | 43,919.16 |
| 2012 Real Estate Tax Collections | | 99.47% | 2012 Personal Property Tax Relief | | 97.75% | |
| 2012 Personal Property Tax Collections | | 99.28% | 2012 Public Service Tax Collection | | 100.00% | |

Nov-14

RECAP OF 2009 TAXES

| TYPE OF TAX | BAL. FWD. | SUPPLEMENTS | ABATEMENTS | ADJUSTED LEVY | COLLECTIONS | BALANCE DUE |
|---|---------------------|------------------------|--|----------------------|-------------------------|------------------|
| | (A) | (B) | (C) | (Cols. A+B-C) (D) | TO DATE (E) | |
| Real Estate | 2,942,633.61 | 3,808.18 | 6,400.94 | 2,940,040.85 | 2,937,722.32 | 2,318.53 |
| Personal Property | 1,214,926.66 | 219,879.72 | 219,483.52 | 1,215,122.86 | 1,210,683.70 | 4,439.16 |
| Decals | 110,991.50 | 7,026.00 | 7,526.50 | 110,491.00 | 106,312.29 | 4,178.71 |
| Personal Property Relief | 524,152.89 | 38,891.54 | 17,349.89 | 545,694.54 | 538,404.32 | 7,290.22 |
| Public Service | 121,797.85 | 0.00 | 0.00 | 121,797.85 | 121,797.85 | 0.00 |
| TOTAL | 4,914,502.51 | 269,405.44 | 250,760.85 | 4,933,147.10 | 4,914,920.48 | 18,226.62 |
| 2009 Real Estate Tax Collections | | 99.92% | 2009 Personal Property Tax Relief | | 98.66% | |
| 2009 Personal Property Tax Collection | | 99.63% | 2009 Public Service Tax Collection | | 100.00% | |

RECAP OF 2010 TAXES

| TYPE OF TAX | BAL. FWD. | SUPPLEMENTS | ABATEMENTS | ADJUSTED LEVY | COLLECTIONS | BALANCE DUE |
|--|---------------------|------------------------|--|----------------------|-------------------------|------------------|
| | (A) | (B) | (C) | (Cols. A+B-C) (D) | TO DATE (E) | |
| Real Estate | 2,976,993.81 | 0.00 | 3,324.20 | 2,973,669.61 | 2,969,136.95 | 4,532.66 |
| Personal Property | 1,141,435.34 | 99,940.97 | 56,825.37 | 1,184,550.84 | 1,177,380.50 | 7,170.44 |
| Decals | 107,658.50 | 9,563.00 | 5,519.15 | 111,702.35 | 108,588.70 | 3,133.65 |
| Personal Property Relief | 578,916.57 | 34,959.61 | 29,395.11 | 584,481.07 | 577,130.91 | 7,350.16 |
| Public Service | 165,731.98 | 0.00 | 8,167.59 | 157,564.39 | 157,564.39 | 0.00 |
| TOTAL | 4,970,736.20 | 144,463.58 | 103,231.42 | 5,011,968.36 | 4,989,781.45 | 22,186.91 |
| 2010 Real Estate Tax Collections | | 99.65% | 2010 Personal Property Tax Relief | | 98.74% | |
| 2010 Personal Property Tax Collections | | 99.41% | 2010 Public Service Tax Collection | | 100.00% | |

RECAP OF 2011 TAXES

| TYPE OF TAX | BAL. FWD. | SUPPLEMENTS | ABATEMENTS | ADJUSTED LEVY | COLLECTIONS | BALANCE DUE |
|---|---------------------|------------------------|--|----------------------|-------------------------|------------------|
| | (A) | (B) | (C) | (Cols. A+B-C) (D) | TO DATE (E) | |
| Real Estate | 2,984,406.93 | 0.00 | 3,000.24 | 2,981,406.69 | 2,974,988.38 | 6,418.33 |
| Personal Property | 1,244,373.63 | 26,690.75 | 33,638.35 | 1,237,426.03 | 1,233,112.55 | 4,288.58 |
| Decals | 111,029.00 | 8,475.00 | 6,009.93 | 113,494.07 | 109,044.12 | 4,499.95 |
| Personal Property Relief | 557,964.29 | 30,384.27 | 29,883.36 | 558,465.20 | 550,984.18 | 7,481.02 |
| Public Service | 158,479.42 | 0.00 | 0.00 | 158,479.42 | 158,479.42 | 0.00 |
| TOTAL | 5,054,253.27 | 65,550.02 | 72,531.88 | 5,047,271.41 | 5,024,608.63 | 22,637.88 |
| 2011 Real Estate Tax Collections | | 99.78% | 2011 Personal Property Tax Relief | | 98.66% | |
| 2011 Personal Property Tax Collection | | 99.65% | 2011 Public Service Tax Collection | | 100.00% | |

DELINQUENT TAX SUMMARY - FY 2014-2015

November-14

REAL ESTATE TAXES

| <i>Tax Year</i> | <i>Balance July 1</i> | <i>Supplements Added</i> | <i>Abatements</i> | <i>Bankruptcy Charge-Offs</i> | <i>Credit Card Collections</i> | <i>Collected To This Month</i> | <i>Collected This Month</i> | <i>Balance</i> |
|-----------------|-----------------------|--------------------------|-------------------|-------------------------------|--------------------------------|--------------------------------|-----------------------------|--------------------|
| 2008 | \$2,970.20 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$956.69 | \$0.00 | \$2,013.51 |
| 2007 | \$2,057.83 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$167.66 | \$66.61 | \$1,823.56 |
| 2006 | \$1,749.32 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$167.66 | \$89.32 | \$1,492.34 |
| 2005 | \$1,583.14 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$53.45 | \$0.00 | \$1,529.69 |
| 2004 | \$978.57 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$978.57 |
| 2003 | \$749.28 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$749.28 |
| 2002 | \$315.84 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$315.84 |
| 1994-2001 | \$2,565.36 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$2,565.36 |
| TOTAL | \$12,969.54 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$1,345.46 | \$155.93 | \$11,468.15 |

PERSONAL PROPERTY TAX

| <i>Tax Year</i> | <i>Balance July 1</i> | <i>Supplements Tx Relief</i> | <i>Abatements</i> | <i>Bankruptcy Charge-Offs</i> | <i>Credit Card Collections</i> | <i>Collected To This Month</i> | <i>Collected This Month</i> | <i>Balance</i> |
|-----------------|-----------------------|------------------------------|-------------------|-------------------------------|--------------------------------|--------------------------------|-----------------------------|--------------------|
| 2008 Net Tax | \$5,830.16 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$5,830.16 |
| 2007 Net Tax | \$3,955.82 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$25.25 | \$0.00 | \$3,930.57 |
| 2006 Net Tax | \$4,244.94 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$4,244.94 |
| 2002-2005 | \$13,469.45 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$13,469.45 |
| TOTAL | \$27,500.37 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$25.25 | \$0.00 | \$27,475.12 |

| | | | | | | | | |
|--------------------------------------|--------------------|---------------|---------------|---------------|---------------|-------------------|-----------------|--------------------|
| Grand Total of All Delinquent | \$40,469.91 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$1,370.71 | \$155.93 | \$38,943.17 |
|--------------------------------------|--------------------|---------------|---------------|---------------|---------------|-------------------|-----------------|--------------------|

2014 PPTRA ALLOTMENT - COMPARISON

TOTAL ALLOTMENT FROM STATE - \$570,316.00

TOTAL PPTRA ASSESSED - 60.00% **\$553,560.55**

COLLECTIONS THRU PAID BILLS

| | |
|---------------|---------------------|
| Jun-14 | \$93,142.84 |
| Jul-14 | \$172,607.17 |
| Aug-14 | \$143,209.22 |
| Sep-14 | \$20,291.82 |
| Oct-14 | \$33,137.32 |
| Nov-14 | \$24,558.66 |

ABATEMENTS **-\$7,606.19**

SUPPLEMENTS **\$28,482.43**

TOTAL REMAINING FROM UNPAID BILLS **\$87,489.76**

1st Payment from State **8/15/2014** **169,836.72**

2nd Payment from State **11/14/2014** **254,755.09**

Final Payment from State

Local Sales & Use Tax Collection Comparison

Local Sales & Use Tax

| Month | 2011 Calendar Year Collected | 2012 Calendar Year Collected | 2013 Calendar Year Collected | 2014 Calendar Year Collected |
|---------------------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|
| January | \$110,239.00 | \$127,062.93 | \$108,278.56 | \$114,486.19 |
| February | \$125,876.99 | \$126,296.95 | \$127,189.75 | \$134,859.04 |
| March | \$104,593.90 | \$102,337.33 | \$99,674.97 | \$113,809.08 |
| April | \$119,737.24 | \$137,369.57 | \$104,585.97 | \$109,251.63 |
| May | \$123,865.11 | \$135,414.13 | \$119,461.45 | \$126,207.82 |
| June | \$131,026.53 | \$110,435.22 | \$117,580.07 | \$115,773.26 |
| July | \$180,490.56 | \$116,536.54 | \$107,486.36 | \$121,522.13 |
| August | \$53,547.37 | \$117,795.21 | \$117,641.94 | \$127,326.00 |
| September | \$119,307.80 | \$125,411.89 | \$118,116.99 | \$123,169.48 |
| October | \$123,419.00 | \$111,125.40 | \$105,496.08 | \$172,694.83 |
| November | \$119,256.67 | \$106,691.83 | \$100,495.50 | \$105,542.20 |
| December | \$117,432.90 | \$102,684.77 | \$105,977.72 | |
| Yearly Total | \$1,428,793.07 | \$1,419,161.77 | \$1,331,985.36 | \$1,364,641.66 |

State Sales & Use Tax Collection Comparison

State Sales & Use Tax

| Month | 2011 Calendar Year Collected | 2012 Calendar Year Collected | 2013 Calendar Year Collected | 2014 Calendar Year Collected |
|---------------------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|
| January | \$76,745.66 | \$81,464.16 | \$80,957.08 | \$81,625.86 |
| February | \$92,440.02 | \$91,897.24 | \$95,365.10 | \$89,390.50 |
| March | \$63,957.82 | \$72,512.86 | \$73,527.62 | \$73,783.14 |
| April | \$69,216.00 | \$70,609.86 | \$76,942.78 | \$72,753.54 |
| May | \$78,000.40 | \$85,665.32 | \$87,608.38 | \$82,071.08 |
| June | \$85,721.72 | \$85,637.98 | \$90,121.30 | \$86,973.60 |
| July | \$72,832.12 | \$78,791.66 | \$78,471.52 | \$85,613.20 |
| August | \$84,321.66 | \$89,692.72 | \$87,181.40 | \$94,634.72 |
| September | \$74,027.06 | \$80,905.18 | \$76,334.64 | \$87,019.92 |
| October | \$78,763.86 | \$83,390.34 | \$79,978.88 | \$88,182.16 |
| November | \$77,775.18 | \$82,935.18 | \$81,448.88 | \$88,136.74 |
| December | \$77,868.98 | \$77,980.08 | \$83,144.42 | |
| Yearly Total | \$931,670.48 | \$981,482.58 | \$991,082.00 | \$930,184.46 |

**Monthly Comparison of
Collected Utility Fund Revenue & Completed Service Orders**

FY 2014 - 2015

| | July | August | September | October | November | December |
|------------------------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------|
| Water | 135,018.30 | 131,994.82 | 142,309.55 | 141,301.58 | 136,562.60 | |
| Sewer | 99,757.08 | 105,962.43 | 111,506.66 | 110,952.69 | 102,174.93 | |
| Meter Charge | 4,428.22 | 4,348.97 | 4,477.54 | 4,459.57 | 4,329.95 | |
| Water Taps | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | |
| Sewer Taps | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | |
| Sale of Materials | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | |
| Penalties | 6,384.43 | 7,606.06 | 7,330.15 | 7,288.54 | 7,771.74 | |
| Cut on/off Fees | 1,620.00 | 2,280.00 | 2,031.05 | 2,220.00 | 1,988.97 | |
| Water Sales-Bulk Water | 35.06 | 0.00 | 366.24 | 0.00 | 0.00 | |
| Sewer Services | 265.63 | 267.68 | 289.40 | 285.44 | 0.00 | |
| Miscellaneous | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | |
| Total Revenue For the Month | 247,508.72 | 252,459.96 | 268,310.59 | 266,507.82 | 252,828.19 | 0.00 |

| | January | February | March | April | May | June | YTD Category Tot |
|------------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|---------------------|
| Water | | | | | | | 687,186.85 |
| Sewer | | | | | | | 530,353.79 |
| Meter Charge | | | | | | | 22,044.25 |
| Water Taps | | | | | | | 0.00 |
| Sewer Taps | | | | | | | 0.00 |
| Sale of Materials | | | | | | | 0.00 |
| Penalties | | | | | | | 36,380.92 |
| Cut on/off Fees | | | | | | | 10,140.02 |
| Water Sales-Bulk Water | | | | | | | 401.30 |
| Sewer Services | | | | | | | 1,108.15 |
| Miscellaneous | | | | | | | 0.00 |
| Total Revenue for the Month | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | |

| | July | August | September | October | November | December |
|---|------------|------------|------------|------------|------------|----------|
| Service Orders | | | | | | |
| Ttl Off/On Requests | 57 | 70 | 64 | 57 | 61 | |
| Ttl Leak Inquiries | 62 | 51 | 62 | 75 | 74 | |
| Ttl Service Orders For the Month | 119 | 121 | 126 | 132 | 135 | 0 |

| | January | February | March | April | May | June | YTD Order Totals |
|---|----------|----------|----------|----------|----------|----------|---------------------|
| Service Orders | | | | | | | |
| Ttl Off/On Requests | | | | | | | 309 |
| Ttl Leak Inquiries | | | | | | | 324 |
| Ttl Service Orders For the Month | 0 | 0 | 0 | 0 | 0 | 0 | |

YTD Revenue Total All Depts. **1,287,615.28** YTD Service Order **633**

**REPORT OF CUT OFFS TO UTILITY ACCOUNTS SINCE
EXTENSION OF PAYMENTS TO NEXT MONTH**

JULY 06 STARTED CHANGE-DID NOT CUT WATER OFF THIS MONTH

AUGUST 24
SEPTEMBER 55
OCTOBER 45
NOVEMBER 27
DECEMBER 77

| | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 |
|------------------|-------------|-------------|-------------|-------------|-------------|-------------|--|
| JANUARY | 58 | 45 | 62 | 103 | 86 | 68 | 80 |
| FEBRUARY | 32 | 63 | 56 | 44 | 30 | 45 | 68 |
| MARCH | 35 | 71 | 74 | 46 | 31 | 48 | 58 |
| APRIL | 49 | 44 | 28 | 63 | 48 | 70 | 92 |
| MAY | 63 | 71 | 56 | 86 | 83 | 43 | 64 |
| JUNE | 66 | 82 | 86 | 58 | 281 | 79 | 83 |
| JULY | 76 | 67 | 53 | 74 | 130 | 80 | 88 |
| AUGUST | 67 | 86 | 90 | 78 | 85 | 75 | 57 |
| SEPTEMBER | 75 | 94 | 49 | 66 | 83 | 63 | 0 started changed(180 door hangers) |
| OCTOBER | 93 | 43 | 72 | 86 | 66 | 68 | 16 (39 door hangers) |
| NOVEMBER | 51 | 39 | 46 | 54 | 86 | 90 | 31 (48 door hangers) |
| DECEMBER | 71 | 71 | 130 | 44 | 61 | 53 | 55 (149 door hangers) |

2014

JANUARY 68 (114 door hangers)
FEBRUARY 27 (33 door hangers)
MARCH 42 (48 door hangers)
APRIL 31 (32 door hangers)
MAY 36 (42 door hangers)
JUNE 35 (38 door hangers)
JULY 51 (56 door hangers)
AUGUST 19 (63 door hangers)
SEPTEMBER 44 (64 door hangers)
OCTOBER 62 (66 door hangers)
NOVEMBER 28 (84 door hangers)
DECEMBER

UNCOLLECTED UTILITY BILLS

| | | |
|----------------------------------|-----------|-----------|
| BEGINNING BALANCE JULY 2006 | 54043.62 | 54043.62 |
| BALANCE ADDED AFTER 2 MONTHS EXT | 31012.65 | 85056.27 |
| BALANCES ADDED FOR 2009 | 10028.85 | 95085.12 |
| COLLECTIONS 2009 | -4577.96 | 90507.16 |
| BALANCES ADDED FOR 2010 | 56074.78 | 146601.94 |
| COLLECTIONS 2010 | -21349.82 | 125252.12 |
| BALANCES ADDED FOR 2011 | 43729.33 | 168981.45 |
| COLLECTIONS 2011 | -30063.76 | 138917.69 |
| BALANCES ADDED FOR 2012 | 30144.85 | 169062.54 |
| COLLECTIONS 2012 | -26675.91 | 142386.43 |
| BALANCES ADDED FOR 2013 | 39039.11 | 181425.54 |
| COLLECTIONS 2013 | -23560.98 | 157864.56 |
| BALANCES ADDED FOR JANUARY 2014 | 9571.36 | 167435.92 |
| COLLECTIONS JANUARY 2014 | -2324.92 | 165111.00 |
| BALANCES ADDED FOR FEBRUARY 2014 | 4377.22 | 169488.22 |
| COLLECTIONS FEBRUARY 2014 | -3167.73 | 166320.49 |
| BALANCES ADDED FOR MARCH 2014 | 5320.02 | 171640.51 |
| COLLECTIONS MARCH 2014 | -603.22 | 171037.29 |
| BALANCES ADDED FOR APRIL 2014 | 2322.14 | 173359.43 |
| COLLECTIONS APRIL 2014 | -2571.48 | 170787.95 |
| BALANCES ADDED MAY 2014 | 3270.81 | 174058.76 |
| COLLECTIONS MAY 2014 | -3338.98 | 170719.78 |
| BALANCES ADDED JUNE 2014 | 2232.54 | 172952.32 |
| COLLECTIONS JUNE 2014 | -441.34 | 172510.98 |
| BALANCES ADDED JULY 2014 | 2923.87 | 175434.85 |
| COLLECTIONS JULY 2014 | -703.32 | 174731.53 |
| BALANCES ADDED AUGUST 2014 | 8398.07 | 183129.60 |
| COLLECTIONS AUGUST 2014 | -2373.24 | 180756.36 |
| BALANCES ADDED SEPTEMBER 2014 | 2846.18 | 183602.54 |
| COLLECTIONS SEPTEMBER 2014 | -2867.63 | 180734.91 |
| BALANCES ADDED OCTOBER 2014 | 9109.46 | 189844.37 |
| COLLECTIONS OCTOBER 2014 | -3668.91 | 186175.46 |
| BALANCES ADDED NOVEMBER 2014 | 7536.72 | 193712.18 |
| COLLECTIONS NOVEMBER 2014 | -4683.14 | 189029.04 |

BOOT COLLECTIONS

STARTING DATE 1-25-12

GOOD THRU 11-30-14

AMOUNT COLLECTED FOR CITY \$88,927.60

RE TAX \$51,155.94

PP TAX \$24,489.15

UTILITY \$7,107.04

OTHER (DEMO/WEED) \$6,175.47

AMOUNT COLLECTED FOR VAC \$33,740.70

TOTAL \$122,668.30

City of Emporia



Commissioner of the Revenue

P. O. Box 956

Emporia, Virginia 23847

TELEPHONE (434) 634-5405

December 11, 2014

JOYCE E. PRINCE
COMMISSIONER

LISA D. COUNCIL
DEPUTY COMMISSIONER

The Honorable Mayor
City Council Members
City Manager

Dear Members of Council:

During the month of November a total of \$30.00 was processed for City Business License.

Transient tax totaled \$92,647.83 for the month of October and processed during November.

Meal tax processed during the month of November totaled \$136,177.00 with an additional \$1,210.30 for prior months.

The usual comparison of meal and transient tax processed during September to the same time period last year is as follows:

| | <u>October 2013</u> | <u>October 2014</u> |
|---------------|---------------------|---------------------|
| Meal Tax | \$128,636.30 | \$136,177.00 |
| Transient Tax | \$ 86,370.78 | \$ 92,647.83 |

MERRY CHRISTMAS TO EACH OF YOU!

Respectfully,

Joyce E. Prince



CITY OF EMPORIA

DEPARTMENT OF INSPECTIONS

November - 2014 Code Enforcement Monthly Report

Notices Issued

Resolved

Inoperable Vehicles - 11

2- By Owner

Weeds / Grass - 3

0- By Owner
0- By City Contractor

Property Maintenance - 1

2- By Owner

Zoning - 0

0- By Owner

Cases Turned Over To City Attorney – 1

Total Notices Issued – 15

Invoiced Notices- 0

Weeds / Grass – 0

Total- Weeds/ Grass- 0

Inoperable Vehicle- 0

Inoperable Vehicles- 0

Demolition- 0

Demolition- 0

Total Amount- 0

Signature: _____

Supervisor: _____

12/1/14

**Emporia Police Department
Arrests by Race**

November 2014

| | Black | % | White | % | Other | % |
|--------------------------|--------------|------------|--------------|------------|--------------|-----------|
| Criminal Arrests | 22 | 63% | 11 | 31% | 2 | 6% |
| Selective Tickets | 406 | 36% | 608 | 55% | 99 | 9% |
| Regular Tickets | 64 | 80% | 15 | 19% | 1 | 1% |

IBR Offense Counts 11/1/2014-11/30/2014 Emporia Police Department

| | |
|----|---|
| 1 | 11A-Forcible Rape |
| 1 | 11D-Forcible Fondling |
| 3 | 13A-Aggravated Assault |
| 2 | 13B-Simple Assault |
| 4 | 220-Burglary/Breaking & Entering |
| 3 | 23C-Shoplifting |
| 5 | 23F-Theft From Motor Vehicle |
| 1 | 23G-Theft of Motor Vehicle Parts or Accessories |
| 7 | 23H-All Other Larceny |
| 5 | 250-Counterfeiting/Forgery |
| 1 | 280-Stolen Property Offenses |
| 12 | 290-Destruction/Damage/Vandalism of Property |
| 6 | 35A-Drug/Narcotic Violations |
| 1 | 36B-Statutory Rape |
| 1 | 90A-Bad Checks |
| 1 | 90C-Disorderly Conduct |
| 5 | 90D-Driving Under the Influence |
| 5 | 90E-Drunkenness |
| 1 | 90F-Family Offenses, Nonviolent |
| 1 | 90G-Liquor Law Violations |
| 31 | 90Z-All Other Offenses |
| | 31 Unclassified 90Z |

| | |
|----|--------------------------|
| 97 | Total Offenses Reported |
| 98 | Total Incidents Reported |

CONSENT SEARCHES

There were no consent searches conducted during the month of November 2014.

**Noise complaints
November 2014**

| | |
|------------------------------|------------|
| Loud Music from Building – 2 | 2 summons |
| Loud Music from Vehicle – 2 | no summons |

Criminal Arrestees

November 2014

Resident – 14

Non-resident - 20

Schools

November 2014

W. Richards and D. Shidell attended NRA Patrol Rifle Instru. at Crater November 3-7.

T. Allen and D. Jarratt attended Camouflage Ops at Crater November 4.

F. Mainwaring attended New Age Narcotics at Crater November 5.

L. Carter attended Rec. & Detec. Of Fraud Doc at Crater November 10.

F. Mainwaring attended Forensic Capabilities of Quest. Doc. At Crater November 12.

J. Romano and L. Carter attended Advanced Search and Seizure and Legal Issues with Search Warrants at Crater November 13.

| 2013-2014 | HOURS | SUMMONS | COLLECTED* | 2014-2015 | HOURS | SUMMONS | COLLECTED* |
|-----------|-------|---------|--------------|-----------|-------|---------|------------|
| JULY | 848 | 1569 | 64,214.57 | JULY | 530 | 1036 | 84,235.96 |
| AUGUST | 707 | 1331 | 103,874.51 | AUGUST | 635 | 1373 | 114,215.60 |
| SEPTEMBER | 739 | 1310 | 123,848.35 | SEPTEMBER | 507 | 976 | 89,330.57 |
| OCTOBER | 656 | 1301 | 111,725.89 | OCTOBER | 684 | 1373 | 99,069.42 |
| NOVEMBER | 712 | 1351 | 123,860.90 | NOVEMBER | 556 | 1113 | 107,202.91 |
| DECEMBER | 572 | 1129 | 88,897.03 | DECEMBER | | | |
| JANUARY | 513 | 845 | 54,377.07 | JANUARY | | | |
| FEBRUARY | 420 | 810 | 124,035.63 | FEBRUARY | | | |
| MARCH | 529 | 1013 | 90,857.62 | MARCH | | | |
| APRIL | 583 | 1100 | 68,800.98 | APRIL | | | |
| MAY | 699 | 1383 | 73,148.82 | MAY | | | |
| JUNE | 655 | 1301 | 105,132.37 | JUNE | | | |
| TOTAL | 7633 | 14443 | 1,132,773.74 | TOTAL | 2912 | 5871 | 494,054.46 |

***The ticket numbers reflect overtime (selective enforcement) tickets for each month. Tickets written during regular duty are not included with these numbers.

Emporia Animal Control Monthly Report

October 2014

Dogs

Cats

| | | | |
|----------------------|-----------|----------------------|-------------------|
| On Hand | <u>10</u> | On Hand | <u>10</u> |
| Stray | <u>13</u> | Stray | <u>10</u> |
| Seized | <u>1</u> | Seized | <u>0</u> |
| Bite Cases | <u>0</u> | Bite Cases | <u>0</u> |
| Surrendered by Owner | <u>1</u> | Surrendered by Owner | <u>0</u> |
| Transferred In | <u>0</u> | Transferred In | <u>0</u> |
| Born in Facility | <u>0</u> | Born in Facility | <u>0</u> |
| DOA | <u>0</u> | DOA | <u>6</u> |
| Claimed by Owner | <u>8</u> | Claimed by Owner | <u>2</u> |
| Adopted | <u>10</u> | Adopted | <u>5</u> |
| Transferred Out | <u>0</u> | Transferred Out | <u>0</u> |
| Died in Facility | <u>0</u> | Died in Facility | <u>0</u> |
| Euthanized | <u>1</u> | Euthanized | <u>1</u> |
| Remain | <u>6</u> | Remain | <u>12</u> |
| <u>Wildlife</u> | | <u>General</u> | |
| Wild or Fowl | <u>1</u> | Calls Answered | <u>192</u> |
| DOA | <u>0</u> | Hours | <u> </u> |
| Relocate | <u>1</u> | Mileage | <u> </u> |
| On-Hand | <u>0</u> | Verbal Warning | <u>2</u> |
| Euthanize | <u>0</u> | Summons Issued | <u>0</u> |
| | | Court Cases | <u>0</u> |

Remarks _____

Prepared by: Gray Turvey

Emporia Animal Control Monthly Report

November 2014

Dogs

On Hand 6
 Stray 11
 Seized 0
 Bite Cases 0
 Surrendered by Owner 1
 Transferred In 0
 Born in Facility 0
 DOA 0
 Claimed by Owner 3
 Adopted 5
 Transferred Out 2
 Died in Facility 0
 Euthanized 1
 Remain 7

Cats

On Hand 12
 Stray 2
 Seized 0
 Bite Cases 0
 Surrendered by Owner 1
 Transferred In 0
 Born in Facility 0
 DOA 0
 Claimed by Owner 1
 Adopted 11
 Transferred Out 0
 Died in Facility 0
 Euthanized 0
 Remain 3

Wildlife

Wild or Fowl 2
 DOA 2
 Relocate 0
 On-Hand 0
 Euthanize 0

General

Calls Answered 73
 Hours _____
 Mileage _____
 Verbal Warning 0
 Summons Issued 0
 Court Cases 0

Remarks _____

Prepared by: Greg Luning



City of Emporia Sheriff's Office

201 South Main Street
P. O. Box 511
Emporia, VA 23847
Phone: (434) 634-4671



December 3, 2014

From the Office of:

Sheriff Sam C. Brown

The Honorable Mayor
City Manager
Honorable Members of City Council

Dear Members of City Council:

The Emporia Sheriff's Office spent approximately 135 hours in General District and Juvenile & Domestic Relations Court in November, 2014. We served a total of 294 civil papers. These are broken down as follows:

| | |
|-----------------------------|-----|
| <i>Capias</i> | 1 |
| <i>Change in Payee</i> | 1 |
| <i>Detention Order</i> | 2 |
| <i>Debt</i> | 9 |
| <i>Detinue</i> | 5 |
| <i>Garnishments</i> | 14 |
| <i>Interrogatories</i> | 8 |
| <i>Misdemeanor Warrants</i> | 49 |
| <i>Notice</i> | 9 |
| <i>Notice of Lien</i> | 4 |
| <i>Protective Order</i> | 10 |
| <i>Show Cause</i> | 15 |
| <i>Subpoena duces tecum</i> | 6 |
| <i>Summons</i> | 141 |
| <i>Transportation</i> | 5 |
| <i>Unlawful Detainer</i> | 14 |
| <i>Withhold Order</i> | 1 |
| <i>Writ of Possession</i> | 5 |

We collected \$48.00 Sheriff Fees for the month of November, 2014. We had 5 transports for the month.

Sincerely,

A handwritten signature in cursive script that reads "Sam C. Brown".

Sam C. Brown

Data Inventory by FDID

Report Period: From 11/01/2014 to 11/30/2014

FDID: 59500

FD Name: Emporia Fire Dept.

| | 4.1 | 5.0 | Valid | Invalid | No Act. | Released | Unreleased | Total |
|-------------------------------|-----|-----|-------|---------|---------|----------|------------|-------|
| Number Of Incidents | 0 | 17 | 17 | 0 | 0 | 0 | 17 | 17 |
| Number Of Fires | 0 | 4 | 4 | 0 | 0 | 0 | 0 | 4 |
| Number Of Structure Fires | 0 | 1 | 1 | 0 | 0 | 0 | 1 | 1 |
| Number Of Civilian Casualties | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Number Of Fire Serv Cas | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Number Of EMS Incidents | 0 | 7 | 7 | 0 | 0 | 0 | 7 | 7 |
| Number Of HazMat Incidents | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Number Of Wildland Incidents | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Number Of Arson Incidents | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Number Of Apparatus Records | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Number Of Personnel Records | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

Numbers in the above grid (with the exception of Number of incidents) reflect counts of the data modules attached to the incidents selected for the report.

| | | | | | | | | |
|----------------------------|---|---|---|---|---|---|---|---|
| Exposure Incidents | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Mutual Aid Given Incidents | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

Data Inventory by FDID

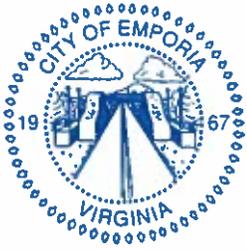
Report Period: From 11/01/2014 to 11/30/2014

REPORT GROUP TOTALS:

| | 4.1 | 5.0 | Valid | Invalid | No Act. | Released | Unreleased | Total |
|-------------------------------|-----|-----|-------|---------|---------|----------|------------|-------|
| Number Of Incidents | 0 | 17 | 17 | 0 | 0 | 0 | 17 | 17 |
| Number Of Fires | 0 | 4 | 4 | 0 | 0 | 0 | 0 | 4 |
| Number Of Structure Fires | 0 | 1 | 1 | 0 | 0 | 0 | 1 | 1 |
| Number Of Civilian Casualties | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Number Of Fire Serv Cas | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Number Of EMS Incidents | 0 | 7 | 7 | 0 | 0 | 0 | 7 | 7 |
| Number Of HazMat Incidents | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Number Of Wildland Incidents | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Number Of Arson Incidents | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Number Of Apparatus Records | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Number Of Personnel Records | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

Numbers in the above grid (with the exception of Number of incidents) reflect counts of the data modules attached to the incidents selected for the report.

| | | | | | | | | |
|----------------------------|---|---|---|---|---|---|---|---|
| Exposure Incidents | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Mutual Aid Given Incidents | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |



CITY OF EMPORIA

Memorandum

December 12, 2014

TO: The Honorable Mayor and City Council
FROM: Brian S. Thrower, City Manager *BST*
SUBJECT: Personnel Policy Updates – Request for Approval
ITEM #: 14-85

At your December 2, 2014 meeting you approved giving employees hired prior to January 1, 2014 and police officers hired prior to January 1, 2015 the option of “opting into” the proposed new paid time off (PTO) plan or staying with their current sick and annual leave plan. The decision to “opt into” the new plan will be irrevocable and is a one-time opportunity. Eligible employees will be required to make this decision no later than January 5, 2015. Employees hired January 1, 2014 and after, excluding police officers hired prior to January 1, 2015, will be required to participate in the proposed new plan.

Attached are amendments to Chapters 9 and 10 of the Personnel Manual that reflect your direction. There are also a few minor amendments regarding observed holidays (Section 9-1), sick leave accrual and use (Section 9-3.1), annual leave accrual and use (Section 9.6-1), and final payouts (10-6).

Recommendation

I recommend you approve amendments to Chapters 9 and 10 of the Personnel Manual based on your direction from your December 2, 2014 meeting. Should you approve these amendments, I will be asking you to appropriate funds out of the unassigned fund balance to cover sick leave payouts and the cost of covering employees who “opt into” the new PTO plan under short and long term disability programs.

Attachments

Amendments to Chapters 9 and 10 of the Personnel Manual
Memo Dated November 26, 2014 Outlining the Major Provisions of the PTO Plan

Chapter IX

Holidays and Leaves

9-1 **Holidays Observed:** The following days are hereby declared holidays for all employees with the exception of personnel employed on a continuous operations basis:

- *New Year's Day (January 1)
- *Lee Jackson Day (Friday preceding third Monday in January)
- *King's Day (Third Monday in January)
- *George Washington Day (Third Monday in February)
- *Memorial Day (Last Monday in May)
- *Independence Day (July 4)
- *Labor Day (First Monday in September)
- *Columbus Day (Second Monday in October)
- *Veterans Day (November 11)
- *Thanksgiving (Fourth Thursday and Friday in November)
- *Christmas December 25th

Additionally, in June of 2002 City Council adopted the State's holiday schedule.

If the holiday falls on Sunday, the following Monday will be observed as a holiday.
If the holiday falls on Saturday, the preceding Friday will be observed as a holiday.

Employees who work on observed holidays shall observe the actual holiday. Those employees scheduled to work on ~~Christmas Eve and New Year's Eve~~ observed holidays will shall receive holiday pay for actual hours worked, not less than four hours.

Adopted by City Council on December 20, 2005.

9-2 **Holiday Compensation:** All employees covered by this manual shall receive eight (8) hours pay for the holidays listed in this chapter.

If an employee is scheduled to work on a holiday, that employee will receive pay equal to one and one-half times the regular hourly rate for hours worked that day in addition to regular holiday compensation. *Adopted by City Council on December 20, 2005*

If a recognized holiday falls during an eligible employee's paid absence (such as vacation or sick leave), holiday pay will be provided instead of the paid time off benefit that would otherwise have applied.

If a recognized holiday falls on an employee's regular day off, that employee will either earn eight (8) hours compensatory time, receive holiday pay or be scheduled another day off within that week in lieu of the holiday. *Adopted by City Council on December 20, 2005*

9-3 **Sick Leave:** Sick leave shall be governed by the following:

9-3.1 **Sick Leave Accrual and Use:** All regular, full-time employees who are not covered under the paid time off (PTO) leave policy shall be entitled to five (5) hours sick leave each pay period. An employee must have worked or have been on paid leave for the entire pay period in order to accrue sick leave. Such leave credit may be utilized by the employee when incapacitated from the performance of his or her duties due to illness, injury, or medical/dental appointment. Sick leave accrues at the end of the day on the ~~1st and 2nd payday of each month~~ last day of the pay period. During months when employees get a 3rd paycheck, sick leave will not accrue on the last day of the pay period for the 3rd payday. Sick leave is credited to the employee and available for use on the first day of the following pay period. Sick leave shall be taken in no less than 30 minute increments. Sick leave can accrue and carry over from year to year without limit.

Sick leave may be utilized by an employee due to illness, injury, medical/dental appointment, or death in the immediate family of the employee. The maximum amount of sick leave that may be used by an employee following the death of an immediate family member is limited to forty-eight (48) hours per calendar year.

Immediate family includes:

- Parents, including step-parents or persons who stood in place of the parent and performed parental duties and responsibilities;
- Spouse as defined by the laws of the Commonwealth;
- Children, including step-children, foster children and legal wards;
- Siblings, including step-siblings;
- Grandparents;
- In-laws (sister, brother, mother, and father);
- Any relatives, either by blood or marriage, living in the employee's household;

It is understood that the utilization of sick leave for an illness, injury, or medical/dental appointment in the immediate family is based on the requirement that the employee is important and necessary for proper care and attendance of the ill person.

Any employee incurring a disability as a result of his or her misconduct, a violation of this Personnel Policy, or a violation of any City, State, or Federal Law, shall not be extended sick leave pay in excess of his or her accumulated sick leave.

Sick leave benefits are intended solely to provide income protection in the event of illness or injury and may not be used for any other absence.

Revised by City Council January 5, 2010

9-3.2 **Notification:** All employees, in the event of sickness or injury, shall notify their department or division head or the on-duty police dispatcher one (1) hour prior to shift time. The direct supervisor must be contacted on each additional day of absence. Failure to notify of sick leave absence, as required, may subject the employee to loss of sick leave eligibility.

- 9-3.3 **Reports:** The department or division head shall record all sick leave absences. If an employee is absent for ~~three or more~~ than three consecutive days due to illness or injury, a physician's statement must be provided verifying the disability and its beginning and expected ending dates. Such verification may be requested for other sick leave absences and may be required as a condition to receiving sick leave benefits. A physician's statement may also be required for any absences of three consecutive days or less ~~than three consecutive days~~ when the department or division reasonably suspects a pattern of sick leave abuse. An employee's use of sick leave may be denied if the employee fails to comply with requests for verification of the need for sick leave or if the verification provided is inadequate. *Revised by City Council January 5, 2010*
- 9-3.4 **Abuse:** Employees who misrepresent the need to use sick leave are subject to disciplinary action under Chapter VI of the City's personnel manual. *Adopted by City Council January 5, 2010*
- 9-3.5 **Compensation:** Employees with five (5) or more consecutive years of City employment shall receive upon termination the monetary equivalent of twenty-five (25) percent of his or her existing sick leave balance up to a maximum of \$5,000. Employees with less than five (5) consecutive years of City employment shall receive no sick leave compensation. Under no circumstances shall an employee be entitled to receive payment for accumulated sick leave not used prior to termination from City employment, except as provided in the paid time off (PTO) policy. *Revised by City Council January 5, 2010*
- 9-4 **Worker's Compensation** – Employees who are injured on the job, will be paid by the City, for the first week of incapacity unless it is clear that the employee will be out from work over three weeks due to injury. If the city pays for the first week and the employee is ~~late~~ compensated later, by worker's compensation for that first week, the employee must refund that money to the City. The employee is not to be compensated by both the City and Worker's Compensation. No charge will be made against the employee's ~~sick~~ leave.
- 9-5 **Family and Medical Leave:** The federal Family and Medical Leave Act (FMLA) provides job protected leave and benefits coverage entitlements to employees who meet FMLA eligibility requirements. The function of this policy is to provide employees with a general description of their FMLA rights. Any questions, concerns, or disputes with this policy should be directed to the City Manager. All required forms are available in the City Manager's Office.
- 9.5.1 **Types of Leave Coverage:** To qualify for FMLA leave under this policy, the employee must be taking leave for one of the reasons listed below:
- 1) A serious health condition of the employee that renders the employee unable to perform the functions of his/her position.
 - 2) The birth of a child and in order to care for that child.
 - 3) The placement of a child with the employee for adoption or foster care and to care for the newly placed child.

4) To care for a spouse, child or parent with a serious health condition.

5) Qualifying exigency leave for families of members of the National Guard and Reserves when the covered military member is on active duty or called to active duty in support of a contingency operation.

An employee whose spouse, son, daughter, or parent either has been notified of an impending call or order to active military duty or who is already on active duty is entitled to 12 weeks of leave for reasons related to or affected by the family member's call-up or service. The qualifying exigency must be one of the following: a) short-notice deployment, b) military events and activities, c) child care and school activities, d) financial and legal arrangements, e) counseling, f) rest and recuperation, g) post-deployment activities and h) additional activities that arise out of active duty, provided that the City and the employee agree, including agreement on timing and duration of the leave.

The leave may commence as soon as the individual receives the call-up notice. This type of leave would be counted towards the employee's 12 week entitlement of FMLA leave in a 12 month period.

6) Military caregiver leave to care for an ill or injured servicemember. This leave may extend up to 26 weeks in a single 12 month period for an employee to care for a spouse, son, daughter, parent or next of kin covered servicemember with a serious illness or injury incurred in the line of duty on active duty. Next of kin is defined as the closest blood relative of the injured or recovering servicemember. *Revised by City Council January 5, 2010*

9-5.2 **Serious Health Condition** – 'Serious health condition' means an illness, injury, impairment, or physical or mental condition that involves:

a) any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility; or

b) a period of incapacity requiring absence of more than three calendar days from work, school, or other regular daily activities requiring two visits to a health care provider with the first visit to the health care provider within seven days of the onset of the incapacity and a second visit within 30 days of the incapacity; or

c) any period of incapacity due to pregnancy, or for prenatal care; or

d) any period of incapacity (or treatment therefore) due to a chronic serious health condition (e.g., asthma, diabetes, epilepsy, etc.) requiring periodic health care visits for treatment (such visits must take place at least twice a year); or

e) a period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective (e.g., Alzheimer's, stroke, terminal diseases, etc.); or,

f) any absences to receive multiple treatments (including any period of recovery) by, or on referral by, a health care provider for a condition that likely would result in an incapacity of more than three consecutive days if left untreated (e.g. dialysis, chemotherapy, physical therapy, etc.).

9-5.3 **Restricted Use of FMLA** -FMLA may not be used for short-term conditions which treatment and recovery are brief such as minor illnesses and out-patient surgical procedures with expected brief recuperating periods. FMLA does not provide for the intermittent care of a child for such commonplace illness such as colds and the flu. *Revised by City Council January 5, 2010*

9-5.4 **Eligibility** –To be eligible, employees must have worked for the City for at least twelve (12) months and have worked at least 1250 hours over the prior 12 months.

Employees applying for and granted FMLA leave are required to meet notification and documentation requirements as outlined further in this policy. Failure to meet these requirements may result in the denial or revocation of FMLA leave.

Leave qualifying as FMLA leave may either be requested by the employee subject to the rules as outlined in this policy or will be designated as FMLA leave by the City concurrent with other leave provisions provided by policy or contract.

9-5.5 **Amount of Leave** –Eligible employees are entitled to a total of 12 weeks of medical or family leave within a 12 month period for leave types 1 through 5. The City will measure the 12 month period as a rolling 12 month period measured backward from the date an employee uses any leave under this policy. Eligible employees are entitled to 26 weeks of military caregiver leave (type 6) during a single 12 month period. The City will require the use of accrued paid ~~vacation~~ annual leave, sick leave, paid time off (PTO), or compensatory time to be substituted for the unpaid leave required by law. Married employee couples are entitled to a combined total of 12 weeks leave within a 12 month period for childbirth, adoption, or placement of a foster child; or to care for a parent with a serious health condition. Married employee couples are entitled to a combined total of 26 weeks of leave to care for a covered injured or ill servicemember. *Revised by City Council January 5, 2010*

9-5.6 **Benefits During Leave** –Subject to terms, conditions, and limitations of the applicable plans, the City will continue to provide health insurance benefits for the full period of the approved leave on the same basis as if the employee has continued work at the City. The employee must continue to pay his/her share of the insurance premium. Under current City policy, the employee pays a portion of the health care premium. While on paid leave, the City will continue to make payroll deductions to collect the employee's share of the premium. While on unpaid leave, the employee must continue to make this payment either in person or by mail. If at the end of the leave period, the employee does not return to work for reasons other than a continued serious illness, the City will require the employee to reimburse the City for the amount the City contributed toward the employee's health insurance during the leave period. Benefit accruals, such as annual leave, sick leave, paid time off (PTO), or holiday benefits, will be suspended during any period of unpaid leave or after 90 calendar days on leave with pay. These benefits will be resumed upon return to active employment. *Revised by City Council January 5, 2010*

9-5.7 **Intermittent Leave or a Reduced Work Schedule** – The employee may take FMLA leave in 12 consecutive weeks, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced hour schedule.

The City may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule, in instances of when leave for the employee or employee's family member is foreseeable and for planned medical treatment, including recovery from a serious health condition or to care for a child after birth, or placement for adoption or foster care.

For the birth, adoption or foster care of a child, the City and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced hour schedule. Leave for birth, adoption or foster care of a child must be taken within one year of the birth or placement of the child. If the employee is taking leave for a serious health condition or because of the serious health condition of a family member, the employee should try to reach agreement with the City before taking intermittent leave or working a reduced hour schedule. If this is not possible then the employee must prove that the use of the leave is medically necessary. *Revised by City Council January 5, 2010*

9-5.8 **Procedure for Requesting FMLA Leave** –All employees requesting FMLA leave must provide verbal or written notice of the need for the leave to their supervisor (Form A). When the need for the leave is foreseeable, the employee must provide the employer with at least 30 days' notice. When an employee becomes aware of a need for FMLA leave less than 30 days in advance, the employee must provide notice of the need for the leave either the same day or the next business day. When the need for FMLA leave is not foreseeable, the employee must comply with the City's usual and customary notice and procedural requirements for requesting leave, absent unusual circumstances. The City may also designate leave as FMLA leave without a request from an employee.

Within five business days after the employee has provided this notice, the City Manager will complete and provide the employee with the Notice of Eligibility and Rights and Responsibilities Form (Form B).

Revised by City Council January 5, 2010

9-5.9 **Certification for the Employee's Serious Health Condition** – The City will require certification for the employee's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the Certification of Health Care Provider for Employee's Serious Health Condition Form. (Form C).

The City may directly contact the employee's health care provider for verification or clarification purposes using a health care professional, an HR professional or management

official. The City will not use the employee's direct supervisor for this contact. *Revised by City Council January 5, 2010*

The City has the right to ask for a second opinion if it has reason to doubt the certification. The City will pay for the employee to get a certification from a second doctor, which the City will select. The City may deny FMLA leave to an employee who refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary to resolve a conflict between the original certification and the second opinion, the City will require the opinion of a third doctor. The City and the employee will mutually select the third doctor, and the City will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

9-5.10 Certification for the Family Member's Serious Health Condition

The City will require certification for the family member's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the Certification of Health Care Provider for Family Member's Serious Health Condition (Form D).

The City may directly contact the family member's health care provider for verification or clarification purposes using a health care professional, an HR professional, or management official. The City will not use the employee's direct supervisor for this contact.

The City has the right to ask for a second opinion if it has reason to doubt the certification. The City will pay for the employee to get a certification from a second doctor, which the City will select. The City may deny FMLA leave to an employee who refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary to resolve a conflict between the original certification and the second opinion, the City will require the opinion of a third doctor. The City and the employee will mutually select the third doctor, and the City will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

9-5.11 Certification of Qualifying Exigency for Military Family Leave –The City will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the Certification of Qualifying Exigency for Military Family Leave (Form E).

9-5.12 Certification for Serious Injury or Illness of Covered Servicemember for Military Family Leave -The City will require certification for the serious injury or illness of the covered servicemember. The employee must respond to such a request within 15 days of

the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the Certification for Serious Injury or Illness of Covered Servicemember (Form F).

9-5.13 **Designation** –After receiving the required certification, the City will inform the employee whether his or her leave will be designated as FMLA leave (Form G).

Adopted by City Council January 5, 2010

9-5.14 **Recertification** – The City may request recertification for the serious health condition of the employee or the employee's family member no more frequently than every 30 days and only when circumstances have changed significantly, or if the employee receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of his or her leave. Otherwise, the City may request recertification for the serious health condition of the employee or the employee's family member every six months in connection with an FMLA absence. The City may provide the employee's health care provider with the employee's attendance records and ask whether need for leave is consistent with the employee's serious health condition.

9-5.15 **Intent to Return to Work from FMLA Leave** –On a basis that does not discriminate against employees on FMLA leave; the City may require an employee on FMLA leave to report periodically on his/her status and intent to return to work.

9-5.16 **Return to Work** –So that an employee's return to work can be properly scheduled, an employee on leave is requested to provide the City with at least two (2) weeks advance notice of the date he or she intends to return to work.

Employees returning from medical leave must submit a health care provider's verification of their fitness to return to work. Forms are available in the City Manager's Office (Form H).

If an employee fails to report to work promptly at the end of the medical or family leave, the City will assume that the employee has resigned.

Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The position will be the same or one which is virtually identical in terms of pay, benefits and working conditions. If an employee is unable to return to work after the FMLA leave benefits have been exhausted, the employee will not have a right to his or her position even if there are unused accrued leave balances.

Key employees are entitled to FMLA leave but are not entitled to job restoration if re-employment after the conclusion of the leave will cause a substantial and grievous economic injury to the City. A key employee is defined as a salaried employee who is among the highest paid ten percent of the City's workforce. A key employee will be notified in writing of his or her status in response to requesting FMLA leave or the City's designation of FMLA leave. If a key employee is already on FMLA leave when he or she

receives notice that he or she is a key employee, the employee will be given a reasonable time to return to work before losing the right to job restoration.

If an employee would have been laid off had he not been on FMLA leave, any right to reinstatement would be whatever it would have been had he/she not been on leave of absence when the layoff occurred.

Revised by City Council January 5, 2010

~~9-5A Inclement Weather Policy and Compensation~~—When existing or predicting weather conditions are so severe that an authorized closing or change in schedule appears to be in the best interest of City Hall and its employees, the City Manager or his designee shall ensure; the local media and public safety agencies are contacted to obtain reliable weather information; respective department heads identify which employees may be adversely affected by the weather and workloads; a determination is made as to whether the weather condition is severe enough to recommend an all day closing or a partial shift closing.

—When the City Manager makes the determination, the Department Heads shall:

- A. — Identify those employees affected by the decision and into which category they fall for pay and leave consideration.
- B. — Submit in writing to the City Manager or his designee, the names of the employees defined as designated who failed to report to work.
- C. — Ensure that those employees entitled to compensatory time for that period use it within a reasonable timeframe as determined by the individual department head.

~~—Designated “Essential” Employees~~

~~—Public Works Employees — Public Utility Employees
—Police Department Employees — Other Designated by the City Manager~~

~~The City Manager shall notify the Mayor and City Council via a Courier, then notify the radio stations and television stations as identified in the policy, of authorized closing or schedule changes and request that they make a number of public service announcements to inform affected personnel. Each station contacted shall be requested to announce, “The City of Emporia’s Government Center is operating under a Code Red.”~~

~~All Day Closing and Partial Day Closing~~—Non-essential employees absent due to an authorized closing for an entire shift or a partial shift will be paid for such absence. To qualify for such payment, employees must be on paid leave or work the scheduled workday before and the scheduled workday after such closing.

~~Employees who are on approved leave with pay for an authorized closing will not be charged leave provided they are on paid leave or worked the scheduled workday before and after such closing.~~

- ~~— Designated "essential" employees who work their normally scheduled shift during an authorized closing, whether an entire shift closing or partial shift closing, will be credited with compensatory leave for those hours worked.~~
- ~~— Designated employees who do not report to work as scheduled must charge time missed to annual, sick, compensatory or leave without pay, as determined by the immediate supervisor.~~
- ~~— When conditions create transportation difficulties that result in late arrival to work, such lost time need not be applied to leave balances nor should the employee otherwise experience loss of pay, if, in the judgment of the City Manager, the lost time was justified in view of conditions.~~
- ~~— Corrective action for failure to report may be taken under the Disciplinary Process, if deemed necessary.~~

9.6 Annual Leave

9.6-1 Accrual/Carryover/Final Payout: All regular, full-time employees who are not covered under the paid time off (PTO) leave policy shall be entitled to annual leave. The accrual rate for annual leave, the maximum carry over from one leave year (January 1st – December 31st) to the next, and the maximum amount of annual leave payable upon separation from City service are determined as shown in the following chart:

| Years of Service | Pay Period Accrual Rate | Maximum Carryover | Maximum Payment |
|------------------|----------------------------|------------------------|------------------------|
| Under 5 Years | 4 Hours | 192 Hours (24 days) | 192 Hours (24 days) |
| 5-9 Years | 5 Hours | 240 Hours (30 Days) | 240 Hours (30 Days) |
| 10-14 Years | 6 Hours | 288 Hours (36 Days) | 288 Hours (36 Days) |
| 15-19 Years | 7 Hours | 336 Hours (42 Days) | 288 Hours (36 Days) |
| 20-24 Years | 8 Hours | 384 Hours (48 Days) | 336 Hours (42 Days) |
| 25 Years or More | 9 Hours | 432 Hours (54 Days) | 336 Hours (42 Days) |

- A. Annual leave may be taken as earned by the employee with the approval of the employee's department head. Annual leave shall be taken in no less than 30 minute increments.

B. Annual leave accrues at the end of the day on the ~~1st and 2nd~~ payday of each month last day of the pay period. During months when employees get ~~the a~~ 3rd paycheck, leave time annual leave will not accrue on the last day of the pay period for the 3rd payday. Annual leave is credited to the employee and available for use on the first day of the following pay period.

C. An employee must have worked or have been on paid leave for the entire pay period in order to accrue annual leave.

~~D. Former employees who are rehired by the City will earn annual leave at the rate based on their combined years of service. This applies to the calculation of annual leave only. There shall be no reinstatement of any leave upon the rehiring of a former employee. Revised by City Council January 5, 2010~~

9-6.2 Excess Carryover:

A. Annual leave is intended for personal use as a brief period away from everyday job duties. Therefore, it is expected that each eligible employee shall use his or her annual leave. Compensation payments in lieu of annual leave will not be granted by the City Manager under any circumstance.

B. Unused accrued annual leave may be carried forward from one year to the next up to the maximum limits referenced in the chart provided in 9-6.1. On January 1st of each year, accumulated annual leave in excess of the limits prescribed in the previously referenced chart will be lost to the employee unless an exception is granted by the City Manager. The City Manager will only grant this exception in cases where the employee has not been allowed to use his or her leave because of departmental work demands over a substantial period of time. Requests for such exceptions must be made by the employee and recommended by his or her department head in writing by December 1st of each year. Any exception that may be granted by the City Manager will be put in writing and specify the timeframe during which the employee must use the additional annual leave time. If the employee does not use the annual leave within this timeframe, the annual leave will be lost. *Revised by City Council January 5, 2010*

9-7 Paid Time Off (PTO): In recognition of the varying work schedules of City employees and each employee's diverse need for time away from work, the City provides a general leave policy of Paid Time Off (PTO).

All regular, full-time employees hired January 1, 2014 and after, excluding police officers hired prior to January 1, 2015, shall be covered under the provisions of the PTO leave policy outlined below in lieu of accruing sick and annual leave. All annual and sick leave remaining as of December 31, 2014 shall be converted to PTO.

Employees hired prior to January 1, 2014 and police officers hired prior to January 1, 2015 who elect to opt into this plan shall also be covered under the provisions of this policy.

Employees may use PTO for various reasons such as vacations, personal or family illness, on or off the job injuries, medical/dental appointments, personal business, child care problems, funerals, or any other valid absence as determined by the employee's supervisor.

9-7.1 Accrual/Carryover/Final Payout: The accrual rate for PTO, the maximum carry over from one leave year (January 1st – December 31st) to the next, and the maximum amount of leave payable upon separation from City service as determined as shown in the following chart:

| <u>Years of Service</u> | <u>Pay Period Accrual Rate</u> | <u>Maximum Carryover</u> | <u>Maximum Payment</u> |
|-------------------------|------------------------------------|--------------------------------|--------------------------------|
| <u>Under 5 Years</u> | <u>6 Hours</u> | <u>288 Hours (36 days)</u> | <u>288 Hours (36 Days)</u> |
| <u>5-9 Years</u> | <u>7 Hours</u> | <u>336 Hours (42 Days)</u> | <u>336 Hours (42 Days)</u> |
| <u>10-14 Years</u> | <u>8 Hours</u> | <u>384 Hours (48 Days)</u> | <u>384 Hours (48 Days)</u> |
| <u>15-19 Years</u> | <u>9 Hours</u> | <u>432 Hours (54 Days)</u> | <u>432 Hours (54 Days)</u> |
| <u>20-24 Years</u> | <u>10 Hours</u> | <u>480 Hours (60 Days)</u> | <u>480 Hours (60 Days)</u> |
| <u>25 Years or More</u> | <u>11 Hours</u> | <u>528 Hours (66 Days)</u> | <u>528 Hours (66 Days)</u> |

A. PTO shall be classified as “scheduled” or “unscheduled.” “Scheduled” PTO shall be submitted to the supervisor in advance and shall be permitted at the discretion of the supervisor based on operational needs. “Unscheduled” PTO shall be used in the event the employee is unable to work due to unforeseen personal/family illness/injury or for other unforeseen reasons. If an employee is unable to report to work for any reason, he/she shall notify his/her supervisor prior to the beginning of his/her shift. The direct supervisor must be contacted on each additional day of absence. Employees may be required to furnish medical verification or other proof that unscheduled use of PTO was unavoidable to his/her supervisor. If an employee is absent for more than three consecutive days due to illness/injury, a physician's statement must be provided verifying the disability and its beginning and expected ending dates. An employee's use of PTO may be denied if the employee fails to comply

with requests for verification of the need for PTO or if the verification provided is inadequate. Excessive use/abuse of unscheduled PTO by an employee may also subject the employee to disciplinary action.

- B. PTO shall be taken in no less than 30 minute increments.
- C. PTO accrues at the end of the day on the last day of the pay period. During months when employees get a 3rd paycheck, PTO will not accrue on the last day of the pay period for the 3rd payday. PTO is credited to the employee and available for use on the first day of the following pay period.
- D. An employee must have worked or have been on paid leave for the entire pay period in order to accrue PTO.
- E. Former employees who are rehired by the City will earn PTO at the rate based on their combined years of service. This applies to the calculation of PTO only. There shall be no reinstatement of any leave upon the rehiring of a former employee.

9-7.2 Excess Carryover:

- A. PTO is primarily intended for personal use as a brief period away from everyday job duties. Therefore, it is expected that each eligible employee shall use his or her PTO. Compensation payments in lieu of PTO will not be granted by the City Manager under any circumstance.
- B. Unused accrued PTO may be carried forward from one year to the next up to the maximum limits referenced in the chart provided in 9-7.1. On January 1st of each year, accumulated PTO in excess of the limits prescribed in the previously referenced chart will be lost to the employee unless an exception is granted by the City Manager. The City Manager will only grant this exception in cases where the employee has not been allowed to use his or her leave because of departmental work demands over a substantial period of time. Requests for such exceptions must be made by the employee and recommended by his or her department head in writing by December 1st of each year. Any exception that may be granted by the City Manager will be put in writing and specify the timeframe during which the employee must use the additional annual leave time. If the employee does not use the annual leave within this timeframe, the annual leave will be lost.

9-7.3 Short and Long Term Disability: Employees covered under the PTO leave policy shall also be covered under City paid short and long term disability programs. Employees may use banked sick leave and/or PTO to fill disability coverage gaps.

9-7.4 Opting Into Paid Time Off (PTO): Eligible employees shall be given a one-time opportunity to opt into the PTO policy. The decision to opt into the PTO policy shall be made no later than January 5, 2015 and is irrevocable. Should eligible employees not opt into the PTO policy by that date they shall continue to be covered under the sick and

annual leave policies previously outlined in this chapter. The following provisions apply to those employees who opt into the PTO policy:

- A. All annual leave will be converted to PTO.
- B. Effective January 1, 2015 sick leave shall not be accrued.
- C. Employees may elect to be paid out all or a portion of sick leave accrued as of December 31, 2014 the equivalent of twenty-five (25) percent of his or her existing sick leave balance up to \$5,000. Payout based on hourly rate as of December 31, 2014. Payouts will be made in January 2015.
- D. Employees may elect to “bank” all or a portion of sick leave accrued as of December 31, 2014. This leave may only be used according to the sick leave guidelines previously outlined in this chapter. This leave may also be used to fill disability coverage gaps.
- E. Employees may elect to convert up to 96 hours (12 days) of sick leave accrued as of December 31, 2014 to PTO subject to the maximum carryovers based on years of service referenced in the chart provided in 9-7.1.
- F. Employees may elect to convert up to 96 hours (12 days) of banked sick to PTO on an annual basis subject to the maximum carryovers based on years of service referenced in the chart provided in 9-7.1.
- G. Employees with five (5) or more consecutive years of City employment shall be paid out for all banked sick leave remaining upon separation from City employment the equivalent of twenty-five (25) percent of his or her existing sick leave balance up to a maximum of \$5,000.

9-79-8 Military Leave With Pay: An employee who is a member of a reserve force of the United States or of the Commonwealth of Virginia and who is ordered by the appropriate authorities to attend a training program or who is called into emergency active duty for the purpose of aiding civil authority under the supervision of the United States or the Commonwealth of Virginia shall be granted a leave of absence with full pay during the period of such activity with the following provisions:

- A. When the leave is attributable to federally funded military training or duty, paid leave will be limited to 15 days per federal fiscal year (October 1 – September 30). This is governed by VA State Code Section 44-93.
- B. The Governor of Virginia may call the Commonwealth’s Militia to respond to natural or man-made disasters in Virginia or in another state (see VA State Code Section 44-75.1 and 44-78.1). Employees called to such emergency response military duty are on military leave with pay. This time is separate from and in

addition to the 15 days of paid military leave per federal fiscal year available for military training or active military duty.

- C. Employee benefits and leave accruals shall not be affected during this leave.
Revised by City Council January 5, 2010

~~9-7.1 This section was deleted effective January 6, 2010 Training Camp~~

~~9-7.2.1 This section was deleted effective January 6, 2010 Active Service~~

9-89 Military Leave Without Pay: Employees shall be granted military leave without pay for a cumulative period up to five years for the duty indicated in their military orders that is not covered by military leave with pay or by the use of his or her annual or compensatory leave balances, in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA) of 1994. The five year limitation shall be waived or may be extended in those circumstances outlined in USERRA regulations. The employee on such leave is entitled to be restored to the position he or she vacated, provided the employee makes application to the City of Emporia not later than 90 days after the date of honorable discharge or separation under honorable conditions. Job restoration is further conditioned on the position still existing and the employee being physically and mentally capable of performing the work of the vacated position. Employee leave accruals and benefits will be administered according to USERRA regulations. *Revised by City Council January 5, 2010*

9-910 Personal Leave: A department head may authorize employees to be absent without pay for personal reasons for a period or periods not to exceed five (5) working days in any calendar year. The City Manager, upon recommendation by the department head, may extend this leave for a specified time period or periods when deemed to be in the best interest of the City. The employee must have used all of his or her annual, compensatory, ~~and/or sick leave,~~ and/or PTO to be eligible for personal leave. *Revised by City Council January 5, 2010*

9-1011 Educational Leave: The City Manager, upon recommendation of the department head, may authorize special leaves of absence without pay for any period or periods not to exceed three (3) calendar months in any one (1) calendar year while attending a college, university, or business school for the purpose of training in subjects related to the work of the employee and which will benefit both the employee and the City.

Annual, ~~and sick,~~ and PTO leave accruals will be suspended during the leave and will resume upon return to active employment. Employees shall be allowed to use any accrued annual leave, PTO, or compensatory time while on educational leave. The City will continue making payroll deductions to collect the employee's share of the health insurance premium when the employee uses accrued annual leave, PTO, or compensatory time. While on unpaid leave, the employee must continue to make this payment, either in person or by mail.

If an employee fails to report promptly at the expiration of the approved leave period, the City will assume the employee has resigned. *Revised by City Council January 5, 2010*

Guidelines pertaining to educational expense reimbursement requests are outlined in the Educational Assistance administrative regulation effective July 1, 2005.

9-~~11~~2 Administrative Leave With Pay: The City Manager may grant administrative leave with pay when disciplinary action is being considered and the employee's removal from the workplace is necessary or prudent. The employee may be immediately removed from the workplace without providing advance notification when the employee's continued presence:

- May be harmful to the employee, other employees, or the public;
- Makes it impossible for the department to conduct business;
- May hamper an internal investigation into the employee's alleged misconduct;
- May hamper an investigation being conducted by law enforcement; or
- May constitute negligence in regard to the department's duties to the public and/or other employees.

Employees may be placed on administrative leave with pay in order to conduct a disciplinary review or administrative investigation for up to fifteen workdays or 120 work hours. If the disciplinary review or administrative investigation is not completed within fifteen workdays (1) disciplinary action must be imposed, (2) the employee must be permitted to return to work pending the outcome of the review or investigation, or (3) the administrative leave with pay must be extended for a specified period of time as determined by the City Manager. *Revised by City Council January 5, 2010*

9-~~12~~ 9-13 Administrative Leave without Pay: Any employee who is formally charged with a criminal offense that is related to the nature of his or her position or the department's mission shall be immediately suspended without pay until the charge is resolved. Criminal offenses include felonies and misdemeanors as defined in the statutes of the United States, the Commonwealth of Virginia, other sovereign states, and other city and county governments. Criminal offenses shall not include traffic or other charges that are specifically differentiated and exempted from statutory criminal offenses; however, DUI or other formal charges which impact an employee's ability to drive a vehicle or could result in incarceration if convicted shall be considered criminal charges. The employee shall inform his or her supervisor as soon as practically feasible if charged with a criminal offense.

Employees shall be allowed to use any accrued annual leave, PTO, or compensatory time while placed on administrative leave without pay. The City will continue making payroll deductions to collect the employee's share of the health insurance premium when the employee uses accrued annual leave, PTO, or compensatory time. While on unpaid leave, the employee must continue to make this payment, either in person or by mail.

Employees will not receive back pay, reimbursement of health insurance premiums paid, and any leave accruals if reinstated to active employment. *Revised by City Council January 5, 2010*

9-1314 Civil Leave: An employee shall be granted leave with pay for any absence involving service on a jury or attending court as a witness under a subpoena. An employee appearing in court either as a defendant or plaintiff in a case shall not be eligible for civil leave.

An employee on jury duty has the choice of being paid by the City or the courts, but not both. Should the employee opt to receive City pay, he or she shall remit any jury duty payment to the City Treasurer. Should the employee opt to receive jury duty pay, he or she shall use annual leave, PTO, compensatory leave, or leave without pay. In both cases, employees shall be entitled to retain compensation received as reimbursement for expenses such meals, mileage, parking, and similar costs.

Employees are expected to immediately report to work for the City upon release by the Courts. *Revised by City Council January 5, 2010*

9-1415 Absence without Leave: Employees who absent themselves from duty without prior authorization shall be considered as absent without leave. This shall cause deductions of pay for the period of such absence and may be grounds for disciplinary action.

9-1516 Donation of Leave Time: When an employee, due to illness or injury (not work related), must be absent from work for an extended period beyond the leave time he has accrued, other employees can donate annual leave, PTO, or compensatory time. However, the annual leave or PTO balance of the donating employee shall not fall below ten (10) days.

For an employee to be eligible to receive donations, that employee must have been a full-time employee for at least one (1) year, must have exhausted all leave time, and must not have had any disciplinary actions or unsatisfactory evaluations in the last three years. The employee must be expected to be absent at least two (2) weeks after exhaustion of all leave time. The City Manager is responsible for reviewing the eligibility of the donors and the recipients. Donations may be solicited by the employee, a representative, or by co-workers. *Adopted by City Council on November 21, 2006 * Revised by City Council January 5, 2010*

9-169-17 Volunteer Fire and Rescue Leave: In the interest of public safety, the City supports employees who volunteer their time and service to the volunteer fire and rescue organizations. The following guidelines are to be followed when answering emergency calls:

- A. Rescue Squad: There are scheduled duty crews to operate first-run calls for the Squad; therefore, City employees should answer second-call emergencies only or when additional volunteers are requested on first-run calls.
- B. Fire Department: There are no scheduled duty crews in the fire Department; therefore, City employees will be allowed to leave the job site to assist in all fire calls.

It is the employee's responsibility to record all time that is devoted to fire and rescue calls on their time sheet or time card. Permission must be provided by the supervisor before the employee leaves the job site.

No City vehicle will be driven in a reckless or careless manner when responding to a call. All motor vehicle laws must be obeyed. If another employee is in the vehicle, he or she will return to duty once the volunteer has arrived at the station.

It is the employee's responsibility to return to work as soon as possible and to have his or her name entered in the log for the rescue squad or fire department, including the call time and return time to the station. *Adopted by City Council January 5, 2010*

9-18 Inclement Weather Policy and Compensation –When existing or predicting weather conditions are so severe that an authorized closing or change in schedule appears to be in the best interest of City Hall and its employees, the City Manager or his designee shall ensure; the local media and public safety agencies are contacted to obtain reliable weather information; respective department heads identify which employees may be adversely affected by the weather and workloads; a determination is made as to whether the weather condition is severe enough to recommend an all day closing or a partial shift closing.

When the City Manager makes the determination, the Department Heads shall:

- A. Identify those employees affected by the decision and into which category they fall for pay and leave consideration.
- B. Submit in writing to the City Manager or his designee, the names of the employees defined as designated who failed to report to work.
- C. Ensure that those employees entitled to compensatory time for that period use it within a reasonable timeframe as determined by the individual department head.

Designated "Essential" Employees

| | |
|-----------------------------|--------------------------------------|
| Public Works Employees | Public Utility Employees |
| Police Department Employees | Other Designated by the City Manager |

The City Manager shall notify the Mayor and City Council via a Courier, then notify the radio stations and television stations as identified in the policy, of authorized closing or schedule changes and request that they make a number of public service announcements to inform affected personnel. Each station contacted shall be requested to announce, "The City of Emporia's Government Center is operating under a Code Red."

All Day Closing and Partial Day Closing –Non-essential employees absent due to an authorized closing for an entire shift or a partial shift will be paid for such absence. To qualify for such payment, employees must be on paid leave or work the scheduled workday before and the scheduled workday after such closing.

Employees who are on approved leave with pay for an authorized closing will not be charged leave provided they are on paid leave or worked the scheduled workday before and after such closing.

Designated “essential” employees who work their normally scheduled shift during an authorized closing, whether an entire shift closing or partial shift closing, will be credited with compensatory leave for those hours worked.

Designated employees who do not report to work as scheduled must charge time missed to annual leave, sick leave, PTO, compensatory leave, or leave without pay, as determined by the immediate supervisor.

When conditions create transportation difficulties that result in late arrival to work, such lost time need not be applied to leave balances nor should the employee otherwise experience loss of pay, if, in the judgment of the City Manager, the lost time was justified in view of conditions.

Corrective action for failure to report may be taken under the Disciplinary Process, if deemed necessary.

Chapter X

Terminations

- 10-1 Resignation Notice: A regular employee resigning his position shall give at least two (2) weeks' notice to his department or division head in order to enable the City to make proper provisions for the filling of his position. Failure to give a proper written notice will be cause to enter on the employee's service record the statement “released with prejudice.” All resignations must be filed, by the department or division head, with the City Manager, ~~and notification given to the Personnel Department.~~
- 10-2 Lay Off: When it is necessary to reduce the number of employees on the City payroll because of lack of work or funds, the City Manager will ~~direct the Personnel Department~~ ~~to~~ make a thorough analysis of the problem. He will call upon the department or division heads for assistance in making such a study and in developing sound principles of procedure. Such analysis of the proposed lay-offs will consider the types of activities to be curtailed and the classes of positions thereby affected, the relative weights to be given employees service with the City and the advisability of demoting employees in higher classes to lower classes for which they are qualified, and laying off those in the lower classes.
- 10-3 Disciplinary Dismissals: (See complete explanation in Chapter VI.)

- 10-4 **Re-employment:** Employees separated from the service through no fault of their own, will be placed on the re-employment list.
- 10-5 **Return of City Property:** Employees are responsible for all property, materials, or written information issued to them or in their possession or control. Employees must return to the department all City property immediately upon request or upon termination of employment. Where permitted by applicable laws, the City may withhold from the employee's paycheck the cost of any items that are not returned when required. The City may also take all action deemed appropriate to recover or protect its property.
- 10-6 **Final Payment:** The ~~Personnel Department, after consultation with the~~ department or division head ~~and checking records,~~ will notify the Payroll Clerk relative to the amount of accrued leave pay due any terminated employee ~~and will cause such accrued leave pay to be included in the final check of the employee.~~ The final paycheck of the employee for any accrued leave balances will be due and payable on the next-second regular payday following the employee's termination. ~~It will be issued at the Personnel Office at which time the exit interview will be completed at the discretion of the Administration.~~
- 10-7 **Benefits Continuation (COBRA):** The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the City's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment (except for gross misconduct), or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirement.

Under COBRA, the employee or beneficiary pays the full cost of coverage at the City's group rates plus an administration fee. The City provides each eligible employee with a written notice describing the rights granted under COBRA at orientation when the employee is first hired. The notice contains important information about the employee's rights and obligations.



CITY OF EMPORIA

Memorandum

November 26, 2014

TO: The Honorable Mayor and City Council
FROM: Brian S. Thrower, City Manager *BST*
SUBJECT: Paid Time Off (PTO) Policy
ITEM #: 14-84

What Are The Major Reasons For Doing This?

- The State of Virginia mandated localities to cover all new full-time employees, excluding hazardous duty employees (police and fire), commencing employment on or after January 1, 2014 under short and long term disability programs. Existing employees hired before January 1, 2014 are not currently covered under these programs.
- This proposal covers ALL new and existing full-time City employees, including police and fire, under short and long term disability programs, i.e. increased level of benefits for all City employees and a more equitable benefit plan.
- Covers all full-time employees under the same benefit programs instead of having two different programs for two different groups of employees.
- Curbs the abuse of sick leave and unplanned absences to generate higher productivity.
- Rewards employees who do not abuse sick leave given the fact that employees will be accruing 2 additional hours per pay period, as compared to the current annual leave accrual rate.
- Employees will be covered under short and long term disability programs which reduces the need for sick leave.

Sick leave

- **Effective January 1, 2015 sick leave shall not be accrued.**
- **Employees may elect to be paid out all or a portion of sick leave accrued as of December 31, 2014 at a rate of 25% with no cap. Payout based on hourly rate as of December 31, 2014. Payouts will occur in January 2015.**
- **Employees may elect to “bank” all or a portion of sick leave accrued as of December 31, 2014. This leave may only be used according to the existing sick leave guidelines, i.e. personal and family illness and injury, doctor’s note required, employees subject to disciplinary action if they misrepresent need to use sick, etc. Leave may also be used to fill disability coverage gaps. Payout based on hourly rate at time of separation from City employment.**
- **Employees may elect to convert up to 96 hours (12 days) of sick leave accrued as of December 31, 2014 to PTO subject to the maximum accruals provided in the PTO table. Employees may elect to convert up to 96 hours (12 days) of banked sick leave to PTO on an annual basis subject to the maximum accruals provided in the table.**

Paid Time Off

- **Employees will accrue 2 additional hours per pay period (48 hours/6 days additional per year), as compared to annual leave.**
- **Employees will be allowed to carryover an additional 96 hours (12 days) per calendar year, as compared to annual leave.**
- **Maximum payouts upon separation from employment will increase as follows, as compared to annual leave:**
 - **Under 5 years – 96 additional hours/12 days**
 - **5-9 years – 96 additional hours/12 days**
 - **10-14 years – 96 additional hours/12 days**
 - **15-19 years – 144 additional hours/18 days**
 - **20-24 years – 144 additional hours/18 days**
 - **25 years or more – 192 additional hours/24 days**

- PTO will be classified as “scheduled” or “unscheduled.”
 - “Scheduled” leave shall be submitted to the supervisor in advance and shall be permitted at the discretion of the supervisor based on operational needs.
 - “Unscheduled” PTO will be used in the event the employee is unable to work due to unforeseen personal/family illness/injury or for other unforeseen reasons. If an employee is unable to report to work for any reason, he/she shall notify his/her supervisor prior to the beginning of his/her shift. Employees may be required to furnish medical verification or other proof that unscheduled use of PTO was unavoidable to his/her supervisor. Excessive use/abuse of unscheduled PTO by an employee may subject the employee to disciplinary action.

Options

- 1) Approve the plan as previously outlined.
- 2) Approve the plan as previously outlined with some amendments, i.e. increase accrual rates to supplement the net loss of 3 hours of sick leave, increase maximum carryovers, increase maximum payouts, and/or increase the sick leave payout percentage from 25% with no cap to 50%, 75%, or 100% with no cap.
- 3) Give employees hired prior to January 1, 2014 the option of “opting into” the new plan. Those employees hired January 1, 2014 and after would be required to participate in the new plan.
- 4) Take no action at this time and continue the current inequitable system of new employees receiving a higher level of benefits than current employees, i.e. receiving disability coverage while still accruing sick leave at the same rate as existing employees. Should you take no action at this time, the City will need to amend its leave plan at some point in the future.

Recommendation

I recommend you provide direction to City Administration regarding the aforementioned options. Should you direct City Administration to move forward with options 1, 2 or 3, I will amend the various leave policies and bring them back to you for consideration. You may also wish to hold a special meeting the week of December 8th in order to further consider this item so that any changes to current policy can be implemented prior to January 1, 2015 and communicated to employees in a timely manner.

Attachments

Proposed PTO Accrual, Carryover, and Payout Table
Current Annual Leave Accrual, Carryover, and Payout Table
Summary of Short-Term Disability Benefits
Summary of Long-Term Disability Benefits

Proposed Paid Time Off Accrual, Carryover, and Payout Table

| Years of Service | Pay Period Accrual Rate | Maximum Carryover | Maximum Payment |
|-------------------------|------------------------------------|--------------------------------|--------------------------------|
| Under 5 Years | 6 Hours | 288 Hours (36 days) | 288Hours (36 days) |
| 5-9 Years | 7 Hours | 336 Hours (42 Days) | 336 Hours (42 Days) |
| 10-14 Years | 8 Hours | 384 Hours (48 Days) | 384 Hours (48 Days) |
| 15-19 Years | 9 Hours | 432 Hours (54 Days) | 432 Hours (54 Days) |
| 20-24 Years | 10 Hours | 480 Hours (60 Days) | 480 Hours (60 Days) |
| 25 Years or More | 11 Hours | 528 Hours (66 Days) | 528 Hours (66 Days) |

Current Annual Leave Accrual, Carryover, and Payout Table

| Years of Service | Pay Period Accrual Rate | Maximum Carryover | Maximum Payment |
|-------------------------|------------------------------------|--------------------------------|--------------------------------|
| Under 5 Years | 4 Hours | 192 Hours (24 days) | 192 Hours (24 days) |
| 5-9 Years | 5 Hours | 240 Hours (30 Days) | 240 Hours (30 Days) |
| 10-14 Years | 6 Hours | 288 Hours (36 Days) | 288 Hours (36 Days) |
| 15-19 Years | 7 Hours | 336 Hours (42 Days) | 288 Hours (36 Days) |
| 20-24 Years | 8 Hours | 384 Hours (48 Days) | 336 Hours (42 Days) |
| 25 Years or More | 9 Hours | 432 Hours (54 Days) | 336 Hours (42 Days) |

SUMMARY OF SHORT-TERM DISABILITY BENEFITS

Advice to Pay ATP

Provided by: City of Emporia

Effective: March 1, 2014

All Active Full-time non Hazardous duty political subdivisions employees

ELIGIBILITY

All employees in an eligible class.

MAXIMUM WEEKLY BENEFIT

Non-Work Related Disability:

| Months of Service | Work Days at 100% | Work Days at 80% | Work Days at 60% |
|-------------------|-------------------|------------------|------------------|
| <12 | 0 | 0 | 125 |
| 13-59 | 0 | 0 | 125 |
| 60-119 | 25 | 25 | 75 |
| 120-170 | 25 | 50 | 50 |
| 180+ | 25 | 75 | 25 |

Work Related Disability:

| Months of Service | Work Days at 100% | Work Days at 80% | Work Days at 60% |
|-------------------|-------------------|------------------|------------------|
| <60 | 0 | 0 | 125 |
| 60-119 | 85 | 25 | 15 |
| 120+ | 85 | 40 | 0 |

MAXIMUM BENEFIT DURATION

125 business days

DEFINITION OF TOTAL DISABILITY

Total Disability is defined as the inability to perform each of the main duties of your regular occupation due to injury or sickness.

DEFINITION OF PARTIAL DISABILITY

Due to an injury or illness, you are unable to perform each of the main duties of your regular occupation on a full-time basis. Partial Disability benefits may be payable if you are earning at least 20% of the income you earned prior to becoming disabled, but not more than 99%. Partial disability benefits allow you to work and earn income from your employer as well as continue to receive benefits, which may enable you to receive 100% of your income during your time of disability.

ELIMINATION PERIOD

Benefits begin on the 7th day for disability due to an accident.
Benefits begin on the 7th day for disability due to an illness.

PREGNANCY

Pregnancy is treated as an illness. The Elimination Period has to be completed before benefits would begin.

BENEFIT REDUCTIONS

Your benefits will be reduced if you are receiving benefits from:

- You are receiving benefits from any compulsory benefit, act, or law, such as a state disability plan.
- Any governmental retirement system earned as a result of working for the current policyholder;
- Any Social Security, or similar plan or act, benefits;
- Any disability or retirement benefit received under a retirement plan;
- Earnings the insured earns or receives from any form of employment.

PRE-EXISTING CONDITION

You may not be eligible for benefits if you have received treatment for a condition within 3 months prior to your effective date under this policy until you have been covered under the policy for 12 months.

For assistance or additional information please contact your group administrator



Group Long-Term Disability Insurance
SUMMARY OF BENEFITS

Sponsored by: City of Emporia

Effective Date: March 1, 2014

Long-term disability is intended to protect your income for a long duration after you have depleted short-term disability or any sick leave your company may offer.

All Active Full-time non Hazardous duty political subdivisions employees

LTD Benefit

| | Monthly Benefit | Maximum Benefit | Maximum Benefit Duration | Own Occupation Period | Elimination Period |
|--------------------|-----------------|-----------------|--|-----------------------|--------------------|
| Employer Paid Plan | 60% | \$15,000 | Later of Age 65 or Social Security Normal Retirement Age | 24 Months | 175 Calendar Days |

| Maximum Benefit Duration | Age at Disability | Greater of 5 years or Social Security Normal Retirement Age |
|--------------------------|-------------------|---|
| | Less than Age 64 | To Age 70 |
| | 65 - 68 | |
| | 69 and Over | 1 year |

Pre-Existing Condition You may not be eligible for benefits if you have received treatment for a condition within 3 months prior to your effective date under this policy until you have been covered under the policy for 12 months

Benefit Limitations Mental Illness: No Limit
 Substance Abuse: No Limit
 Specified Illness: No Limit

Enrolling for Coverage

Eligibility: All employees in an eligible class.

(Please see other side)

Understanding Your Benefits

| | | | | | | | | | | | |
|--|--|-------------------------------|-------------------------|--|------------|-------------------------------|--|----------------------------|--|---------------------|--|
| Elimination Period | The number of days you must be disabled prior to collecting disability benefits. | | | | | | | | | | |
| Own Occupation | The trade or profession you were employed in prior to your disability as defined by the US DOL Dictionary of Occupational Titles. | | | | | | | | | | |
| Total Disability | Due to an injury or illness, you are unable to perform each of the main duties of your own occupation. Your "own" occupation is covered for a specific period of time. Following this, the definition of total disability becomes the inability to perform any occupation for which you are reasonably suited based on your experience, education, or training. | | | | | | | | | | |
| Partial Disability | Due to an injury or illness, you are unable to perform each of the main duties of your regular occupation on a full-time basis. Partial Disability benefits may be payable if you are earning at least 20% of the income you earned prior to becoming disabled, but not more than 99%. Partial disability benefits allow you to work and earn income from your employer and continue to receive benefits, which may enable you to receive 100% of your income during your time of disability. | | | | | | | | | | |
| Continuation of Disability | If you return to work full-time but become disabled from the same disability within 6 months of returning to work, you will begin receiving benefits again immediately with no new Elimination Period. | | | | | | | | | | |
| Benefit Duration Reduction | Your benefit duration may be reduced if you become disabled after age 65. | | | | | | | | | | |
| Pre-Existing Condition | Any sickness or injury for which you received medical treatment, consultation, care, or services (including diagnostic measures or the taking of prescribed medications) during the specified months prior to your coverage effective date. A disability arising from any such sickness or injury will be covered only if it begins after you have performed your regular occupation on a full-time basis for the specified months following the coverage effective date. | | | | | | | | | | |
| Benefit Exclusions | You will not receive benefits in the following circumstances: <ul style="list-style-type: none">• Your disability is the result of a self-inflicted injury.• You are not under the regular care of a doctor when requesting disability benefits.• You were involved in a felony commission, act of war, or participation in a riot.• You were residing outside of the United States or Canada for more than 12 consecutive months for purposes other than employment with your Employer. | | | | | | | | | | |
| Benefit Reductions | -Your benefits may be reduced if you are receiving benefits from any of the following sources: <ul style="list-style-type: none">• Any compulsory benefit act or law (such as state disability plans);• Any governmental retirement system earned as a result of working for the current policyholder;• Any disability or retirement benefit received under a retirement plan;• Any Social Security, or similar plan or act, benefits;• Earnings from any form of employment;• Workers compensation;• Salary continuance or employer contributions to an employer sponsored retirement plan. | | | | | | | | | | |
| Coverage Termination | Coverage will terminate when you terminate employment with this policyholder, or at your retirement. | | | | | | | | | | |
| Additional Benefits | <table><tr><td>EmployeeConnectSM</td><td>Survivor Income Benefit</td></tr><tr><td>Employee Connect – Employee Assistance Program</td><td>Conversion</td></tr><tr><td>Customer Service:888-628-4824</td><td></td></tr><tr><td>Progressive Income Benefit</td><td></td></tr><tr><td>Family Care Expense</td><td></td></tr></table> <p>See your Schedule of Benefits on your Certificate for more information</p> | EmployeeConnect SM | Survivor Income Benefit | Employee Connect – Employee Assistance Program | Conversion | Customer Service:888-628-4824 | | Progressive Income Benefit | | Family Care Expense | |
| EmployeeConnect SM | Survivor Income Benefit | | | | | | | | | | |
| Employee Connect – Employee Assistance Program | Conversion | | | | | | | | | | |
| Customer Service:888-628-4824 | | | | | | | | | | | |
| Progressive Income Benefit | | | | | | | | | | | |
| Family Care Expense | | | | | | | | | | | |

For assistance or additional information

Contact Lincoln Financial Group at (800) 423-2765 or log on to www.LincolnFinancial.com

NOTE: This is not intended as a complete description of the insurance coverage offered. Controlling provisions are provided in the policy, and this summary does not modify those provisions or the insurance in any way. This is not a binding contract. A certificate of coverage will be made available to you that describes the benefits in greater detail. Should there be a difference between this summary and the policy, the policy will govern.

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CITY OF EMPORIA

Memorandum

December 12, 2014

TO: The Honorable Mayor and City Council
FROM: Brian S. Thrower, City Manager *BST*
SUBJECT: Water and Sewer Tap Fees – Request for Direction
ITEM #: 14-86

At your November 18, 2014 meeting you directed staff to develop options regarding the water and sewer tap fee payment process. City Code currently requires the payment of these fees at the time of building permit issuance. Below are suggested amendments to City Code Sections 78-72 (5) and 78-188 (5) based on your previous direction, should you wish to move forward.

Water Taps City Code Section 78-72 (5)

Water tap requests shall be included on building permit application forms. After receipt of the building permit application, the director of public utilities will determine the size of the water tap. Water tap charges, including multiunit development connection fees, will be paid for by the owner or agent at the time of building permit issuance prior to the issuance of a Certificate of Occupancy. The owner or agent shall be charged the multiunit development connection fees associated with those units to be developed under the current building permit application. Should a building permit be required due to the expiration of an existing permit or addition of units within the same development, the owner or agent will be responsible for paying the current water tap charges and multiunit development connection fees as established by council at the time of payment. ~~After all water tap charges have been paid and a building permit has been issued, the department of public utilities will make the requested water tap.~~ Only authorized city employees shall make water taps.

Sewer Taps City Code Section 78-188 (5)

Sewer tap requests shall be included on building permit application forms. After receipt of the building permit application, the director of public utilities will determine the size of the sewer tap. Sewer tap charges, including multiunit development connection fees, will be paid for by the

owner or agent ~~at the time of building permit issuance prior to the issuance of a Certificate of Occupancy.~~ The owner or agent shall be charged the multiunit development connection fees associated with those units to be developed under the current building permit application. Should a building permit be required due to the expiration of an existing permit or addition of units within the same development, the owner or agent will be responsible for paying the current sewer tap charges and multiunit development connection fees as established by ~~city council~~ at the time of payment. ~~After all sewer tap charges have been paid and a building permit has been issued, the department of public utilities will make the requested sewer tap.~~ Only authorized city employees shall make sewer taps.

Recommendation

Your direction on this matter is requested. Should you wish to move forward on these amendments, I recommend you authorize conducting a public hearing at your January 6, 2015 meeting. The proposed ordinance will also be considered for adoption that evening.



CITY OF EMPORIA

Memorandum

December 12, 2014

TO: The Honorable Mayor and City Council
FROM: Brian S. Thrower, City Manager *BST*
SUBJECT: Fire Program Funds (City) – Appropriation Ordinance
ITEM #: 14-87

As you are aware, the City receives grant funds from the Virginia Department of Fire Programs (VDFP) on an annual basis. The VDFP allows the City to carry the unspent funds over from one fiscal year to the next. We have \$166,370.06 in carry over funds remaining. Therefore, you will need to re-appropriate \$166,370.06 into the FY15 Operating Budget so that the Emporia Volunteer Fire Department can utilize these grant funds.

Recommendation

I recommend you adopt the attached appropriation ordinance.

Attachment

Ordinance

Ordinance No. _____

Ordinance

An Ordinance To Appropriate The Sum Of \$166,370.06 In Previously Received Grant Funds From The Virginia Department of Fire Programs From The Unappropriated Fund Balance Of The General Fund For Fire Programs

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

1. That the sum of \$166,370.06 in previously received grant funds from the Virginia Department of Fire Programs be, and the same hereby is, appropriated from the Unappropriated Fund Balance of the General Fund into the City's Operating Budget for Fiscal Year 2014-2015.
2. Said appropriation shall be reflected in the 2014-2015 Operating Budget as the sum of \$166,370.06 appropriated to General Fund Expenditures, Account Number 32100-6020 Fire Program Funds Purchases.
3. The City Manager is hereby authorized to do all things necessary to implement this grant and appropriation.
4. This ordinance shall be in effect on and after its adoption.

Adopted: December 16, 2014

City of Emporia, Virginia

By _____
Mary L. Person
Mayor

Attest:

Form Approved:

City Clerk

City Attorney



CITY OF EMPORIA

Memorandum

December 12, 2014

TO: The Honorable Mayor and City Council
FROM: Brian S. Thrower, City Manager *BST*
SUBJECT: Fire Program Funds (County) – Appropriation Ordinance
ITEM #: 14-88

As you are aware, the City receives grant funds from the Virginia Department of Fire Programs (VDFP) through Greensville County on an annual basis. The City has received \$2,755.50 in additional funds from Greensville County for FY14. In order for the Emporia Volunteer Fire Department to utilize these grant funds, you will need to appropriate the sum of \$2,755.50 into the FY15 Operating Budget.

Recommendation

I recommend that you adopt the attached appropriation ordinance.

Attachment

Ordinance

Ordinance No. _____

Ordinance

An Ordinance To Appropriate The Sum Of \$2,755.50 In Grant Funds From The Virginia Department of Fire Programs Which Was Received From The County of Greensville For Fire Programs

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

1. That the sum of \$2,755.50 in grant funds from the Virginia Department of Fire Programs which was received from the County of Greensville be, and the same hereby is, appropriated into the City's Operating Budget for Fiscal Year 2014-2015.
2. Said appropriation shall be reflected in the 2014-2015 Operating Budget as the sum of \$2,755.50 appropriated to General Fund Expenditures, Account Number 32100-6020 Fire Program Funds Purchases.
3. The City Manager is hereby authorized to do all things necessary to implement this grant and appropriation.
4. This ordinance shall be in effect on and after its adoption.

Adopted: December 16, 2014

City of Emporia, Virginia

By _____
Mary L. Person
Mayor

Attest:

Form Approved:

City Clerk

City Attorney



CITY OF EMPORIA

Memorandum

December 12, 2014

TO: The Honorable Mayor and City Council
FROM: Brian S. Thrower, City Manager *BST*
SUBJECT: Farmers Market Trailhead Improvement Project – Appropriation Ordinance
ITEM #: 14-89

The City entered into an agreement with H. G. Reynolds Company, Inc. for construction of the boat and canoe/kayak launch work related to the Farmers Market Trailhead Improvement Project on October 25, 2013. The work was not completed prior to the close of FY14 and therefore must be paid for from the FY15 budget. There were funds remaining in the FY14 budget to cover the cost of this work which totals \$70,338.04. City Administration requests that Council re-appropriate the funds remaining from the FY14 budget into the FY15 budget to cover the cost of this work.

Recommendation

I recommend that you adopt the attached appropriation ordinance.

Attachment

Ordinance

Ordinance No. _____

Ordinance

An Ordinance To Appropriate The Sum Of \$70,339.00 From The Unappropriated Fund Balance of the General Fund For The Construction Of The Farmers' Market Trailhead Improvements Project

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

1. That the sum of \$70,339.00 from the Unappropriated Fund Balance of the General Fund be, and the same hereby is, appropriated into the City's Operating Budget for Fiscal Year 2014-2015 for the remaining construction costs of the Farmers' Market Trailhead Improvements Project.
2. Said appropriation shall be reflected in the 2014-2015 Operating Budget as the sum of \$70,339.00 from the Unappropriated Fund Balance of the General Fund and the sum of \$70,339.00 appropriated to General Fund Expenditures for the remaining cost of construction of the Farmers' Market Trailhead Improvements Project Account Number 94100-8222 Farmers' Market.
3. The City Manager is hereby authorized to do all things necessary to implement this ordinance.
4. This ordinance shall be in effect on and after its adoption.

Adopted: December 16, 2014

City of Emporia, Virginia

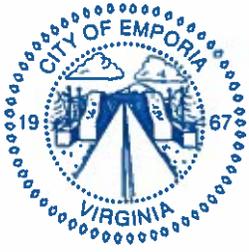
By _____
Mary L. Person
Mayor

Attest:

Form Approved:

City Clerk

City Attorney



CITY OF EMPORIA

Memorandum

December 12, 2014

TO: The Honorable Mayor and City Council
FROM: Brian S. Thrower, City Manager *BST*
SUBJECT: DHCD Housing Needs Assessment Planning Grant – Appropriation Ordinance
ITEM #: 14-90

The City of Emporia was awarded a \$15,000 planning grant by the Virginia Department of Housing and Community Development (DHCD) for a Housing Needs Assessment. In order for the City to utilize this award, you will need to adopt the attached ordinance appropriating the grant funding into the City's FY15 budget.

Recommendation

I recommend that you adopt the attached appropriation ordinance.

Attachment

Ordinance

Ordinance No. _____

Ordinance

An Ordinance To Appropriate The Sum Of
\$15,000.00 In Planning Grant Funds From The
Virginia Department Of Housing And Community
Development For The Housing Needs Assessment

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

1. That the sum of \$15,000.00 in planning grant funds from the Virginia Department of Housing and Community Development be, and the same hereby is, appropriated into the City's Operating Budget for Fiscal Year 2014-2015.
2. Said appropriation shall be reflected in the 2014-2015 Operating Budget as the sum of \$15,000.00 appropriated to General Fund Revenues and the sum of \$15,000.00 appropriated to General Fund Expenditures, Account Number 81850-3130 Management Consulting Services – Housing Needs Assessment.
3. The City Manager is hereby authorized to do all things necessary to implement this ordinance.
4. This ordinance shall be in effect on and after its adoption.

Adopted: December 16, 2014

City of Emporia, Virginia

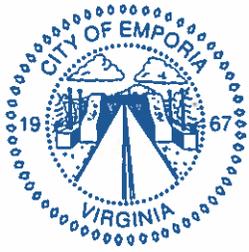
By _____
Mary L. Person
Mayor

Attest:

Form Approved:

City Clerk

City Attorney



CITY OF EMPORIA

Memorandum

December 12, 2014

TO: Honorable Mayor and City Council Members
FROM: Brian S. Thrower, City Manager
SUBJECT: City and Greensville County School Board Appointments
ITEM #: 14-91

On December 2, 2014, City Council held a public hearing regarding two (2) appointments to the City School Board and one (1) appointment to the Greensville County School Board. City Council received the following nominations:

City School Board

Denise Parker
Marva Dunn

Greensville County School Board

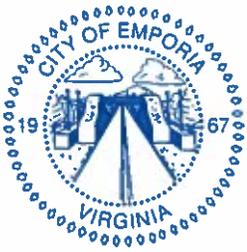
Bernadette Battle
Marva Dunn

In addition, the City School Board and Greensville County School Board appointees will fill the term of office for four (4) years until December 31, 2018.

Recommendation

This information is provided to City Council for consideration.

BST/tsw



CITY OF EMPORIA

Memorandum

December 12, 2014

TO: The Honorable Mayor and City Council

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

SUBJECT: Water and Sewer Tap Fees – Request by Council Member Carey

ITEM #: 14-92

Council Member Carey has requested the issue of water and sewer tap fees as applied to two-family and multi-unit family dwellings be put on tonight's agenda for discussion.

Attachment

Ordinance

Ordinance

AN ORDINANCE TO AMEND SECTIONS 78-72 and 78-188
OF THE CODE OF THE CITY OF EMPORIA, VIRGINIA

BE IT ORDAINED by the City Council of the City of Emporia, Virginia, in regular assembly that:

Sections 78-72 and 78-188 of the Code be amended and re-enacted to read as follows:

Sec. 78-72. Charges, application, and payment for water taps.

Charges, application, and payment for water taps are as follows:

~~(1) Charge for three-fourths of an inch water taps shall be \$3,000.00.~~ Single-family dwellings: \$3,000

(2) Two-family and Multiple-family dwellings: \$3,000 plus \$1,000 per dwelling unit

(3) Lodging facilities: \$5,000

(4) All other types of development: \$3,000

~~(1) —~~

~~(5) Charges for water taps exceeding three-fourths of an inch shall be \$3,000.00 plus the difference in~~
~~(2) — materials cost.~~

~~(3) For connecting a multiunit residential or commercial development, there shall be, in addition to any tap charges otherwise required in this Code, a fee of \$1,000.00 for each unit within the multiunit development. All facilities constructed or installed on private property for the purpose of serving the development itself shall be maintained by the owner or developer and shall be subject to use regulations as provided elsewhere in this Code.~~

~~(6) There shall be a 100 percent surcharge for all customers who reside outside of the corporate~~
~~(4) — limits of the city.~~

(7) Water tap requests shall be included on building permit application forms. After receipt of the — building permit application, the director of public utilities will determine the size of the water tap. — All W water tap charges, including multiunit development connection fees, will be paid for by the — owner or agent at the time of building permit issuance. The owner or agent shall be charged the — multiunit development connection fees associated with those units to be developed under the — current building permit application. Should a building permit be required due to the expiration of — an existing permit or addition of units within the same development, the owner or agent will shall — be responsible for paying the current pay the current -charges established by multiunit

~~___~~ development connection fees as established by city council. After all water tap charges have been
~~___~~ paid and a building permit has been issued, the department of public utilities will make the
(5) ~~___~~ requested water tap. Only authorized city employees shall make water taps.
(Code 1972, § 23-34; Ord. No. 97-5, 6-17-97; Ord. No. 06-17, 6-20-06; Ord. No. 06-55, 6-19-07; Ord.
No. 08-18, 7-1-08; Ord. No. 09-40, 6-16-09; Ord. No. 09-55, 9-1-09)

Sec. 78-188. Charges, application, and payment for sewer taps.

Charges, application, and payment for sewer taps are as follows:

(1) ~~(1) Charges for four inch sewer taps shall be \$4,000.00. Single-family dwellings: \$4,000~~

~~(2) Two-family and Multiple-family dwellings: \$4,000 plus \$1,000 per dwelling unit~~

~~(3) Lodging facilities: \$8,000~~

~~(4) All other types of development: \$4,000~~

(5) Charges for sewer taps exceeding four inches shall be \$4,000.00 plus the difference in materials
(2) ~~___~~ costs.

~~(3) For connecting a multiunit residential or commercial development, there shall be, in addition to
any tap charges otherwise required in this Code, a fee of \$2,000.00 for each unit within the
multiunit development. All facilities constructed or installed on private property for the purpose
of serving the development itself shall be maintained by the owner or developer and shall be
subject to use regulations as provided elsewhere in this Code.~~

(6) There shall be a 100 percent surcharge for all customers who reside outside of the corporate
(4) ~~___~~ limits of the city.

(5) (7) Sewer tap requests shall be included on building permit application forms. After receipt of the
building permit application, the director of public utilities will determine the size of the sewer tap. All
sewer tap charges, including multiunit development connection fees, will be paid for by the owner or
agent at the time of building permit issuance. The owner or agent shall be charged the multiunit
development connection fees associated with those units to be developed under the current building
permit application. Should a building permit be required due to the expiration of an existing permit or
addition of units within the same development, the owner or agent will shall be responsible for paying the
current pay the current charges established multiunit development connection fees as established by city
council. After all sewer tap charges have been paid and a building permit has been issued, the department
of public utilities will make the requested sewer tap. Only authorized city employees shall make sewer
taps.

(Code 1972, § 17-23; Ord. No. 97-6, 6-17-97; Ord. No. 06-18, 6-20-06; Ord. No. 06-57, 6-19-07; Ord.
No. 08-19, 7-1-08; Ord. No. 09-41, 6-16-09; Ord. No. 09-55, 9-1-09)

Adopted: November 18, 2014

By Mary L. Person
Mary L. Person
Mayor

Attest:

Jessie S. Wilkins
City Clerk

Form Approved:

C. Butler Banitt
City Attorney